

TOWNSHIP COMMITTEE MEETING
November 26, 2018

The Township Committee Meeting of the Township of Cranbury was held at 7:15 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: Mike Ferrante, Matt Scott and Mayor Glenn Johnson. Dan Mulligan and Jay Taylor were absent. Also present were Denise Marabello, Township Administrator/CFO; Daniel Davidow, Township Attorney and Debra Rubin, Municipal Clerk. Mayor Johnson led in the salute to the flag, and Ms. Rubin 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:

Posted on December 4, 2017 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.

Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 4, 2017.

Filed on December 4, 2017 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.

Sent to those individuals who have requested personal notice.

--Township Committee Regular Meeting Minutes of November 5, 2018

The Township Committee Regular Meeting Minutes of November 5, 2018 on a motion by Mr. Ferrante, seconded by Mr. Scott, and unanimously carried by a roll call vote of all members present; the Township Committee Regular Meeting Minutes of November 5, 2018 were adopted.

--Reports and Communications

--Mayor

Mayor Johnson congratulated both Mr. Ferrante and Mr. Taylor for their recent win on the election for Township Committee.

Mayor Johnson met with the Chief of Police to discuss the signage for the warehouse area.

He was present for the Historical Society Center renaming for resident, Betty Wagner. Mayor Johnson also met with the 2nd grade classes that attended a field trip at Town Hall.

Mayor Johnson reported on correspondence he received from Sun Pharmaceutical regarding their plant closing in November 2019. No further information at this time.

--Reports and Communications

--Members of Committee

--Mr. Ferrante

Mr. Ferrante expressed his gratitude regarding the recent election and to the Mayor. He also expressed that it was a pleasure to get to know the third candidate running for Township Committee, Wayne Wittman.

Mr. Ferrante also attended the Historical Society renaming event for Betty Wagner. He attended the "Sustainable Cranbury" program held at the Library which was presented by Environmental Chairperson, Barbara Rogers.

Mr. Ferrante proposed the "De-mystify Township Government" presentation should be scheduled in early 2019 and will follow up with Mr. Taylor and Mr. Mulligan separately regarding scheduling.

As liaison to the Shade Tree Commission, he attended the commission meeting earlier in the day as well.

--Mr. Scott

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Mr. Scott offered his congratulations to Mr. Ferrante regarding the recent election.

He added that he met with resident, Bill Bauder, regarding Petty Road and also discussed the odor from a particular warehouse within the Township. He spoke with the County regarding having the use curtailed as the odor is a nuisance to the residents of Cranbury.

--Subcommittees

There were no reports from Subcommittees.

--Shade Tree Commission Report --

Kathy Easton, Chairperson, provided the Annual Report which included a summary of items from 2017 and a summary of items from 2018. She advised the members of the Green Communities Grant process regarding the Community Forestry Management Plan, as well as, how these items coordinate into points for Sustainable Jersey. Ms. Easton discussed updating the "Do Not Plant List", the education goals for 2019, future coordination with Parks Commission and Department of Public Works on planting and care of the many trees within the township parks. Mr. Ferrante added that the township was very lucky to have such a dedicated group of volunteers on the Shade Tree Commission.

--Departments Heads --

Michael Kervan -- Chief - Cranbury Fire Department -- November monthly report. He advised of 39 calls for the month and 379 year to date. He advised that the Fire Department conducted their recent election and he will continue as Chief for 2019. He reported that the Annual Tree Lighting will be held on December 7th and that Santa will arrive at the tree lighting ceremony for the children.

Mayor Johnson gave the October monthly report from the Police Department. He discussed the monthly summonses, the year to date numbers and top five (5) areas with the most motor vehicle stops.

--Follow Up Items --

Cranbury Neck Road -- Mowing: Mayor Johnson advised that the County responded that they attempt to schedule mowing every three (3) weeks, however, that is subject to change due to weather, staffing and equipment issues. The township will mow the site triangles, when necessary. He suggested that residents from the area attend the Middlesex County Freeholders meetings to address complaints about the County services.

--Public Comment (For Items on the Agenda) --

Mayor Johnson opened the meeting to public comment.

Brian Deverin -- Mr. Deverin expressed his concern for the areas not being mowed by the county and still questioned what the township was responsible for if the county did not provide the services they are responsible for. He stated that taxpayers should not get less service because of lack of communication between the two forms of government. He asked additional questions regarding the maintenance of the school grounds and the use of township vehicles. He will follow up at a later date.

Kathy Easton -- Regarding ConAgra warehouse odor, she has called the DEP and they measured a particular matter and at that time it did not register enough to stop the production of the offensive products. Ms. Marabello advised that the regulations are set by the State of New Jersey Department of Environmental Protection and they would be the department best to speak with regarding the complaints.

John Battles -- Complimented the township and the Shade Tree Committee on the work they have done on the tree plantings. There are many different variations and, with their assistance, were able to identify trees that had best chance for survival. Ms. Easton's work and the entire Shade Tree Commission assured that the Four Seasons tree planting was a successful project.

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Mayor Johnson closed the portion to public comment.

Resolutions
Consent Agenda

Mayor Johnson asked the Township Committee if there were any questions or comments on the existing Consent Agenda. Hearing no questions or comments, Mayor Johnson requested a motion to adopt the existing Consent Resolutions. On a motion by Mr. Ferrante, seconded by Mr. Scott and unanimously carried, the following Resolutions adopted by vote:

Ayes:	(Ferrante (Scott (Johnson	Abstain: (None Absent: (Mulligan (Taylor
Nays:	(None	

Cranbury Township Resolution #R 11-18-148

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 10-18-149
RESOLUTION AUTHORIZING THE REFUND OF
OVERPAID TAXES FOR BLOCK 21 LOT 37**

WHEREAS, The Tax Collector, Tanyika L. Johns has certified that the following taxpayers overpaid their taxes; and

WHEREAS, The Tax Collector is requesting that the overpaid taxes be refunded,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded:

<u>Taxpayer</u>	<u>Refund</u>
OWNER: STEHN, MICHAEL P & PHYLISSANNE	\$57.59

Make check payable to: STEHN, MICHAEL P & PHYLISSANNE
LOCATION: 1 Hardley Drive
BLOCK: 21 **LOT:** 37 **QUALIFIER:**

Cranbury Township Resolution # R 10-18-150

**A RESOLUTION AUTHORIZING THE RELEASE
OF ESCROW – CRANSUD TWO, LLC**

WHEREAS, CranSud Two LLC has deposited engineering escrow with Cranbury Township;

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WHEREAS, CranSud Two has requested the release of the balance of said escrow in the amount of \$4,607.50;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit;

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

- (a) Township Engineer
- (b) Township Director of Finance

Cranbury Township Resolution # R 11-18-151

**RESOLUTION AUTHORIZING REFUND TO
TRYSTONE CAPITAL ASSETS**

WHEREAS, a Tax Sale was held in the Township of Cranbury on October 12, 2018; and,

WHEREAS, US Bank as Custodian for Trystone Capital Assets paid \$200.00 as a premium to obtain Tax Sale Certificate #18-00001 on Block 13 Lot 18 and,

WHEREAS, US Bank as Custodian for Trystone Capital Assets paid \$400.00 as a premium to obtain Tax Sale Certificate #18-00002 on Block 13 Lot 22 and,

WHEREAS, the Tax Sale certificates have been redeemed, the holder is entitled to a refund of the premium paid to obtain said certificate,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that a refund in the amount of \$600.00 be paid to Trystone Capital Assets.

CRANBURY TOWNSHIP RESOLUTION #R 11-18-152

**RESOLUTION AUTHORIZING AN INCREASE
IN THE BID TRESHOLD**

WHEREAS, the recent changes to the Local Contract law gave local contracting units the ability to increase their bid threshold up to \$40,000.00; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, Erin Lysy possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq. and has been appointed Qualified Purchasing Agent by the Township of Cranbury; and

WHEREAS, the Township of Cranbury desires to take advantage of the increased bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey that it hereby increases the bid threshold for awarding of public contracts by the Township from \$36,000.00 to \$40,000.00.

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BE IT FURTHER RESOLVED that the Township Clerk is authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

RESOLUTION OF THE TOWNSHIP OF CRANBURY #R 11-18-153

**A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR
PROLOGIS BL 10 LOT 4.01, 19.01, 19.02**

WHEREAS, Prologis has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated October 24, 2018 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond Deposit	\$13,967,830.62
Cash Deposit	\$ 1,551,981.18

WHEREAS, the Township Engineer has stated a maintenance guarantee shall be posted with the Township for a period not to exceed two (2) years after final acceptance of the improvements in an amount not to exceed 15% of the cost of the improvement. The amount of the required maintenance guarantee to be posted with the Township is \$1,939,976.48, and the maintenance period shall be for a period of two years to November 26, 2020.

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

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Prologis

Cranbury Township Resolution # R 11-18-154

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH
THE EAST WINDSOR MUNICIPAL UTILITY AUTHORITY FOR REGULAR AND EMERGENCY
OPERATION AND MAINTENANCE FOR CRANBURY TOWNSHIP'S SANITARY SEWER SERVICES**

WHEREAS, the Township of Cranbury and the East Windsor Municipal Utility Authority entered into a shared services agreement for the regular and emergency operation and maintenance of Cranbury's sanitary sewer; and

WHEREAS, the East Windsor Utility Authority has agreed to continue said Agreement for 2019 and 2020 as set forth in the attached agreement; and

WHEREAS, the total fee for 2019 is \$137,731.76 and \$140,325.85 for 2020;
and

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WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for these services; and

WHEREAS, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. seq.

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

1. Said Agreement is hereby authorized for a period commencing January 1, 2019 through December 31, 2020.
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

Cranbury Township Resolution # R 11-18-155

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING YEAR 2018 BUDGET TRANSFERS.

WHEREAS, there are 2018 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year,
And

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2018 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
8-01-20-150-011	Tax Assessment – S&W	\$10,000.00	
8-01-43-490-320	Municipal Court - OE		\$10,000.00

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

- (a) Township Auditor
- (b) Township Chief Financial Officer

--Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello advised that the Municipal Alliance secretary was resigning as of 12/31/18, as well as, the chairperson. She discussed possible dissolution of the Municipal Alliance and remove from the Code. It was suggested to do a further risk assessment and Mr. Ferrante volunteered to follow up with secretary to discuss further.

Ms. Marabello reported that she spoke to the Board of Health and sent a draft of the updated version of No Smoking Ordinance for introduction and adoption in February.

--Public Comment

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Richard Kallan – Inquired how long Old Trenton Road would be worked on.

Mayor Johnson opened the meeting to public comment.

Mark Eisenberry – Discussed the issue with trucks parking overnight on Hightstown Cranbury Road and Halsey Reed Road. Ms. Marabello was told that the Police Department was to meet with Barclay as it is private property the trucks are parking on and the police can only enforce if contacted by the owner.

Kathy Moraldo – She advised the members that the Police Department received a letter from the property owner to giving the residents permission to call on their behalf due to the truck parking happening in the overnight hours. She stated that there needs to be a procedure for enforcement and believes sooner or later a truck stop is going to be needed due to the amount of trucks parking overnight in the area.

Mayor Johnson closed the meeting to public comment.

Closed Session – Resolution

Cranbury Township Resolution # R 11-18-156

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 (5) "Purchase, lease or acquisition of real property with public funds..." – Discussion of property to be acquired if repairs are made to Brickyard Road

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.

Mr. Ferrante made a motion to move into Closed Session. Mr. Scott seconded. On a roll call vote of all members present, the motion passed unanimously.

--Mayor's Notes -

Mayor Johnson stated he had no additional information.

--Township Committee Members' Notes

Mayor Johnson requested a motion to adjourn. On motion by Mr. Ferrante, seconded by Mr. Scott and unanimously carried, the meeting adjourned at 8:37 p.m.

Debra A. Rubin, RMC
Municipal Clerk