

TOWNSHIP COMMITTEE REGULAR MEETING
June 8, 2020

The Township Committee Regular Meeting of the Township of Cranbury was held at 7:00 pm. by remote access videoconferencing in response to COVID-19 and the updated Open Public Meeting Act guidelines. Answering present to roll call were Township Committee members: Michael Ferrante, Barbara Rogers, Evelyn Spann, Jay Taylor and Mayor Matthew Scott. Also present were Denise Marabello, Township Administrator/CFO; Steven Goodell, Township Attorney; Scott Miccio, Township Attorney; Thomas Decker, Township Engineer; and Debra Rubin, Municipal Clerk. Mayor Scott called the meeting to order and Ms. Rubin read 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 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 January 10, 2020 and remote access information added on April 24, 2020.

Filed on January 10, 2020 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. Township website was updated with remote access information on April 24, 2020.

Sent to those individuals who have requested personal notice.

--Township Committee Regular Meeting Minutes of May 26, 2020

The Township Committee Regular Meeting Minutes of May 26, 2020 on a motion by Mr. Ferrante, seconded by Mr. Taylor. On a roll call vote of the members of the Township Committee;

Ayes:	(Ferrante	
	(Rogers	
	(Spann	
	(Taylor	
	(Scott	
	Absent: (None	
	Abstain: (None	
	Nays: (None	

the Township Committee Regular Meeting Minutes of May 26, 2020 were adopted.

Reports and Communications

- Mr. Ferrante – Reported on his attendance at the Board of Health meeting and recapped discussion on the Petty Road drainage and the action taken by the Mosquito Control Commission regarding mosquito control. He added the board discussed the total number of COVID cases within the township and the recommendation for the continuance of following the CDC guidelines.
- Dr. Rogers – Reported on her attendance at the Shade Tree Commission meeting. She also reported on a NJ Safe Route to Schools letter, outlining the recognition of programs developed while under then Mayor Glenn Johnson, along with the collaboration of Keep Middlesex Moving, Cranbury School and Cranbury's Green Team. A recognition ceremony by NJ Safe Route to Schools will be held in the future at Cranbury School.
She informed the members of an upcoming public meeting requesting public input on the Cranbury Bicycle Network Plan. She requested an email blast be sent to Cranbury Township residents alerting them to the upcoming meeting and registration. Dr. Rogers will provide the meeting information for the email blast to the Township Clerk. Dr. Rogers stated that the draft of the bike plan should be completed by September.

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- Mrs. Spann – Reported on her attendance at the Planning Board meeting where the board began the Toll Bros. application. She also reported on the recent Zoning Committee meeting. The Zoning Committee is compiling wording for the preparation of a draft ordinance regarding the scenic corridor. The Historic Preservation Committee was invited this evening to further discuss related items.
- Mr. Taylor – He reported on his attendance at the Board of Recreation Commissioners meeting where both the Drive-in Movie Nights and Recreation Summer Camps were discussed. He added the movies were expected to begin at the end of June or early July. The location discussed for the movie viewing was on the West Property.
- Mayor Scott – He began with a statement that when he writes his weekly “Mayoral Updates” or any piece similar, that those are his own personal thoughts, opinions and beliefs and are not the thoughts and opinions of the entire Township Committee. He added that he is not personally involved in the planning of the upcoming community events, but he does support them.
Mayor Scott announced the fireworks scheduled on July 5th are postponed until the Fall. He discussed various items in the recent Executive Order issued by the Governor, such as, outdoor dining and yard sales. Mrs. Spann asked when the Township Committee can expect to hold in person public meetings again. Mr. Ferrante requested this be categorized as an action item to be followed up on between Mrs. Spann, Ms. Marabello, Ms. Rubin and possibly the Communications Subcommittee.
Mr. Taylor requested information for the township Spring Clean Up Day. Mayor Scott advised that it is scheduled for the last weekend in June and the Department of Public Works will be available to assist residents, if necessary.

Boards & Commissions –

Historic Preservation Commission – Tom Walsh and Steven Golisano were present to provide a report. Mr. Walsh discussed three (3) main items as related to the Master Plan

1. Historic District Buffer – Richard Preiss reviewed and established need for it.
2. Historic Sites – Outside the buffer zone – Discussed plan for preserving sites, including open space and communal space.
3. Cranbury Station Hamlet – Residents of Halsey Reed requested inclusion in Historic District as either stand alone or included within downtown. Mr. Walsh discussed the preservation of the Depot Station and designation as a historic site.

Mr. Walsh stated they plan to continue to work with both Richard Preiss and Township Committeeperson, Evelyn Spann, to help accelerate the above initiatives. Mr. Golisano added they will continue to provide the Township Committee members with their recommendations in the future as they begin with the above three (3) items.

Follow up Items – Mr. Ferrante recapped that Scott Miccio, Township Attorney redrafted the establishment of the Economic Development Advisory Committee as a resolution from the previous meeting and is on the current agenda.

The sidewalk work session will be scheduled for a future meeting to be held in the Fall for further consideration in January for budget.

Agenda Additions/Changes – None

Boards and Commission – Vacancies:

Ms. Rubin read the following vacancies:

- Board of Recreation Commissioners – (2)
- Municipal Alliance – (2)

Ordinances –

First Reading – None

Second Reading -

- a). Ms. Rubin read the following ordinance by title only.

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Mayor Scott opened for public comment on the following ordinance. No public comment. Mayor Scott closed public comment.

Mrs. Spann made a motion to introduce the following ordinance. Mr. Ferrante seconded the motion. On a roll call vote, the ordinance passed for introduction.

Ayes: (Ferrante
(Rogers
(Spann
(Taylor
(Scott

Abstain: (None
Absent: (None

Nays: (None

CRANBURY TOWNSHIP ORDINANCE 05-20-07

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE DREDGING OF BRAINERD LAKE BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$650,000.00 FROM CAPITAL SURPLUS TO COVER THE COST THEREOF.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury not to exceed the costs noted below:

<u>Project/Purpose</u>	<u>Cost</u>
Dredging of Brainerd Lake	\$650,000.00

SECTION 2: There is hereby appropriated from Capital Surplus in the sum of \$650,000.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This Ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for public inspection.

b.) Ms. Rubin read the following ordinance by title only.

Mayor Scott opened for public comment on the following ordinance. No public comment. Mayor Scott closed public comment.

Mr. Ferrante made a motion to introduce the following ordinance. Mr. Taylor seconded the motion. On a roll call vote, the ordinance passed for introduction.

Ayes: (Ferrante
(Rogers
(Spann
(Taylor
(Scott

Abstain: (None

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Absent: (None
Nays: (None

CRANBURY TOWNSHIP ORDINANCE 05-20-08

ORDINANCE ESTABLISHING A TEMPORARY PROCESS FOR PERMITTING OUTDOOR DINING

WHEREAS, on March 9, 2020, the Governor issued Executive Order 103, declaring a State of Emergency and Public Health Emergency throughout the State of New Jersey as a result of the COVID-19 coronavirus pandemic; and

WHEREAS, on March 16, 2020, the Governor issued Executive Order 104, limiting the scope of service and hours of operation for restaurants and certain retail establishments to balance the need to allow individuals to access food and other essential materials with the need to limit unnecessary person-to-person contact; and

WHEREAS, on March 21, 2020, the Governor issued Executive Order 107, further limiting the scope of service for restaurants as follows:

All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses. If alcoholic beverages are to be sold from a restaurant, dining establishment or bar with a liquor license, such sales shall be limited to original containers sold from the principal public barroom. The on-premises consumption of alcohol is prohibited. All retail sales of alcoholic beverages by limited brewery licensees, restricted brewery licensees, plenary and farm winery licensees (and associated salesrooms), craft distillery licensees and cidery and meadery licensees must be in original containers and must be sold through customer pick up and/or delivered by licensees in accordance with their existing licenses.

WHEREAS, Executive Order 107 recognized that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combating COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, and ordered further steps to mitigate community spread of COVID-19; and

WHEREAS, on March 21, 2020, the Governor issued Executive Order 108, invalidating any municipal restriction that in any way will or might conflict with any of the provisions of Executive Order 107; and

WHEREAS, if and when the Governor relaxes the limitation on scope of service and hours of operation for restaurants, those restaurants will likely be required to meet health-related social distancing guidelines; and

WHEREAS, restaurants in Cranbury Township may desire to offer outdoor dining as a way to meet those social distancing guidelines; and

WHEREAS, the Township Committee would like to establish a process for licensing outdoor dining during the State of Emergency and Public Health Emergency that is expeditious and efficient, while continuing to protect the public health, safety and welfare of the community; and

WHEREAS, outdoor dining is currently regulated through Cranbury Township Code Chapter 106, which establishes the requirements for an Outdoor Dining License, and Chapter 150-39, which permits outdoor dining as an accessory use in certain zones, provided the restaurant meets the requirements of the section which include, among other things, site plan approval; and

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WHEREAS, the Municipal Land Use Law prohibits interim zoning ordinances except "in cases where the municipality demonstrates on the basis of a written opinion of a qualified health professional that a clear imminent danger to the health of the inhabitants of the municipality exists, and in no case shall the...interim ordinance exceed a six-month term" (NJSA 40:55D-90b); and

WHEREAS, the Governor's State of Emergency and Public Health Emergency recognize that the spread of COVID-19 presents a clear imminent threat to the health of all residents of the State of New Jersey.

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

Section 1. For the duration of the Governor's State of Emergency and Public Health Emergency, but for no longer than a period of six months from the effective date of this Ordinance, the requirements of Cranbury Township Code Chapter 106, "Outdoor Dining License," are temporarily modified as follows:

Section 106-2 Outdoor Dining License Required: Term: Annual Renewal

E. In the case of an application for a renewal license only, if the outdoor dining use or layout is to be modified, the applicant shall first prepare and submit a new plan to the Township Zoning Officer, who shall ~~determine whether such modification requires amended site plan approval from the applicable land use board~~ distribute the new plan to the Chief of Police and the Municipal Health Officer for their review, and approve the plan provided it protects the public health, safety and welfare of the municipality and otherwise complies with the requirements of Chapter 106.

Section 106-3 Application Process

A. Application for an initial outdoor dining license or a renewal license shall be made to the Township Clerk.

B. The application shall be accompanied by the following:

(1) (Reserved)

(2) ~~In the case of an initial application only, the resolution of approval from the appropriate land use board of the site plan for the outdoor dining use.~~

(3) ~~In the case of a renewal application only, a signed certification from the applicant that all conditions of the site plan approval continue to be met.~~

(4) Insurance certificate as set forth in § 106-6 below.

(5) Proof that the applicant holds a valid occupational license for a business establishment.

C. The Township Clerk shall approve or disapprove the application within 15 calendar days following its submission.

Section 2. For the duration of the Governor's State of Emergency and Public Health Emergency, but for no longer than a period of six months from the effective date of this Ordinance, the requirements of Cranbury Township Code Chapter 150-39, "Outdoor Dining Areas," are suspended.

Section 3. If any portion of this Ordinance is deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.

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Section 4. This Ordinance shall be effective immediately upon adoption and publication in accordance with law.

Resolutions – Consent

Mayor Scott asked the Township Committee if there were any questions or comments on the Consent Agenda. Mr. Ferrante requested each resolution be voted on separately. Mayor Scott requested a motion to adopt the following Resolution. On a motion by Mr. Ferrante, seconded by Dr. Rogers and carried with the following vote for the following Resolution adopted by a vote:

Ayes: (Ferrante
(Rogers
(Taylor
(Spann
(Scott

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution #R 06-20-076

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

Mayor Scott requested a motion to adopt the following Resolution. On a motion by Mr. Ferrante, seconded by Mrs. Spann. The members discussed various amendments with Scott Miccio, Township Attorney. After the final amendments were made and confirmed by the Township Attorney, a roll call vote followed with the following resolution adopted by a vote:

Ayes: (Ferrante
(Rogers
(Taylor – as amended
(Scott

Abstain: (None
Absent: (None

Nays: (Spann

CRANBURY TOWNSHIP #R 06-20-077

**RESOLUTION OF THE CRANBURY TOWNSHIP COMMITTEE ESTABLISHING AN AD HOC
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE FOR THE TOWNSHIP OF CRANBURY**

WHEREAS, the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, desires to establish an ad hoc Economic Development Advisory Committee for the Township of Cranbury;

WHEREAS, the Township of Cranbury has a strong business presence, including a vibrant downtown and an emerging warehouse sector, with the potential for further growth;

WHEREAS, there are a number of knowledgeable business leaders associated with the Township of Cranbury who desire to see the Township's various industries flourish;

WHEREAS, the Township Committee seeks input from those involved in the Cranbury business community to create a Strategic Business Plan for the Township;

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WHEREAS, Section 2-8 of the Cranbury Township Code enables the Township Committee to “appoint special purpose ad hoc committees and determine the membership thereof;”

NOW, THEREFORE BE IT RESOLVED that the Cranbury Township Committee hereby establishes an ad hoc Economic Development Advisory Committee to create a Strategic Business Plan for the Township of Cranbury;

BE IT FURTHER RESOLVED that the Economic Development Advisory Committee shall consist of seven members, including a chairperson and a vice chairperson, to be appointed by the Township Committee;

BE IT FURTHER RESOLVED that the Township Committee shall appoint a Township Committee member to serve as a non-voting liaison to the Economic Development Advisory Committee,

BE IT FURTHER RESOLVED that the membership of the Economic Development Advisory Committee should include a broad representation from the local business community, and that the members shall be selected based on their knowledge, expertise and experience as members of the commercial and industrial business community, and shall reside in, have involvement in, work or maintain a place of business in the Township of Cranbury;

BE IT FURTHER RESOLVED that the Economic Development Advisory Committee shall be tasked with creating a Strategic Business Plan for the Township of Cranbury, which shall be presented to the Township Committee at its last meeting in year 2020;

BE IT FURTHER RESOLVED that the Economic Development Advisory Committee shall be guided by the objectives and strategies set forth in Chapter 9 of the 2010 Cranbury Township Master Plan entitled “Economic Development Plan” as revised by the 2019 Master Plan Reexamination Report;

BE IT FURTHER RESOLVED that the purpose of the Strategic Business Plan shall be:

- A. To establish a baseline snapshot of the current state of Cranbury’s businesses and industries;
- B. To explore ways to stimulate sustainable economic growth in the Township of Cranbury;
- C. To study and analyze various business, industries and professions with a view toward ascertaining the opportunities for expansion of such businesses and industries within the Township;

BE IT FURTHER RESOLVED that, for the remainder of year 2020, the Economic Development Advisory Committee shall meet monthly, or more, as necessary;

BE IT FURTHER RESOLVED that the Economic Development Advisory Committee shall conduct at least one meeting which is open to the public to solicit input from Cranbury residents and stakeholders;

BE IT FURTHER RESOLVED that it is this Township Committee’s intent that upon review of the Strategic Business Plan, the Township Committee shall deliberate to determine how to best assess and implement the ideas presented therein.

Reports from Township and Professionals –

- a). **Discussion with Township Engineer on NJDOT Grants for 2020 –** Thomas Decker reported on the 2021 Municipal Aid Funding and suggested the township applies for Old Cranbury Road. The Township Committee agreed.

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Public Comment

Mayor Scott opened the meeting to general public comment.

- Lorraine Morris –Thanked Tom Walsh for his report and discussing the Hamlet concerns. She added thanks for the work towards the future downtown revitalization efforts and attempts to communicate with Monroe Township. Ms. Morris ended with her thanks for the presentations at this evening's meeting.
- Kathy Moraldo – Gave thanks to the Historic Preservation Commission for the presentation. She expressed her experiences at various Monroe Township meetings and her support towards the "Rails for Trails" project. She thanked the Township Committee for their support for local businesses and the revitalization efforts for downtown.
- Bill Bauder – Thanked Mr. Ferrante for his research on Petty Road and the current solution provided by the Mosquito Control Commission. Mr. Bauder questioned the enforcement of Ordinance No. 11-19-15 and stated July 1st is when all are to be in compliance with sump pumps not discharging into drywells. Mr. Decker, Township Engineer, to follow up with Jerry Thorne, Director of Public Works regarding notification and issuance of violations.

Hearing no other public comment, Mayor Scott closed the meeting to public comment.

Action Items:

- Yard Sale – Cranbury Business Association – Jay Taylor
- Develop plan to return to in-person Township Committee meetings – Denise Marabello
- Sump Pump/Drywells – Tom Decker

Mayor Scott requested a motion to adjourn. On motion by Mr. Ferrante, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 8:28 p.m.

Debra A. Rubin, RMC
Municipal Clerk