

TOWNSHIP COMMITTEE MEETING  
June 27, 2016

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, Jay Taylor and Mayor Dan Mulligan. Also present were Bill Tanner, P.E., Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Jean Golisano, Deputy Clerk. Mayor Mulligan led in the salute to the flag, and Ms. Golisano 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 1, 2015 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 1, 2015.
- (3) Filed on December 1, 2015 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.

Township Committee Minutes of June 13, 2016

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried (with Ms. Goetz abstaining due to absence), the Township Committee Minutes of June 13, 2016 were adopted.

Reports and Communications

--Members of Committee

--Mr. Taylor

Mr. Taylor reported the odor of smoke in the Township was a result of wildfires at Fort Dix. He reported there was another issue of cars parking on the grass at Heritage Park during the Girl Scout's Daisy Ceremony.

--Mr. Cook

Mr. Cook reported the permit for the remediation of the edge of Brainerd Lake in Village Park has a 20-day turnaround and should be received shortly.

Mr. Cook addressed the parking issue at the Parks, stating the Parks Commission would like to have an ordinance drafted and approved by the Township Committee to address parking at all the parks in the Township. Mayor Mulligan explained Cranbury does have an ordinance in place; however, it needs to be enforced. He stated the Parks Commission will need to approve signs to be placed in the parks, and asked Mr. Cook to contact Mr. Tom Weidner, Parks Chairman, concerning the signs.

--Mr. Johnson

Mr. Johnson stated he has nothing to report.

--Ms. Goetz

Ms. Goetz reported on the ERS (Environmental Resource Study) Mapping. She commended the Environmental Commission, which made the decision to the study themselves. She stated each member of the EC took on a section of the study, based on their own expertise. Ms. Goetz stated the EC took the old

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Reports and Communications

--Members of Committee

--Ms. Goetz (cont'd.)

study, compared it to current information and updated it. She explained the EC received a small grant, and an intern from Rutgers did a considerable amount of mapping, except for the Open Space maps, which need to be accurate. She stated EC member, Andy Johnson, worked with the Tax Assessor, to do all the background work. Mr. Bill Tanner, Township Engineer, stated Mr. Johnson did a tremendous amount of work. Mr. Tanner stated he has an intern that is interested in completing the mapping, and Mr. Tanner stated the cost should be \$75.00. Ms. Goetz thanked the EC and gave its members credit for all of the work they did.

Ms. Goetz reported the ash trees in the Township have the ash borer blight. She stated most of the trees in Four Seasons are ash and many are already dying. She stated there is no coming back from the disease and the trees will have to be removed following the State's disposal guidelines. She stated unfortunately all of the Shade Tree's budget this year to plant new trees will have to be used instead to remove the diseased trees. Members of the Shade Tree will survey the Township for ash trees and will recommend a plan. Ms. Marabello stated the plan will include prioritizing the trees by removing the larger trees first. The trees in Four Seasons are smaller and will be less expensive to remove. Unfortunately, most of the trees in Four Seasons are ash and will have to be removed. Ms. Goetz stated the trees must be disposed of in a certain way to avoid spreading the spores.

Reports and Communications

--Mayor

Mayor Mulligan reported Mr. Edwin Liu, Evans Drive, appeared in Court concerning his berm, and he has 45 days to file a compliance plan.

Mayor Mulligan reported the Library has on the counter for patrons to pick up postage-paid postcards addressed to the Township Committee encouraging support of the new Cranbury Library. As liaison to the Cranbury Library Board of Trustees, Mr. Cook stated he will find out where this idea came from.

Mayor Mulligan reported speeding is still a problem and stated there needs to be more enforcement.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

Reports and Communications

--Department Heads

Mr. Mike Kervan, Chief of the Cranbury Volunteer Fire Company gave his report for May 24<sup>th</sup> through the present: 48 incidents (248 calls year-to-date); 357.31 volunteer hours (1,140.83 year-to-date). Chief Kervan stated the number of calls are a little lower than the same period last year. He reported the Fire Company responded to one (1) fire in East Windsor and three (3) structure fires in Plainsboro. Chief Kervan reported the Fire Company participated in the Hightstown and Plainsboro Memorial Day Parades, and attended the Strawberry Festival at the Presbyterian Church. He stated crews will be on standby for the July 5<sup>th</sup> fireworks.

Agenda Additions/Changes

Ms. Golisano reported Cranbury Township Resolution # R 06-16-117 – "A Resolution Ratifying a Contract with the Cranbury Fraternal Order of Police" will be on the July 11<sup>th</sup> Agenda.

Public Comment - For Agenda Items

Mayor Mulligan opened the meeting to public questions and comments for items on the Agenda. There being no comments, he closed the public portion of the meeting.

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Ordinance  
First Reading

CRANBURY TOWNSHIP ORDINANCE # 06-16-10

An Ordinance entitled, Cranbury Township Ordinance # 06-16-10, "AN ORDINANCE AUTHORIZING THE SALE OF REMNANT PUBLIC PROPERTY LOCATED AT BLOCK 19, LOT 1, FOR PUBLIC PURPOSES" was introduced for first reading. On motion by Mr. Johnson, seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: July 25, 2016 at 7:00 p.m.

WHEREAS, on December 22, 2014, the Township Committee of the Township of Cranbury directed the Cranbury Township Planning Board to investigate whether the area consisting of Block 19, Lots 2, 3 and 4, and Block 20.16, Lots 7, 8, 9, 10 and 20 (referred to as "the Cheney/Hagerty/Kushner" site, or "the Study Area") met the criteria set forth in the Local Redevelopment and Housing Law (*N.J.S.A. 40A:12A-1 et seq.*) for designation as an area in need of redevelopment; and

WHEREAS, on March 12, 2015, the Planning Board found that the Study Area qualified as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5a, -5b, -5c, and -5d*; and

WHEREAS, on March 23, 2015, the Township Committee designated the Study Area as an area in need of redevelopment (non-condemnation), pursuant to *N.J.S.A. 40A:12A-6*; and

WHEREAS, on April 10, 2015, the Acting Commissioner of the Department of Community Affairs approved the Township Committee's designation of the Study Area as an area in need of redevelopment (non-condemnation); and

WHEREAS, on October 26, 2015, the Township Committee adopted Ordinance # 10-18-15, the "Redevelopment Plan for the Cheney/Hagerty/Kushner Tract in the Township of Cranbury, New Jersey" ("the Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan found that acquisition of a portion of the County right-of-way adjacent to the intersection of Old Trenton Road and South Main Street, would promote the goals of the Redevelopment Plan (Redevelopment Plan at 27); and

WHEREAS, on December 15, 2015, the Planning Board granted subdivision and site plan approval conditioned upon the redeveloper "acquir[ing] the County-owned property shown on the applicant's plans at the corner of Old Trenton Road and South Main Street"; and the Planning Board stated that "the Board encourages the Township to assist the applicant in this endeavor as needed" (Resolution of Memorialization, Exhibit B, Condition 7, page 19); and

WHEREAS, the "County-owned property shown on the applicant's plans at the corner of Old Trenton Road and South Main Street" is a remnant of Block 19, Lot 1; and

WHEREAS, the property-in-question is owned by Middlesex County; and

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CRANBURY TOWNSHIP ORDINANCE # 06-16-10  
(Continued)

WHEREAS, the property-in-question is depicted on the survey entitled "Boundary Survey of Block 19, Remnant of Lot 1," attached hereto as Exhibit A; and

WHEREAS, transfer of the property-in-question to the redeveloper effectuates a public purpose because transfer will facilitate the redevelopment of the parcel, the overall goals of which, as stated on page 8 of the adopted Redevelopment Plan, are as follows:

- To provide for appropriate land uses that will eliminate blight, promote economic development and growth opportunities, and serve the needs of the community.
- To provide for an increase in the economic base of the Redevelopment Area and the entire Township by redeveloping underutilized and non-productive properties.
- To minimize the negative impact of existing land uses in the Redevelopment Area on the surrounding neighborhood.
- To capitalize on the existing strengths of the Redevelopment Area, including its location at a gateway into the historic village of Cranbury and the significant amount of pass-by traffic from motorists traveling into and out of Cranbury along both Old Trenton Road and South Main Street.
- To promote new residential development in the Redevelopment Area in a manner that will benefit the community.
- To provide for affordable housing in satisfaction of the Township's affordable housing obligation; and

WHEREAS, transfer of the property-in-question to the redeveloper further effectuates a public purpose because the parcel is located at the southwest corner of the intersection of Old Trenton Road and South Main Street and:

- The addition of the land to the corner will help to create better sight lines for both pedestrians crossing Old Trenton Road and South Main Street, and for vehicular traffic turning right from Old Trenton Road to South Main Street, and from South Main Street into the first driveway serving the project itself.
- The additional land allows for a public plaza to be created at the intersection for outdoor seating which will enhance the use and enjoyment of the redevelopment site by the public.
- The added land will allow for improvements which will enhance the aesthetics of this corner of the project site and create a more attractive gateway into historic Cranbury Village – particularly from the south and west.
- Additional open space will be provided for the use and enjoyment of the affordable housing residents, who will be residing on the second floor of the mixed use retail/apartment building which is directly adjacent to the property-in-question; and

WHEREAS, transfer of public land from the Township to a redeveloper under the aforesaid circumstances is authorized pursuant to the Local Lands and Buildings Law, *N.J.S.A. 40A:12-13(c)* and the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-8(g)*; and

WHEREAS, transfer of the property-in-question from Cranbury Township to the redeveloper will not occur unless and until the property-in-question is transferred from Middlesex County to Cranbury Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Cranbury, that the Mayor, Clerk, Township Administrator and Township Attorney are authorized to take all actions necessary and proper to acquire the property-in-question from Middlesex County and to transfer said property to the redeveloper of the "Cheney/Hagerty/Kushner" site.

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

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Resolutions  
Consent Agenda

Mayor Mulligan asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, Mayor Mulligan requested a motion to adopt the Consent Resolutions. On a motion by Ms. Goetz, seconded by Mr. Taylor and unanimously carried, the following Resolutions were passed by vote:

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

Cranbury Township Resolution # R 06-16-113

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 06-16-114

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Lincoln Square Productions has outstanding credits of \$1,330.00 in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Lincoln Square Productions' extra duty escrow account.

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 Director of Finance
- (b) Lincoln Square Productions

Resolution

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

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

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Cranbury Township Resolution # R 06-16-115

WHEREAS, Ingerman Development Company, LLC and its assigns (hereinafter referred to as the "Sponsor") proposes to construct and operate two (2) separate housing projects, described as follows: (i) a 66-unit special needs and senior affordable rental housing project, together with such other improvements as may be necessary in connection therewith, such as leasing offices, community meeting space, landscaping, curbing, and paving, and (ii) a 24-unit family affordable rental housing project, together with such other improvements as may be necessary in connection therewith, such as leasing offices, community meeting space, landscaping, curbing, and paving (hereinafter collectively referred to as the "Projects"), all pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the Township of Cranbury (hereinafter referred to as the "Municipality") on a site described as Block 33, Lot 13.04 as shown on the Official Assessment Map of the Township of Cranbury, Middlesex County, New Jersey; and

WHEREAS, the Projects will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Sponsor has presented to the Township Committee of the Township of Cranbury a revenue projection for each of the Projects which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Projects as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury (the "Committee") that:

- (1) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Projects; and
- (2) The Committee does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Projects, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Projects are made to the municipality in such amounts and manner set forth in the Agreements for Payments in Lieu of Taxes attached hereto as Exhibit "B"; and
- (3) The Committee hereby authorizes and directs the Mayor of the Township of Cranbury to execute, on behalf of the municipality, the Agreements for Payments in Lieu of Taxes in substantially the forms annexed hereto as Exhibit "B"; and
- (4) The Committee understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreements for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

Work Session

a). Plainsboro Road – Engineer Estimate

The Township Engineer discussed with the Township Committee his estimates for drainage repairs on Plainsboro Road. Mr. Taylor inquired how much money has been spent so far trying to correct the problem. Mr. Tanner stated there has only been one (1) repair so far at a cost of \$14,000. Mr. Taylor stated his concerns with the flooding on the roadway,

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Work Session

a). Plainsboro Road – Engineer Estimate (cont'd.)

including safety issues for children walking to school and the water freezing in the winter months. He stated he would like to see the problem resolved. Mayor Mulligan inquired about the storm water management in the area, and Mr. Tanner explained how the water is currently routed. The work previously done did not resolve the problems. Mr. Charlie Smith, Plainsboro Road, stated he is getting more water than ever in his back yard from street runoff down his driveway as well as runoff from the new houses behind him. He stated the “speed bump” installed at the top of his driveway to divert the water from running down his driveway does not work and is only damaging his vehicles.

Mr. Tanner explained his two solutions and the engineering estimates for each solution. Mr. Cook inquired if the work could be done in phases; however, that is not possible. Mr. Tanner explained a pipe could be run underground down to Main Street; however, he described the issue with the grade to Main Street and how deep the pipes would have to be installed. He stated the Committee needs to decide if the drainage pipes should go the distance to Main Street, and to consider costs will be higher as the digging gets deeper.

There was much discussion about the flooding on various driveways and front lawns of homes from 134 to 142 Plainsboro Road, and the possibilities of how to direct the water flow. Mr. Tanner stated he wants to see where the water is flowing, and at the next substantial rain, will come himself or send an associate to look at the flow. Ms. Goetz inquired if there was a way to divert the water back to the farm fields instead of to the sewer system. Mr. Tanner explained the farm fields are higher than the roadway. There was discussion about addressing the water issues at the 142 Plainsboro Road driveway. Mr. Tanner stated there is a pipe for drainage there; however, it becomes clogged. It was decided to get a cost estimate to rent East Windsor’s jet truck to clean out the pipe to see if that resolves that flooding. Mr. Tanner stated he will do additional surveying along Mr. Smith’s property. He will work with Ms. Marabello on the costs. Mayor Mulligan stated he will not be at the July 11th meeting, but suggested Mr. Tanner come back with updated costs. Mayor Mulligan stated he is comfortable agreeing with what the other Committee members decide. Based on the Committee’s feedback, Mr. Tanner will investigate further solutions and prepare estimates for the Committee’s review in September. He stated the work would probably be done next spring or summer.

On a separate issue, Mr. Tanner reported Bioxide will be installed in the pump station at Wynnewood on July 7<sup>th</sup>.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator

Ms. Golisano polled Township Committee members to see if they were available at 6:30 p.m. for the July 11<sup>th</sup> meeting. Messrs. Cook, Johnson and Taylor will be available, making a quorum, and Ms. Marabello asked that Ms. Golisano inform Ms. Cunningham to advertise the time change for the meeting to 6:30 p.m.

Ms. Golisano reported she is compiling a one-page information sheet to be inserted in the tax bills if the Township Committee would like to add anything.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions

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Public Comment

Mayor Mulligan opened the meeting to public comment. There being no comments, the Mayor closed the public portion of the meeting.

Township Committee Members' Notes

The Township Committee Members had no additional comments.

Mayor's Notes

Mayor Mulligan stated he had no additional comments and asked for a motion to go into Closed Session.

Resolution

At 8:40 p.m., on motion by Ms. Goetz, seconded by Mr. Taylor and unanimously carried, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 06-16-116

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,

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 motion by Mr. Johnson seconded by Mr. Taylor and unanimously carried, the meeting returned to open session at 8:57 p.m.

On motion by Mr. Johnson, seconded by Mr. Taylor, and unanimously carried, the meeting adjourned at 9:00 p.m.

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Jean Golisano, RMC  
Deputy Clerk