

TOWNSHIP COMMITTEE MEETING
February 9, 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: David Cook, Susan Goetz, Glenn Johnson, Dan Mulligan, and Mayor Jay Taylor. Also present was 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.

Regular Township Committee Minutes of January 12, 2015

On motion by Mr. Johnson, seconded by Mr. Cook and unanimously carried, the Regular Township Committee Minutes of January 12, 2015 were adopted.

Reports and Communications

--Mayor Taylor

Mayor Taylor announced the appointment of Ms. Barbara Rogers as Chair of the Environmental Commission with a term expiration date of December 31, 2015.

Mayor Taylor reported he attended a Board of Education meeting and stated the BOE President is Lynne Schwarz. Mayor Taylor reported March is National Student Art month, and the Township is working with the School to have an upper grade art display in Town Hall. He stated the Township will also turn over its government to the Cranbury Student Council for a day to be determined.

Mayor Taylor reported Mr. Ed Sekelsky is the Recreation Board Chair for 2015 and stated the Recreation Board has a number of projects on their agenda for 2015. Mayor Taylor recommended that all Boards having projects of a permanent nature or a budget request speak with Ms. Denise Marabello to determine not only the initial cost, but also the projected legacy costs to the Township.

He reported he was interviewed for the Four Seasons Newsletter, "The Cranbury Chronicle." He stated the first letter from the Mayor also appeared in the Cranbury Press.

Mayor Taylor stated the Township Committee held its first and only budget meeting. As a result of assessed values staying relatively stable and a lower operating budget, the surplus was hit for only \$950,000, which was less than prior years. The Township Committee will be proposing a 1 cent tax hike, down from the 3 cents needed last year. He reported \$30,000 has been allocated for survey work on Petty Road so the repair process can be reviewed, and \$50,000 was allocated for revisions to the Master

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Reports and Communications

Mayor Taylor (cont'd.)

Plan that will assess the permitted uses in different zones to continue toward making it easier to attract businesses. Mayor Taylor stated funding has been allocated to do much-needed repairs to Town Hall, including installing a sump pump, painting the exterior of Town Hall and installing a floor in the Fire House meeting room.

Mayor Taylor reported the Budget will be introduced at the next Township Committee Meeting. He stated work on the Budget started a month later than previous years, but is being introduced at the same time.

Reports and Communications

--Members of Committee

Mr. Johnson

Mr. Johnson reported he attended the following meetings: the Shade Tree Commission, the Zoning Subcommittee and the Development Review Committee. He stated he met with some developers who hope to do a project in Cranbury. Mr. Johnson stated he also accompanied the Township Planner and Engineer on a walkthrough of buildings on the Hagerty and Cheney properties. He stated he attended a New Jersey American Water meeting concerning the 21% rate increase they have applied for. He reported NJ American Water has stated they have invested \$1.2 million in Cranbury since 2012. Mr. Johnson stated there will be a series of public meetings to address the rate increase.

Mr. Johnson reported the Zoning Subcommittee is working on a "scenic corridor overlay zone," which was mentioned in the Master Plan when it was adopted in 2010. The purpose of the overlay zone is to protect the scenic nature of some of the rural roads, including Cranbury Neck Road, Plainsboro Road, George Davison Road, John White Road and Dey Road. The overlay zone would encourage any construction to take place on those roads to be some uniform space back from the road. The corridor would not control the use of the land and would not replace the bulk standards so it would encourage people to abide by the setback but would not require them to follow the setback.

Ms. Goetz

Ms. Goetz reported the Township has received the third grant for the "Downtown Beautification Project" for the sidewalk projects. She reported she and Mayor Taylor are the liaisons to the Committee. Ms. Goetz reported the Project area is from the Brainerd Lake Dam up to Bunker Hill. She stated the Committee will make a presentation of the various options at the February 23rd Township Committee Meeting. She stated there will be an extension of the sidewalks and there will not be any more bump outs.

Ms. Goetz reported the Township received a draft of a study for the dredging of Brainerd Lake. She stated the process is very expensive with the estimate to dredge the Lake being somewhere in excess of \$4 million because there is nowhere in Cranbury to dump the dredged material. She stated the estimate of materials to be moved would be about 66,000 tons. She stated an RFP would be put out sometime later this year.

Ms. Goetz reported the Township will have a Lake this summer and stated the Township has to get a permit now for herbicide treatments in the summer. She stated the treatments will not be applied if they leaves do not appear in the water; however, permits still need to be applied for now.

Ms. Goetz announced there will be a Chinese New Year Celebration in Town. She stated a group of Chinese-American families have decided to do a dinner celebration on February 28th at St. David's

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Reports and Communications

--Members of Committee

(Ms. Goetz cont'd.)

Episcopal Church as a fundraiser for the new Cranbury Library. Ms. Goetz encouraged everybody to try to attend this fun event, which will feature all kinds of foods and entertainment.

Ms. Goetz reported she will continue to write articles for the Four Seasons newsletter, the "Cranbury Chronicle." She stated this is one example of how the residents at Four Seasons are reaching out to get more engaged in the Community.

Mr. Mulligan

Mr. Mulligan reported he attended, on behalf of Mayor Taylor, an awards ceremony for Sam Harshberger at Cranbury School. Sam is an eighth grader at Cranbury School who competed against 500 other entrants in a national AFS essay contest. Mr. Mulligan reported Sam wrote an amazing essay on preserving indigenous cultures within Russia. Sam won the contest and will be traveling to Russia for two (2) weeks to gather information and create a website format for others to enjoy. Sam competed against students up to 17 years old. His teacher will also travel to Russia with him.

Mr. Mulligan stated he wanted to highlight that five (5) young Cranbury men, including his son, are members of the Princeton Youth Tiger Hockey Program, and reported they have a 33-3 record and will be going to the State Playoffs.

Mr. Mulligan reported, on Mayor Taylor's behalf, he met with Samantha Steinberg from the Governor's Office. Mr. Mulligan stated he raised some of Cranbury's concerns, including affordable housing. Ms. Steinberg's main role is when issues arise to connect the Township with the right people. Mr. Mulligan has forwarded this information to the other members of the Township Committee as well as the Clerk and Administrator.

Following the Budget Meeting, Mr. Mulligan reported he will be meeting on Thursday with Ms. Marabello, Township Administrator and the Township's IT consultant, Mr. Abdul Hassan of IT Network Systems to review some of Mr. Hassan's 2015 recommendations. Mr. Mulligan stated he will update the Committee at a future meeting.

After receiving some comments from residents concerning snow removal around the bump outs on Main Street, Mr. Mulligan suggested looking at better ways to handle the snow. He stated he understands this is the first year with the bump outs, and suggested to think about alternatives for next year.

Mr. Cook

Mr. Cook reported on the status of the Brainerd Lake Bridge and Dam Project, stated it has been over 400 days since the start of the Project. He reported some of the delays were due to finding the cavity under the dam, finding the funding and the ability to fill that cavity. In addition, Mr. Cook reported the railing has also delayed the Project since it was a custom railing. Mr. Cook stated the additional days are costing the contract money as fines and fees were built into the original contract. The fines kicked in at 390 days, which Mr. Cook stated is about 15 to 20 days ago. Mr. Cook stated there is an issue with the railing on the west side of the Dam, which will be remedied by the contractor.

Mr. Cook reported Cranbury has had some success with finding some businesses; however the Township is still restrictive in ways that make it cumbersome than necessary for businesses that may want to come into Town. Part of the remedy will be to look at the Master Plan again to interpret some of

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Reports and Communications

--Members of Committee

(Mr. Cook cont'd.)

the issues that are not macro in the sense that the historical aspect of the Township would be affected, but more on the particulars of permits, etc. to make it easier to attract businesses.

Mr. Cook reported he is liaison to the Boy Scouts. He stated the fountain near the Lake will be re-pointed and brought back to life, and Mr. Cook stated he was approached by an Eagle Scout candidate who would like to work on the fountain with the contractor, who will actually do the re-pointing. Mr. Cook explained the history of the fountain, which was built during Prohibition by the efforts of the WCTU whose goal was to bring water to all walks of life, including a basin for dogs, a basin for horses and one also for people.

Reports and Communications

-- Subcommittees

There were no Subcommittee reports.

Agenda Additions/Changes

Ms. Cunningham reported there were to additions or changes to the Agenda.

Public Comment – For Agenda Items

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

Public Hearing

Community Development Block Grant

Mayor Taylor officially opened the Public Hearing on the Community Development Block Grant at 7:20 p.m. Ms. Cunningham announced, for the record, that this meeting was advertised in the Cranbury Press, posted in the Senior Room at Town Hall, posted on the Township's website, posted on the bulletin board, and was posted at the Senior Housing.

Mr. Berkowsky stated every year the Township is fortunate to get funds from the Federal Government through the County. This year CHA's recommendation for the \$22,737 Community Development Block Grant is to be used for the replacement of water heaters in various units. Mr. Berkowsky said water heaters have a seven (7) to ten (10) year life. He said water heaters are now being placed on a replacement cycle list to avoid future problems, especially with second floor water heaters. Last year's grant was used to replace heating systems and air conditioning units.

Ms. Mary Beth Lonergan, The Township's Affordable Housing Consultant, stated she was happy to hear the use of the CDBG money. She stated she will work with Mr. Berkowsky to make sure the Township gets COAH credit for rehabilitation of affordable units so that may help address any rehabilitation share the Township would ultimately receive.

Mayor Taylor asked if there were any questions or comments from the public, and having none, closed the public portion of the hearing at 7:25 p.m.. Mayor Taylor asked for a motion to approve the Resolution for the Grant.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Resolution

A motion was made by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 02-15-021

WHEREAS, Cranbury Township has applied for \$22,737.00 from the Community Development Block Grant (CDBG) earmarked to be used for its Third Round Affordable Housing Program; and

WHEREAS, Cranbury Township has submitted its Third Round Affordable Housing Plan;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury it hereby requests the \$22,736.82 in grant monies be used to defray some of the costs related to assist in the development of or rehabilitation of low-to-moderate income housing in the Township of Cranbury.

Presentation by Mark Berkowsky, President, Cranbury Housing Associates

Mr. Mark Berkowsky gave a presentation on the history and current status of affordable housing in Cranbury. He stated Cranbury Housing Associates (CHA) was founded in 1963 and was re-organized in 1965. CHA is a volunteer, not-for-profit organization, and none of its members are paid for any work or services provided. CHA's work benefits all Cranbury residents, especially those with low and moderate incomes. For the past 25 years, Mr. Berkowsky reported CHA has worked with the Township helping to meet the original and current affordable housing obligations. In 1985 the Fair Housing Act of 1985 created the Council on Affordable Housing (COAH). At that time the court-mandated affordable housing requirements were changed from the court to COAH. CHA was asked by concerned citizens to help the Township in meeting its Mount Laurel obligation and avoid a builder's remedy, which at that time was almost 1,000 new housing units in Cranbury, or more than double the number of houses existing at that time. CHA agreed to become the project's developer, and CHA's credentials convinced COAH that Cranbury could develop its own housing without the need of a builder's remedy. Mr. Berkowsky stated CHA signed a Memo of Understanding (MOU) with the Township for Round One COAH requirements. That MOU format has been repeated for Rounds Two and Three.

Mr. Berkowsky described various concepts of Cranbury's affordable housing: develop the housing ourselves, scatter the sites throughout the Town, select sites in residential neighborhoods, select sites walkable to the Village, and design buildings to be compatible with the neighbors. Mr. Berkowsky gave a summary of the development of the various affordable housing sites.

Mr. Berkowsky stated the process of developing affordable housing is a difficult one because residents are concerned with their property values and the impact on the neighborhood. He stated he feels the communication has been good with neighbors on each project that was developed, and designs were modified to address neighbor's concerns while satisfying project requirements in a fiscally-responsible manner. Mr. Berkowsky stated CHA agreed to undertake the task of developing these housing projects to provide state-mandated affordable housing; to take it out of government-control and the politics that

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Presentation by Mark Berkowsky, President, Cranbury Housing Associates (Continued)

surround it; and take it away from project developers so we could develop and maintain it according to the true needs of Cranbury residents.

Mr. Berkowsky stated there have been many recent changes to COAH and affordable housing and stated he does not have any new information today other than the Courts have been hearing arguments and have not issued a final verdict on the State's requirements for affordable housing.

Mr. Berkowsky explained how CHA works on projects, including initial development and on-going management. He stated the procedures used are outlined in the MOU between the Township and CHA, and site selection, density on the sites and project costs are all approved by Township Committee. Site plan and planning issue are approved by the Planning Board. Mr. Berkowsky described the Township's benefits of having CHA manage its affordable housing. He reminded the Township Committee that CHA is an unpaid volunteer group with a 12-person Board of Directors that meets on a monthly basis and makes policy decisions on maintaining and developing housing.

CHA has hired a part-time property manager, Piazza & Associates that manages affordable housing for Cranbury as well as several communities. Mr. Frank Piazza is well known throughout the State and teaches many courses on affordable housing. Piazza & Associates' role includes the initial rental, maintaining the applicant lists, assisting in new rentals, verification of incomes of tenants on an annual basis, collecting rents, and maintenance of the properties. Mr. Berkowsky stated he hopes the successful relationship between CHA and the Township continues.

Mr. Berkowsky reported CHA is located in Middlesex County, which is part of Region 3 and has the highest median income in New Jersey. Moderate income is defined as 80% of the median and low income is 50% of the median. A new category was created called "very low income" and is defined as 30% of the median. While people may think low income is at poverty level, in Cranbury, the income levels are substantial. Mr. Berkowsky stated many children of Cranbury residents who are just starting out and senior citizens on fixed incomes benefit from the affordable housing. He stated all of the rental units are currently occupied and there is a waiting list.

Mr. Berkowsky stated they are looking to expand their membership and asks for community support in continuing their work.

Mayor Taylor thanked Mr. Berkowsky for his presentation and stated Cranbury really was at the forefront of providing affordable housing in the State.

Ms. Goetz thanked Mr. Berkowsky and thanked the members of the CHA Board sitting in the audience. She stated without their efforts Cranbury would be a different community.

Mr. Mulligan reiterated his thanks and stated members are always needed on all Boards, including CHA, to include this work.

Mr. Cook asked if the sites were all built to their limits and asked if Pin Oaks was a feasible site for the future. Mr. Berkowsky stated that area was demolished and sits in wetlands and the septic system failed.

Work Session

a). Discussion of the Township's COAH Responsibilities

Ms. Mary Beth Lonergan, the Township's Affordable Housing Consultant, gave a presentation on the history and status of COAH and the Township's fair share status. She commended Mr.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Work Session

a). Discussion of the Township's COAH Responsibilities

(Ms. Loneragan cont'd.)

Berkowsky on his presentation and stated her presentation is more technical and not as fun. Ms. Loneragan reported in this Third Round COAH has twice adopted gross share regulations and rules and twice the Appellate Division invalidated that gross share methodology. The first invalidation was in 2007, and the second in 2010 went all the way to the Supreme Court. In September 2013 the Supreme Court told COAH to go back to the drawing board and use a similar methodology as the First and Second Rounds, not the flawed gross share methodology. The Court gave COAH a deadline, which COAH missed and then requested an extension. Ms. Loneragan stated this took up most of 2014. COAH proposed new Third Round rules, which still had crazy numbers (over 500 new affordable housing units) for Cranbury. The rules were proposed in June and 3,000 comments were submitted in July and August. Cranbury submitted the comment that COAH should not give a municipality such an obligation that would have a drastic alteration to the community. The Supreme Court ordered COAH to adopt those regulations by October 2014 for publication in the New Jersey Register in November. Ms. Loneragan stated COAH's six (6) members deadlocked, which meant the rules were not adopted. She reported nothing was done after that point. There was no information coming from COAH to the Court, Legislature or Administration saying another attempt would be made to adopt the rules. The State affordable housing advocacy group, Fair Share Housing Center, filed a motion in Court which were heard on January 6, 2015 which stated the Court had given COAH enough chances, and matter should be taken back by the Court. Ms. Loneragan stated when the Courts had the matter, Cranbury's numbers were astronomical (1,000). The Fair Share Housing Center is suggesting towns be permitted temporary immunity, and she stated what is important to Cranbury to know is the Fair Share Housing Center has entered into settlement agreements with approximately 40 towns that she is aware of be given an immunity if they complied with Rounds One and Two. She stated Cranbury has existing 85 credits (including 32 at the Route 130-D site toward the Third Round and that may help when the rules are finally adopted. She stated she understood Cranbury adopted a Catalyst Resolution and will do a League Resolution this evening.

Mayor Taylor stated Cranbury Township currently has 96 affordable housing units, and it is interesting in what may be required. He stated it is even more concerning the Legislature has failed to act over all these years and continues to let the issue sit in the Courts. He asked if the Committee had any comments. Mr. Cook stated he has been involved at various levels for many years and it seemed in the past the way to measure the number of units to achieve would be 10% of existing housing inventory. He stated what is somewhat a joke is that it is being said Cranbury has so much open space that it can accommodate more affordable housing. He stated the open space is not available space. He stated Cranbury Township is far ahead of most municipalities concerning affordable housing. Ms. Loneragan stated what has Cranbury in the good position it is in is that the Township continues to work on its affordable housing by consistently doing things before required to do so. She stated a township would have to tell a great story while litigating in Court, and stated Mr. Berkowsky's presentation told a great story. That said, she stated a Township must continue to keep working on affordable housing.

There was discussion about future affordable numbers and whether COAH was targeting open space or redevelopment in cities. Mr. Mulligan stated the Township has to continue to following the moving target and has to do what it can to stay on track to protect the Town.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Work Session

- a). Discussion of the Township's COAH Responsibilities (Continued)
Public Comment

Mayor Taylor asked if there were any questions or comments from the public. Mr. David Nissen, Evans Drive, asked Mr. Berkowsky about the plans for the Route 130-D site. Mr. Berkowsky explained the site plan drawings are about 99% complete, which they will then go (Public Comment cont'd.)

before the Planning Board for approval. The architectural drawings are about 80%. As soon as Township approval is obtained, they can move forward with the construction. Mr. Nissen asked if it is beneficial to be proactive with other sites or if we do not know how to proceed since the numbers are so erratic. Mr. Johnson explained if the Third Round number is 32, then Route 130-D is the obvious place to build; however, if the numbers are substantially more than that, a decision would have to be made if it is more efficient to have a large project elsewhere or a number of small projects built at the same time. Mr. Johnson explained the consensus is to wait until we have the number before making a decision.

Mayor Taylor asked if there were any more questions. There were none.

Resolution

A motion was made by Mr. Johnson, seconded by Ms. Goetz and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 02-15-022

Resolution of the Township of Cranbury Calling for the Legislature and the Administration
to Adopt a New, More Sensible Approach to Affordable Housing

WHEREAS, on September 26, 2013, the New Jersey Supreme Court decision In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 215 N.J. 578 (2013) invalidated the round three regulations adopted by the Council on Affordable Housing (COAH) in 2008 and charged COAH with the responsibility of adopting a third iteration of round three regulations; and

WHEREAS, the Supreme Court also invited the Legislature and the Governor, to devise a new legislative-based approach to affordable housing in our State and promised to show enormous deference to any new legislative pronouncement; and

WHEREAS, the Supreme Court extended the five month deadline it established in In re Adoption Of N.J.A.C. 5:96 and 5:97 and set May 1, 2014 as the deadline for COAH to propose new round three regulations, and October 22, 2014 as the deadline for COAH to adopt new round three regulations; and

WHEREAS, on October 20, 2014 the COAH Board met and were unable to adopt new regulations due to a 3-3 vote, creating more uncertainty and turmoil for municipalities; and

Cranbury Township Resolution # R 02-15-022

TOWNSHIP COMMITTEE MEETING
February 9, 2015

(Continued)

WHEREAS, on January 6, 2015 the New Jersey Supreme Court heard argument in a motion brought forth by the Fair Share Housing Center asking the Court to strip COAH of its authority and return implement of the Fair Housing Act to the Court, thereby potentially exposing municipalities to costly litigation; and

WHEREAS, the confusion and uncertainty that has resulted from costly court actions, prolonged litigation and the lack of reasonable guidance demonstrates the need for a new State housing policy based on good planning, incentivizing participation and the provision of additional affordable housing; and

WHEREAS, the Legislature and Governor should seize this opportunity to reform the State's housing laws and implement a statewide housing plan predicated on good planning, providing incentives, directing funding to assist municipalities and protect the interests of taxpayers.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Cranbury that we urge the Governor and the State Legislature to partner with municipalities and enact legislation to implement a reasonable and rational state affordable housing policy which promotes rational planning, seeks to achieve results with available housing funding and incentives, encourages partnerships, and protects the interests of taxpayers; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor and Lieutenant Governor of New Jersey, the Commissioner of the Department of Community Affairs, Senator Linda Greenstein, Assemblymen Daniel Benson and Wayne DeAngelo, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly and the New Jersey State League of Municipalities.

Resolutions
Consent Agenda

Mayor Taylor asked the Township Committee if there were any questions or comments on the Consent Agenda. Ms. Cunningham stated Ms. Marabello was not able to attend the meeting and had asked Ms. Cunningham to point out two items on the Agenda. On Item d), "Resolution Authorizing the Township to Self-Examine its Budget for 2015," Ms. Marabello asked it be conveyed that every third year the Township does a Resolution like this so that the State does not have to examine the Township's Budget. For Item h), "Resolution Authorizing the Mayor and Clerk to Execute a Developer's Agreement for Alfieri-Half Acre Road, LLC," Ms. Marabello wanted to Township Committee to know this applies to three (3) buildings on Half Acre Road, two (2) of which will be 750,000 square feet and the third building will be 900,000 square feet. The site has Planning Board approval. Concerning Item c), "Resolution Authorizing an Extension of a Shared Service Agreement with South Brunswick for Sewer Service," Mayor Taylor stated the Agreement will carry the Township through the end of March. Concerning Item g), Mayor Taylor stated the \$2,000 grant is not a matching grant. There were no questions, and the Mayor asked for a motion to adopt. A motion was made by Mr. Mulligan, seconded by Mr. Cook and unanimously carried, the following Resolutions were passed by vote:

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

Nays: (None

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Resolution # R 02-15-023

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 02-15-024

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Tetra Tech Construction has outstanding credits of \$5,117.50 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 Tetra Tech Construction's 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) Tetra Tech Construction

Cranbury Township Resolution # R 02-15-025

A RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF SOUTH BRUNSWICK FOR THE PROVISION OF REGULAR AND EMERGENCY OPERATION AND MAINTENANCE FOR CRANBURY TOWNSHIP'S SANITARY SEWER SYSTEM

WHEREAS, the Township of Cranbury and the Township of South Brunswick have executed a Shared Agreement for South Brunswick Township's provision of Emergency Operation and Maintenance for Cranbury Township's Sanitary Sewer System; and

WHEREAS, South Brunswick Township has offered to provide these services to the Township for a three-month (3) period commencing January 1, 2015 through March 31, 2015 as set forth in the attached agreement; and

WHEREAS, the total fee for said three-month (3) period will be \$ 30,000.00: and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for these services during 2015: 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 in effect for a period commencing January 1, 2015 through March 31, 2015.
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Resolution # R 02-15-026

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Cranbury has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Cranbury that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Resolution # R 02-15-026
(Continued)

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Cranbury Township Resolution # R 02-15-027

WHEREAS, a Tax Sale was held in the Township of Cranbury on October 24, 2013; and,

WHEREAS, Arlene Bloch, paid \$1,500.00 as a premium to obtain Tax Sale Certificate #13-00007 on Block 34 Lot 7 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 \$1,500.00 be paid to Arlene Bloch.

Cranbury Township Resolution # R 02-15-028

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township wishes to hire the following firms (collectively "Professionals") to provide professional services to the Township during the calendar year 2014 as follows:

- a). Virginia Guinta, Stenographer Services for Planning and Zoning Boards,
- b). Janice E. Talley, PP, AICP, "Conflict Planning Services",
- c). David J. Hoder, PE, and Hoder Associates, Engineering Services for Planning and Zoning Boards,
- d). Glenn Gerken, PE, and T&M Associates, "Conflict Engineering Services" for Planning and Zoning Boards;
- e). Trishka W. Cecil, Esquire, and Mason, Griffin & Pierson, P.C. – Counsel Services for Planning and Zoning Boards;

WHEREAS, the costs for the services to be provided by the Professionals are set forth in their respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professionals have completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.* authorizes the award of these contracts without public bidding on the basis that they are professional services agreements; and

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Resolution # R 02-15-028
(Continued)

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes;

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

1. The Township of Cranbury hereby approves the following firms to provide professional services to the Township during the calendar year 2015:

- a). Virginia Guinta, Stenographer Services for Planning and Zoning Boards,
- b). Janice E. Talley, PP, AICP, "Conflict Planning Services",
- c). David J. Hoder, PE, and Hoder Associates, Engineering Services for Planning and Zoning Boards,
- d). Glenn Gerken, PE, and T&M Associates, "Conflict Engineering Services" for Planning and Zoning Boards;
- e). Trishka W. Cecil, Esquire, and Mason, Griffin & Pierson, P.C. – Counsel Services for Planning and Zoning Boards;

2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreements with the aforementioned professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* These contracts are being awarded without competitive bidding as Professional Services Agreements under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.

3. A copy of this Resolution, the pay-to-play forms, and the executed Agreements and insurance certificates shall be placed on file in the Office of the Township Clerk.

3. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 02-15-030

Resolution of Support from Local Governing Body Authorizing the

Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Cranbury Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Cranbury Township's participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Resolution # R 02-15-030
(Continued)

THEREFORE, the Cranbury Township Committee of Cranbury Township has determined that Cranbury Township should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Cranbury, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Ordinances
First Reading

Cranbury Township Ordinance # 01-15-01

An Ordinance entitled, # 01-15-01, "CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14), was introduced for first reading. On motion by Ms. Goetz, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: Monday, February 23, 2015 at 7:00 p.m.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Township of Cranbury in the County of Middlesex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 2% increase in the budget for said year, amounting to \$135,672.09 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Township of Cranbury, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Cranbury shall,

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Ordinance # 01-15-01
(Continued)

in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2%, amounting to \$135,672.09, and that the CY 2015 municipal budget for the Township of Cranbury be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Cranbury Township Ordinance # 01-15-02

An Ordinance entitled, ORDINANCE # 01-15-02, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING TOWNSHIP CODE CHAPTER 150, LAND DEVELOPMENT, TO INCREASE THE HEIGHT LIMITS IN THE LIGHT INDUSTRIAL (LI) AND INDUSTRIAL – LIGHT IMPACT SEWERED (I-LIS) ZONES", 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		
	(Mulligan		
	(Taylor		

Nays: (None

Public Hearing: Monday, February 23, 2015 at 7:00 p.m.

WHEREAS, on October 17, 2014, the Township Committee of the Township of Cranbury adopted Ordinance No. 09-14-08, which amended the Township's land development ordinances to increase the height limitation in the Industrial-Light Impact (I-LI) Zone from 40 feet to 60 feet; and

WHEREAS, the Cranbury Township Planning Board has recommended that the height limits in the Light Industrial (LI) and Industrial-Light Impact Sewered (I-LIS) Zones be increased to 60 feet as well; and

WHEREAS, the Township Committee agrees with and wishes to implement said recommendation; and

WHEREAS, the Township Committee finds that doing so will further general health, safety, morals and welfare of the Township's residents and business owners and will benefit the public;

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

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Cranbury Township Ordinance # 01-15-02
(Continued)

Section 1. Sections 150-24.1C(1)(i) and 150-24.1C(2)(f) revised to increase height limitations. Township Code section 150-24.1C, which sets forth the area and bulk regulations for the Light Industrial (LI) Zone, is hereby revised as follows (additions are underlined; deletions are in [brackets]):

§ 150-24.1. Light Industrial (LI) Zone.

C. Area and bulk regulations.

- (1) All permitted uses except offices and planned industrial parks.
 - (i) Maximum building height: [40] 60 feet.

- (2) Office uses.

- (f) Maximum building height: [40] 60 feet.

Section 2. Referral to Planning Board. The Township Clerk shall cause a copy of this ordinance to be referred to the Cranbury Township Planning Board for review pursuant to *N.J.S.A. 40:55D-26a* following its introduction and prior to adoption.

Section 3. Severability. If any section or subsection of this ordinance is adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the specific section(s) or subsection(s) so adjudged and the remainder of the ordinance shall be deemed valid.

Section 4. Repealer. All ordinances or resolutions or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Effective date. This ordinance will take effect upon its passage and publication and upon the filing of a copy of said ordinance with the Middlesex County Planning Board, as required by law.

Reports from Township Staff and Professionals

--Assistant Administrator's Report

Ms. Cunningham stated she has nothing to report.

Reports from Township Boards and Commissions

Public Comment

The Mayor opened the meeting to public questions and comments. There being no comments, the Mayor closed the public portion of the meeting.

Township Committee Member Notes

There were no additional Township Committee Member comments.

TOWNSHIP COMMITTEE MEETING
February 9, 2015

Mayor's Notes

Mayor Taylor stated he had no additional comments for the Mayor's Notes and requested a motion to adjourn. On a motion by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 8:35 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk