

TOWNSHIP COMMITTEE MEETING
June 22, 2015

The Township Committee Meeting of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: Dave Cook, Susan Goetz, Glenn Johnson, and Dan Mulligan, and Mayor Jay Taylor. Also present were: Karen Cayci, Esq., Township Attorney; Mary Beth Lonergan, COAH Consultant; Kevin Van Hise, Esq., COAH Attorney; Richard Preiss, P.P., Township Planner; Bill Tanner, P.E., Township Engineer; and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Taylor led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 2, 2014 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 2, 2014.
- (3) Filed on December 2, 2014 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection.
- (4) Sent to those individuals who have requested personal notice.
- (5) Notice of the time change was posted on the Township's web site, posted on the Bulletin Board and communicated to the Cranbury Press, Home News Tribune and Trenton Times on June 16, 2015.

Resolution

At 7:02 p.m. Mayor Taylor requested a motion to go into Closed Session. On a motion by Mr. Johnson, seconded by Ms. Goetz and unanimously carried, the following Resolution was adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

Cranbury Township Resolution # R 06-15-076-A

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey as follows:

The general nature of the subject to be discussed in this session is as follows:

“N.J.S.A. 10:4-12b (7)/Contract Negotiations;” Discussion of Possible Contract Negotiations

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Cranbury Township Resolution # R 06-15-076-A
(Continued)

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

On a motion by Mr. Mulligan, seconded by Mr. Cook, and unanimously carried, the meeting returned to Open Session at 7:30 p.m.

Resolution

On a motion by Mr. Cook, seconded by Mr. Mulligan and unanimously carried, the following Resolution was adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		
Nays	(None		

Cranbury Township Resolution # R 06-15-077

WHEREAS, Cranbury Housing Associates, Inc. ("CHA") received its Incorporation Certificate in April of 1965 and is celebrating its 50th Anniversary this year serving Cranbury's residents; and

WHEREAS, Cranbury Housing Associates, Inc. is a not-for-profit corporation, governed by a 12 person Board of Directors who serve as volunteers on the Board; and

WHEREAS, since the Township Committee in the late 1980's asked CHA to be the Township's Affordable Housing Developer and subsequent Township Committees have continued with the same relationship;

WHEREAS, the original objectives of CHA were to improve and provide for the housing needs of low-income, disadvantaged and permanent residents in Cranbury. From its start until the mid-1980's, CHA was a "hands on" organization, with many of the projects undertaken with volunteer labor and minimal financial support and for the past 28 years, it has worked in partnership with the Township helping to meet its original and continuing affordable housing obligations as established by the State; and

WHEREAS, CHA has developed 96 units of new affordable housing to meet the requirements of the Council on Affordable Housing (COAH) enabling the Township to avoid the "Builders Remedy" or high volume housing consisting of both affordable and market-rate housing making Cranbury Township the desirable community it is today; and

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Cranbury Township Resolution # R 06-15-077
(Continued)

NOW THEREFORE, BE IT RESOLVED, that the Township Committee on behalf of the residents of Cranbury Township extends its congratulations and thanks to CHA for a job well done; and

BE IT FURTHER RESOLVED, a duly authenticated copy of this resolution be presented to CHA.

Regular Township Committee Minutes of June 8, 2015

On motion by Mr. Johnson, seconded by Ms. Goetz and unanimously carried, the Regular Township Committee Minutes of June 8, 2015 were adopted.

Closed Session of Minutes of June 8, 2015

On motion by Ms. Goetz, seconded by Mr. Cook and unanimously carried, the Closed Session Minutes of June 8, 2015 (two sets) were adopted.

Reports and Communications

--Mayor Taylor reported the Township has received letters from builders, Avalon and Toll Brothers, who are interested in Cranbury's housing plan; therefore, the Township has serious concerns with builder's remedy.

Mayor Taylor reported the Zoning Board will have a meeting on July 1st and will be hearing the Alpha Healing Center application, which is Staybridge Suite's application to convert to an alcohol, drug and mental illness rehabilitation facility. Mayor Taylor reported Barton Nurseries will be conducting a controlled burn starting Tuesday, June 23rd. He reported the Cranbury Business and Professional Association will be having its "Touch-A-Truck" Event on July 18th. Mayor Taylor reported the Parks Commission has agreed to install a Port-a-Potty at Heritage Park. He stated the redevelopment meeting was held for the Hagerty/Cheney/Kushner property, and stated Mr. Johnson will provide further details on that. Mayor Taylor stated he is pleased to announce Assembly Wayne DeAngelo sent draft legislation concerning affordable housing, which is being reviewed by our COAH Attorney.

Mayor Taylor reported in May the Police issued 209 traffic summonses. He stated the top speeding locations were North Main Street, Old Trenton Road and South Main Street. He reported this month there were also 43 motor vehicle accidents, three (3) DUIs; nine (9) warrant arrests; 15 total arrests and three (3) shoplifting/theft incidents.

Mayor Taylor reported this week is Middlesex County National Mosquito Control Awareness Week. He reported for students interested in attending West Point or Annapolis, Congresswoman Bonnie Watson-Coleman's Office is hosting "Middlesex County Academy Day" a "on Saturday, July 11, 2015 from 9:00 a.m. to 12:00 p.m. at the East Brunswick High School Auditorium.

Mayor Taylor reported the Arbor Day Foundation sent a letter of congratulations to Cranbury Township for earning recognition as a 2013 Tree City. He confirmed the letter stated "2013."

Reports and Communications

--Members of Committee

Mr. Johnson

Mr. Johnson reported he attended a meeting at Town Hall with the New Jersey Department of Transportation regarding the resurfacing of the northbound lanes of Route 130. He stated he attended the redevelopment meeting for the Hagerty/Cheney/Kushner property and stated it was the first time the

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Reports and Communications

--Members of Committee

Mr. Johnson (continued)

developers presented the plans to the public. He stated there was a lot of good public comment. He stated he attended a meeting in New Brunswick with the County Engineer relating to the same project concerning an easement going across that property. Mr. Johnson reported he and Mr. Mulligan met with Dr. Genco on the Hagerty/Cheney/Kushner property. He stated he also met with Mr. Allan Kehrt, Chairman of the Planning Board and Mr. Richard Preiss, PP, Township Planner, and Ms. Goetz concerning the same property.

Ms. Goetz

Ms. Goetz reported, as a result of a recommendation from the herbicide consultant for maintenance of Brainerd Lake, a group of ten (10) volunteers gathered to pull the invasive water chestnut weed from the Lake. The consultant strongly recommended the weed be removed at the early stages before it takes over the Lake. She stated the volunteers wore leather gloves and were in canoes and kayaks ready to pull the weeds, but could not locate any. When Princeton Hydro came to apply the second herbicide treatment, she asked them to show her where the water chestnuts were; however, he was not able to locate them either. Since the plants were young, it is believed the first herbicide treatment might have done damage to the stems. She stated the plants may come back this year or next so we will have to be diligent in looking for them.

Mr. Mulligan

As previously mentioned by Mr. Johnson, Mr. Mulligan reported they met with Dr. Susan Genco, Administrator of Cranbury School concerning the Hagerty/Cheney/Kushner property and affordable housing obligations. He stated he and Mr. Johnson will have a follow-up meeting with the School in July. Mr. Mulligan stated they are looking at the true impact of affordable housing to the school. He stated there has been a lot of feedback and questions concerning the Hagerty/Cheney/Kushner redevelopment.

Mr. Mulligan stated Alpha Healing is a concern and he suggested multiple e-mail alerts be sent out prior to the Zoning Board Meeting to notify residents. He suggested information also be posted on the Township's TV channel and on the website. He stated his concern is the meeting is scheduled during a holiday week and residents may not be aware of the meeting.

Mr. Cook

Mr. Cook reported the Township is in the last 5% of the Brainerd Lake Bridge and Dam Project. He stated what is left is installing the motor that operates the sluice gate, and is hoping that the issue will be resolved within the next six (6) weeks. The remaining electrical work will be done by that point, which will also allow portable lighting for skating.

Mr. Cook commended the work on the maintenance of the Lake. He stated he has seen the Lake in many different levels of growth, and stated this has been the best the Lake has looked. Mr. Cook reported on the remediation of the Lake's edge in Village Park. He stated the Township is almost at the point of getting the DEP permit to remediate that area.

Mr. Cook provided additional information on Assemblywoman Bonnie Watson-Coleman's academy workshop, stating Senators or Congressman have to assess the student and then provide a letter of nomination before a student could be interviewed at the academy.

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Agenda Additions/Changes

Ms. Cunningham reported there may be an additional Resolution to adopt after the Closed Session, Cranbury Township Resolution # R 06-15-04 concerning COAH. Mayor Taylor stated he would like Chief Michael Kervan, Cranbury Volunteer Fire Department, and Captain Nichols, Cranbury First Aid Squad, to give their monthly reports at this time.

Mr. Michael Kervan, Chief of the Cranbury Volunteer Fire Department gave his report for the month of June (May 26 to June 22): 30 calls; 177.76 volunteer man hours (year-to-date 1,706 volunteer man hours). He reported there were 254 runs this year as compared to 209 runs last year. He stated there has been a mix of warehouse and residential calls.

Mayor Taylor stated he is receiving questions about other municipalities responding to Cranbury's calls, and he asked Chief Kervan to provide some information about the mutual aid plan to the public. Chief Kervan stated from 6:00 a.m. to 6:00 p.m. Cranbury automatically receives mutual aid from East Windsor, Hightstown, and depending on the location, Plainsboro. He stated Cranbury reciprocates by responding to East Windsor and Hightstown for any significant calls during that same time frame.

Captain John Nichols, Cranbury First Aid Squad, stated he has not given report previously, however, he is happy to do so in the future. He stated for 2015 thus far, the First Aid Squad has responded to 413 calls with 52 calls in June. He stated there is a daytime crew from 5:00 a.m. to 7:00 p.m. and the calls are equally split between day and night calls. Captain Nichols stated there are four (4) student EMTs. He explained the training the cadets receive. Mr. Cook asked if there was a type of call that was more prevalent, and Chief Nichols stated it was a mix of calls; however, the accidents on the Turnpike have been much worse. With the possibility of Alpha Healing coming to the Township, Mayor Taylor inquired if the First Aid Squad has seen many issues with drugs. He reported the Squad has not seen an increase in drug overdoses. Chief Nichols stated the Police carry Narcan and have administered it before the Squad arrives. He stated the First Aid Squad is in the process of certifying some of its members so they can carry administer Narcan. Chief Nichols reported the Squad's response time is between four (4) and nine (9) minutes.

Public Comment - For Agenda Items

Mayor Taylor opened the meeting to public questions and comments for items on the Agenda. Mr. Gary Giacalone, Plainsboro Road, stated he agrees with the Police Department concerning reducing the speed limit on Plainsboro Road. He stated lowering the speed limit will reduce the number of accidents on the bend. He stated he has seen many accidents in front of his house. He suggested installing a blinking light before the curve and installing additional street lighting. He stated enforcement is the key. He requested the solid double line in front of his house at 157 Plainsboro Road be extended. He also suggested that reflectors be installed in the middle of the road. Mr. Giacalone stated the 4-ton limit is not being adhered to as there is not enforcement to prevent the trucks from using Plainsboro Road. He stated he sees many garbage trucks six (6) days a week and cannot believe all those trucks are for Cranbury. He stated the trucks use Plainsboro Road because they can and enforcement is needed to stop them. He thanked the Township Committee for their time and appreciated their help. There being no further comments, the public portion of the meeting was closed.

Ordinance
First Reading

CRANBURY TOWNSHIP ORDINANCE NO. 06-15-12

An Ordinance entitled, # 06-15-12, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING TOWNSHIP CODE CHAPTER 110 PEACE AND GOOD ORDER" was introduced for first reading. On motion by Mr. Mulligan, seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

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CRANBURY TOWNSHIP ORDINANCE NO. 06-15-12
(Continued)

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

Second Reading – July 13, 2015 at 7:00 p.m.

WHEREAS, Chapter 110 of the Code of the Township of Cranbury (“Code”) sets forth, the restriction of certain conduct to maintain peace and good order in the township; and

WHEREAS, the Chief of Police has requested that Article V be added to prohibit urinating in public;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, as follows:

SECTION 1. The recitals contained in the foregoing preamble are incorporated herein as if fully restated.

Article V of the Code of the Township of Cranbury (“Code”), entitled “Urinating in Public,” is hereby added and shall read as follows (additions are underlined; deletions are in [brackets]):

Article V. Urinating in Public

§ 110-20. Prohibited Act.

No person shall urinate or place any bodily waste of humans on any public street, sidewalk or other place in public view, or to which the public is invited or has access, except in a lavatory toilet or similar facility.

§ 110-21. Enforcement.

It shall be the duty of any police officer of the Township of Cranbury to enforce the provisions of this article.

§ 110-22. Violations and penalties.

Any person violating this article shall be subject to the penalties as provided in Chapter 1, §1-15 of this Code, entitled “General penalty; continuing violations”.

SECTION 2. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

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CRANBURY TOWNSHIP ORDINANCE NO. 06-15-12
(Continued)

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Ordinances
Second Reading

Cranbury Township Ordinance # 05-15-09

A motion to enter an Ordinance entitled, # 05-15-09, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY REVISING THE STANDARDS APPLICABLE TO RIPARIAN ZONES IN THE TOWNSHIP, INCORPORATING THOSE STANDARDS INTO THE TOWNSHIP'S LAND DEVELOPMENT REGULATIONS, AND MAKING CERTAIN OTHER AMENDMENTS TO THE "CODE OF THE TOWNSHIP OF CRANBURY" IN CONNECTION THEREWITH," was presented for second reading and final adoption. This Ordinance was introduced on May 26, 2015 by the Township Committee. It was then referred to the Cranbury Township Planning Board. When the Planning Board recently met, it did not have a quorum to release the Ordinance; however, there is a State law whereby if 35 days have lapsed, then it automatically is in a position to be considered by the Governing Body. The 35 days have lapsed, and the Township Committee is considering this Ordinance on second reading. The Ordinance was published in the Cranbury Press, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. Mayor Taylor asked the Township Committee if they had any comments.

Mr. Cook requested an overview from the Attorney of why this Ordinance is different than what the State already has in place. Ms. Karen Cayci, Esq., Township Attorney, stated the Township Committee has in their packets a memo from the Planning Board Attorney, Trishka Cecil, Esq. in which she outlines the changes that are being made to the current Ordinance. The first change is the movement of the Ordinance from Chapter 122 to the Land Development Ordinance. Ms. Cayci further summarized the changes outlined in Ms. Cecil's memo, including addressing the buffer zone and adding a section authorizing the Planning Board and Zoning Board as appropriate to grant the variance from the Riparian Ordinance requirements. Ms. Cayci explained this provision is in the NJ DEP Model Ordinance as an option for municipalities so the recommendation was made by the Cranbury's Environmental Commission and the Land Development Ordinance Subcommittee that it be included. She stated the current Ordinance provides that where the DEP has issued a permit for a disturbance, the Township Committee must also approve it. The recommendation being made is that where NJ DEP has issued a permit for a disturbance, it should not require additional Township Committee approval. Lastly, there is a provision eliminating an inconsistency between one of the Land Development Ordinance landscape design standards (200 feet) and the existing Riparian regulation (150 feet). Section 150-56C would be deleted through this Ordinance. Ms. Cayci stated there is also a letter in the packet from the Township Planner, Richard Preiss, which stated the proposed Ordinance is consistent with the Master Plan.

Mayor Taylor reported for the record that an e-mail was received from a resident stating he would have preferred that everyone had a map showing all the waterways and properties in the Township and depicting where all the setbacks would have been. Mr. Johnson stated there is a map and feature on the State's Department of Environmental Protection website; however, the Township did not have the funds in the budget to have an engineer to address it. He stated he looked at it and the difficulty is the canopy

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Cranbury Township Ordinance # 05-15-09
(Continued)

of trees over some of the creeks and waterway. It is difficult to get clear pictures of the water banks so it is not possible to measure out the 150 foot zone. Mr. Johnson stated there were substantial parts of the Township where maps could not be prepared from the DEP aerial view.

The Mayor opened the public hearing on the Ordinance. Mr. Art Hasselbach, Route 130, stated he has dealt with the DEP on many occasions and believes the State goes far enough with their regulations. He stated he does not understand why Cranbury has to go beyond the State's regulations, especially since all the members of the Environmental Commission that are in favor of this Ordinance are not affected by it. He stated over $\frac{3}{4}$ acre of his property will be affected by this Ordinance, as well as the Township's Public Works lot. Mr. Hasselbach stated he is not in favor of Cranbury having more regulations. He stated recently on the news Amazon at its grand opening reported they selected Robbinsville because it had the least regulations. Amazon stated it looked at all neighboring townships and Robbinsville had the least amount of roadblocks. Mr. Hasselbach cautioned about putting in more regulations than the State requires because it will take Cranbury out of the picture for any future development.

Mr. Paul Mullen, North Main Street and member of the Environmental Commission, stated he is the EC's representative for the Development Review Committee and on the Zoning Ordinance Subcommittee to prepare the Riparian drafts. Mr. Mullen stated he agrees with Mr. Hasselbach concerning the DEP's regulations possibly stifling development in Cranbury. Mr. Mullen stated Cranbury has had the Riparian Ordinance since 2011 and stated the DEP has had a Riparian Ordinance much longer than that. He stated when that Ordinance first came out, there were severe restrictions on what property owners could do within a riparian zone area. He stated in 2006 the DEP created the "Permits-by-Rule," which gives homeowners the ability to do many things within the riparian zone, which are not changing with this new Ordinance. Mr. Mullen stated the EC and the Zoning Ordinance Subcommittee thought the Ordinance should specifically state property owners have the ability to do those things. Mr. Mullen stated the Ordinance as proposed is the least restrictive Riparian Ordinance Cranbury could have adopted, while still staying compliant with the DEP and also giving Cranbury relative control. Mr. Mullen stated the Township does not want the DEP telling the Township what its stream ordinances should be. He stated if an applicant wants to do development within a riparian zone and the DEP thinks it is a good idea and gives a permit to do, and Cranbury agrees, the Township would issue a permit as well. However, if Cranbury does not agree with the DEP's decision, Cranbury does not have to issue a permit. If the Township's Ordinance wording is exactly the same as the DEP's Ordinance, anything the DEP allows, the Township must allow or battle the issue in Court. Mr. Mullen stated this Ordinance is making sure that Cranbury has the final say.

Mr. Mulligan agreed, stating now there is an appeal process. When the Riparian Ordinance was first done, there was no appeal process. In certain instances, this Ordinance will cover Cranbury with appeals.

Mr. Cook stated there is a Summary of Permits-by-Rule, and since he lives by the Lake, he was concerned that the buffer actually went past his home and into his neighbor's yard. The Permits-by-Rule lists all the types of work that is permitted in the riparian zone and stated he felt the Ordinance is effective for a number of reasons that do not affect him negatively.

Ms. Goetz stated the Riparian Ordinance protects the stream against contamination and pollution and also keeps areas open for flood management.

Mr. Mulligan clarified that the Township Committee had a lengthy debate that the Ordinance should end up with the Planning and Zoning Board in order to streamline the approval process.

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Cranbury Township Ordinance # 05-15-09
(Continued)

Mr. Johnson stated this Ordinance was discussed over many months, and stated he was at first very resistant to the increase in the size of the buffer zone. He stated the number of items on the Permits-by-Rule list that allows applicants to do so many things without seeking a special permit from the Township, which makes the process less onerous than it was previously. No one present wished to speak, so the public hearing on the Ordinance was declared closed.

On motion by Mr. Mulligan, seconded by Ms. Goetz, the Ordinance was adopted by a vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		
Nays	(None		

Cranbury Township Ordinance # 06-15-11

A motion to enter an Ordinance entitled, # 06-15-11, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 143 ENTITLED "VEHICLES AND TRAFFIC," was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. Mayor Taylor explained this Ordinance codifies the Township's speed limits and it modifies some speed limits in Town with the hopes of slowing down traffic.

Mr. Bill Tanner, Township Engineer, explained the process of determining the various speed limits. He further explained the Police wanted all the speed limits in one (1) Ordinance.

Ms. Goetz stated last year when she held the "Coffee with the Mayor" at Teddy's, the main topic addressed was speeding.

The Mayor opened the public hearing on the Ordinance. Ms. Bonnie Larson, Cranbury Neck Road, asked if permission was received from the County to change the speed limit on Cranbury Neck Road. Mr. Tanner confirmed approval was received from the County to change the speed limit on Cranbury Neck Road. She stated she does not think the reduced speed limit will change how fast cars drive on the road and stated enforcement will be the key.

Mr. Joe Buonavolonta inquired about the changing speed limit on Maplewood Avenue and for the short distance asked why it would not remain the same. Mr. Tanner explained that speed limit was set by Ordinance by the County. Mr. Buonavolonta questioned the fines associated with speeding tickets, and Mr. Tanner responded he has no control over that. Ms. Cayci stated the fines are set by State Statute. Mr. Buonavolonta stated he believes the speed reduction is a great idea and he hopes it helps.

Mr. Cook stated the Township has seen an escalation in speeding in the Township and is taking preemptive steps to reduce the speed before there are serious accidents. Concerning Mr. Giacalone's suggestions, Mr. Mulligan suggested trying to increase the wattage of the lighting on Plainsboro Road to see if that helps. Mr. Tanner will contact the County concerning extending the double yellow lines on Plainsboro Road. Ms. Goetz stressed to the public that Cranbury does not keep the fines from any tickets issued, and stated the establishment of new speed limits is not a money making venture for the Township.

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Cranbury Township Ordinance # 06-15-11
(Continued)

Mr. Richard Kallan, Wynnewood Drive, stated he felt due to the curve, Plainsboro Road was more dangerous than Cranbury Neck Road; yet the speed set for Cranbury Neck was more moderate than Plainsboro Road. Mr. Tanner explained Cranbury Neck Road has no County Ordinance, and the County was in agreement with following statutory speed limits. Mr. Tanner explained how the speed limits were determined for Plainsboro Road. Mr. Kallan stated because Plainsboro Road is more dangerous, he would have thought it would be safer to set the speed at 35 mph instead of 45 mph. No one further present wished to speak, so the hearing was declared closed. On motion by Ms. Goetz, seconded by Mr. Johnson, the Ordinance was adopted by a vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

Resolutions
Consent Agenda

Mayor Taylor asked the Township Committee if there were any questions or comments on the Consent Agenda. He stated he would like to treat Resolution # R 06-15-081 separately. There were no comments from the Committee, and the Mayor asked for a motion to adopt the Consent Agenda with the exception of the one Resolution. A motion was made by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, and the following Resolutions were passed by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

Cranbury Township Resolution # R 06-15-078

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Cranbury Township Resolution # R 06-15-079

WHEREAS, the Township Committee of the Township of Cranbury has received an application from Thomas C. and Gloria A. Ingegneri, trading as "The Cranbury Inn" for the renewal of Alcoholic Beverage License No. 1202-32-002-004; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of Thomas C. and Gloria A. Ingegneri, trading as "The Cranbury Inn" for the renewal of Alcoholic Beverage License No. 1202-32-002-004 be and is hereby approved.

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Cranbury Township Resolution # R 06-15-080

WHEREAS, the Township Committee of the Township of Cranbury has received an application from JK Mart, Inc., Trading as "Buy-Rite Liquors", for the renewal of Alcoholic Beverage License No. 1202-32-001-010; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of JK Mart, Inc., trading as "Buy-Rite Liquors", for the renewal of Alcoholic Beverage License No. 1202-32-001-010 be and is hereby approved.

CRANBURY TOWNSHIP # R 06-15-082

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$294.67 which item is now available as a revenue from the County of Middlesex pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$294.67 is hereby appropriated under the caption "Alcohol Education, Rehabilitation and Enforcement"

Section 3

BE IT FURTHER RESOLVED that a copy of the Resolution, certified by the Township Clerk to be a true copy forwarded to each of the following:

- (a) Director of the Division of Local Government Services
- (b) Township Chief Financial Officer

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Resolution

Concerning Cranbury Township Resolution # R 06-15-081, which would approve the renewal of Cranbury Township Liquor License for Riya Cranbury (Staybridge Suites) for 2015 - 2016, Mr. Mulligan stated he has an issue approving a liquor license for a facility that is trying to become a drug and alcohol rehabilitation facility. Mayor Taylor stated he has the same reservation as Mr. Mulligan. Ms. Goetz inquired if the use of the facility changes, does the license go with the use change? Ms. Cunningham, Municipal Clerk, stated it does not. Ms. Goetz stated as long as the building stays a hotel, the liquor license is issued according to regulations. Ms. Cunningham stated she spoke today with the ABC and explained this is a renewal of the annual liquor license. She stated this facility is a hotel, and under State law, a Title 36 Liquor License is given to any hotel with 100 beds or more. Ms. Cunningham reported the ABC stated if the facility is granted the variance from the Zoning Board to become a rehab facility, the owner must notify the Township of his intent. He will not be able to pocket the license. Mr. Art Hasselbach, Route 130, stated Staybridge has the Title 36 License because of the number of beds. He stated a Township receives one (1) liquor license for each 3,000 residents. Cranbury has two (2) liquor licenses (one for the number of residents and one which was grandfathered in). Ms. Goetz stated if the usage of Staybridge changes, they lose the liquor license, and stated she sees no reason why the Committee cannot approve it. Ms. Cayci stated, if the Clerk represents Staybridge has filed an appropriate annual application, she does not see that the Township has any basis to deny the license. Ms. Cunningham confirmed Staybridge has filled out the online application and obtained the Tax Clearance Certificate. Mr. Hasselbach questioned the number of rooms in Staybridge. Mr. Cook stated if the change in use is not approved, this discussion is mute. If the change is approved, they lose the liquor license. A motion was made by Ms. Goetz, seconded by Mr. Johnson, the following Resolution was passed by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
Nays	(Mulligan		
	(Taylor		

Cranbury Township Resolution # R 06-15-081

WHEREAS, the Township Committee of the Township of Cranbury has received an application from Riya Cranbury, L.L.C. , trading as "Staybridge Suites", for the renewal of Alcoholic Beverage License No. 1202-36-004-001; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of Riya Cranbury, L.L.C., trading as "Staybridge Suites", for the renewal of Alcoholic Beverage License No. 1202-36-004-001 be and is hereby approved.

Reports from Township Staff and Professionals

--Assistant Administrator's Report

Ms. Cunningham stated a Princeton High School Junior will be in interning at the Township this summer. He will be volunteering one (1) day a week and will float among departments as needed. She stated he also expressed an interest in working as a poll worker on Election Day. The Committee discussed if using interns in the future could qualify them for receiving community service hours from the High School.

TOWNSHIP COMMITTEE MEETING
June 22, 2015

Reports from Township Boards and Commissions

There were no reports from Township Board and Commissions.

Public Comment

The Mayor opened the meeting to public questions and comments.

Mr. Mark Berkowsky, President of Cranbury Housing Associates, thanked the Township Committee for acknowledging CHA's service to the community. He stated he wanted to put on record CHA's request to the Township to show its support by recruiting new members. He stated only by adding new members will CHA find people to serve on the Board and continue the tradition of CHA. There being no comments, the Mayor closed the public portion of the meeting.

Township Committee Member Notes

The Township Committee had no additional comments.

Mayor's Notes

Mayor Taylor stated he had no additional comments.

Resolution

At 9:07 p.m. Mayor Taylor requested a motion to go into Closed Session. On a motion by Mr. Mulligan, seconded by Ms. Goetz and unanimously carried, the following Resolution was adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

Cranbury Township Resolution # R 06-15-083

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey as follows:

The general nature of the subject to be discussed in this session is as follows:

----- N.J.S.A. 10:4-12b(7)/Pending or anticipated litigation and matters falling within the attorney-client privilege.

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

On a motion by Mr. Mulligan, seconded by Ms. Goetz, and unanimously carried, the meeting returned to Open Session at 11:00 p.m.

TOWNSHIP COMMITTEE MEETING
June 22, 2015

Resolution

On a motion by Mr. Mulligan, seconded by Mr. Goetz and unanimously carried, the following Resolution was adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz	Absent:	(None
	(Johnson		
	(Mulligan		
	(Taylor		

Nays (None

CRANBURY TOWNSHIP RESOLUTION # R 06-15-084

RESOLUTION AUTHORIZING THE FILING OF A DECLARATORY JUDGMENT
ACTION FOR THIRD ROUND MOUNT LAUREL COMPLIANCE AND IMMUNITY

WHEREAS, the Township of Cranbury received Third Round Substantive Certification from the New Jersey Council on Affordable Housing ("COAH") on April 21, 2010; and

WHEREAS, following COAH's grant of substantive certification to the Township, the New Jersey Supreme Court invalidated COAH's third round rules and ordered COAH to adopt new rules based upon its prior round rules and methodologies, see In re Adoption of N.J.A.C. 5:96 and 5:97, 215 N.J. 578 (2013); and

WHEREAS, COAH failed to adopt new rules, and on March 10, 2010, the Court issued a decision entitled In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015), in which it: (1) found that COAH had violated its March 14, 2014 Order by failing to adopt new Round 3 regulations by October 22, 2014, (2) held that, without new Round 3 regulations, COAH could not process petitions for substantive certification for the municipalities currently under COAH's jurisdiction, (3) for municipalities that had received substantive certification under COAH's third round rules, additional court review of such towns' housing plans will be necessary; (4) directed trial courts to be an alternative forum to COAH, (5) authorized municipalities under COAH's jurisdiction to file a Declaratory Judgment Action along with a motion for Temporary Immunity by July 8, 2015, or risk exposure to exclusionary zoning lawsuits, and (6) ruled that municipalities would have up to five months to prepare and file a Housing Element and Fair Share Plan with the trial court for review; and

WHEREAS, throughout and notwithstanding the period of uncertainty over COAH's third round rules, the Township of Cranbury has continued its efforts to provide for low and moderate income housing opportunities in the Township; and

WHEREAS, the Township now wishes to avail itself of the protections provided for by the Court in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015), and will participate in the process set forth therein, including the filing of a Declaratory Judgment action with the Superior Court and a companion motion for temporary immunity.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, as follows:

TOWNSHIP COMMITTEE MEETING
June 22, 2015

CRANBURY TOWNSHIP RESOLUTION # R 06-15-084
(Continued)

1. The Township hereby reaffirms its commitment to satisfy its affordable housing obligations, however they may ultimately be defined, voluntarily and in the absence of any Mount Laurel lawsuits.
2. The Township hereby authorizes and directs its affordable housing counsel to file an action in the Superior Court necessary to obtain a Judgment of Compliance and repose or immunity from exclusionary zoning lawsuits for its third round affordable housing plan, along with any necessary motion(s) or pleadings seeking temporary immunity, in accordance with the Court's March 10, 2015 decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015).
3. The Township hereby authorizes and directs its officials, staff and professionals to seek a judicial determination of its Round 3 obligations and to undertake any and all reasonable and necessary actions to facilitate the efforts of the Township and its Planning Board in satisfying those obligations.
4. The Township's staff and professionals are also authorized to take such other and further actions as may be appropriate to further both the preparation and implementation of an updated Housing Plan Element of the Cranbury Township Master Plan and Fair Share Plan for Third Round Mount Laurel compliance, and to undertake such other analysis and studies as may be determined necessary in support thereof.
5. The Township, through its Mayor, staff and professionals, is hereby further authorized and directed to prepare, execute and/or file any and all such actions or documents and to initiate such proceedings pursuant to In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015), as may be necessary to accomplish the purposes hereof.
6. This Resolution shall take effect immediately.

Mayor Taylor requested a motion to adjourn. On a motion by Ms. Goetz, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 11:05 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk