

TOWNSHIP COMMITTEE MEETING  
September 11, 2017

The Township Committee Meeting of the Township of Cranbury was held at 6:30 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: Susan Goetz, Glenn Johnson, Dan Mulligan, Jay Taylor and Mayor Dave Cook. Also present were Mr. Richard Preiss, PP, Township Planner; Mr. Thomas Decker, PE, Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Cook 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 5, 2016 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 5, 2016.
- (3) Filed on December 5, 2016 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection.
- (4) Sent to those individuals who have requested personal notice.
- (5) Notice of the time change was communicated to the Cranbury Press, Home News Tribune and Trenton Times, posted on the Township's web site and posted on the Bulletin Board on August 10, 2017

Work Session

- a). Discussion by Richard Preiss, Township Planner, on Proposed Changes to the Development Review Committee.

Mr. Richard Preiss, Township Planner, discussed and presented to the Township Committee, proposed changes to the Development Review Committee (DRC). For discussion purposes, Mr. Preiss distributed copies of a draft Ordinance, which would amend the provision of the Township Land Development Ordinance regarding the definition of minor site plan, the composition and responsibilities of the DRC, the exceptions to the requirement for site plan approval and the provisions regarding minor site plan and minor subdivision approval. The Ordinance also addresses establishing an Advisory Zoning Committee. The proposed Ordinance would reduce the number of applications the Planning Board would have to review, especially applications with minor changes. He stated the processing of some applications which are nonsubstantive can be made easier on everyone without having to spend a lot of time or money. Mr. Preiss stated he, the Zoning Committee, and Ms. Trishka Cecil, Esq., Planning and Zoning Board Attorney, reviewed the Ordinance and made some changes. Mr. Preiss highlighted some of the changes. He stated currently the DRC includes two (2) professionals, the Planning Board Planner and Township Engineer, who really do not need to participate in the process. Mr. Preiss stated the professionals should be advising the Board; however, members of the DRC should consist of members of the Planning Board (three (3) members, one of which is a member of the Township Committee) and Zoning Board (two (2) members). In case members cannot be there, the Ordinance will allow alternate members to participate on the DRC. Mr. Preiss explained most of what the DRC does is informal and the process can be streamlined. He stated while it is helpful for applicants to come to the DRC to prepare them, it will not be required. He stated the DRC can review and vote on minor site plans and minor subdivisions. In either case, if variances are required, the application would have to go before the Planning and Zoning Boards. If a minor application is more complicated, the

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Work Session

- a). Discussion by Richard Preiss, Township Planner, on Proposed Changes to the Development Review Committee.

(Mr. Preiss cont'd.)

applicant can go directly to the Planning and Zoning Boards. Mr. Preiss stated if an application goes before the DRC for approval, there is a requirement for notice so there is public awareness. If the application goes directly to the Planning Board, it does not require notice as the Planning Board lists the application on the Agenda.

Mr. Preiss explained it is important to have the Township Committee involved throughout the process, not just at the end. He stated the Zoning Committee was established about four (4) years ago, and after a lot of changes, felt it was worthwhile to formalize what the Zoning Committee actually is and does. He stated the Zoning Committee does not have any formal functions. He stated the DRC's function is to assist the Planning and Zoning Boards and the Zoning Committee is to assist the Township Committee. He stated the Chairperson of the Zoning Committee should be a member of the Township Committee and also be on the Zoning Board so he/she can report back and be a liaison. Mr. Preiss stated the Zoning Committee should meet on a fairly regular basis, as needed. He stated the Zoning Committee can smooth the way for legislative action to take place. He described further functions of the DRC and the Zoning Committee, and stated applicants can come to them before going to the Planning Board to lessen the time and cost.

Mr. Preiss explained the Ordinance is to streamline the process and make it easier for applicants. Mr. Mulligan agreed with the concept of the Ordinance and stated he wanted to review it more carefully; however, he expected to see it on a future Agenda soon. There was additional discussion about the notification and approval of applications. It was clarified that if an application goes before the DRC, it would have to be noticed. If the applicant goes to the Planning Board, it does not have to be noticed.

Mr. Johnson stated the changes are positive and will allow the more simple applications to be handled easier outside of the Planning Board.

Mayor Cook inquired if the Zoning Committee is part of the DRC, and Mr. Preiss explained the Zoning Committee is a totally separate Committee and the two (2) functions do not overlap. The Zoning Committee is essentially a tool the Township Committee can use. Mayor Cook stated for minor site plan changes, with the Zoning Committee and DRC, the checks and balances are in place and the idea is create an efficiency that is more beneficial than the current structure. Mayor Cook stated he agreed with the changes, which have been successful in other municipalities.

Mr. Mulligan inquired if it would also streamline the process if the Township combined its Planning and Zoning Boards. Mr. Preiss while he sees advantages and disadvantages of merging the Boards; he feels Cranbury has made many correct decisions over all the past applications.

Township Committee Minutes of August 14, 2017

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the Township Committee Minutes of August 14, 2017 were adopted.

Closed Session Minutes of August 14, 2017

On motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the Closed Session Minutes of August 14, 2017 were adopted.

Reports and Communications

--Mayor Cook

Mayor Cook reported Cranbury Day was very successful with one of the largest attendances. He stated the Lake was treated with herbicide last week and the Lake is looking good.

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Reports and Communications

--Mayor Cook (cont'd.)

Mayor Cook reported the soft edge portion of the Lake edge remediation was completed about two (2) weeks ago. He stated a hard (stones and wire) and soft edge (plantings) were placed at the edge to reduce erosion. He stated they were not creating a green barrier on the Lake's edge, but rather used plantings approved by the DEP. He stated the soft edge is malleable in a way that a hard edge is not.

Mayor Cook stated there is more and more interest in Cranbury road systems from municipalities outside of Cranbury. Mayor Cook stated there have many questions concerning Brickyard Road to access Route 130, and stated the Township Engineer, Mr. Thomas Decker and his associates at Van Cleef, have looked at the road and have determined the road cannot be cold patched, but needs to be replaced. He stated the cost to replace the road would be approximately \$1.5 to \$1.6 million as it currently exists, and stated the warehouse has contributed almost half of that for the road replacement. However, Mayor Cook stated there is some design work that has to address Brickyard Road and the Route 130 Circle (which is being assessed by the State for redesign/re-engineering from a signaling standpoint). If work is done at the Route 130 Circle, Brickyard Road would have to be realigned further south. Mayor Cook stated there are also easement issues with Brickyard Road, so there is no easy fix. He stated the cost is an element; however timing and design are also elements.

Reports and Communications

--Members of Committee

--Mr. Johnson

Mr. Johnson reported he attended a Planning Board meeting, DRC meeting, and a School Board meeting, at which Ms. Joann Charwin gave a presentation of yoga exercises she is teaching to the students. He stated it was interesting how much the children love it.

--Ms. Goetz

Ms. Goetz reported at the Cranbury Day table, there were flyers from the Chinmaya Mission to invite the community to their facility to learn about them. Chinmaya is offering free yoga classes on September 23rd and 30<sup>th</sup>.

Ms. Goetz stated the soft edge of the Lake's remediation provides breeding grounds for the smaller species, which feeds the food chain. She stated the soft edge looks good.

--Mr. Mulligan

Mr. Mulligan reported the Parks Commission has put together quotes for the fence in Village Park. He stated in the next few months, the fencing options should be discussed.

Mr. Mulligan stated he has had several residents reach out to him concerning the old Cranbury Swim Club. He stated the concerns include the overflow of the pool and mosquito breeding grounds. He stated in the past the County Board of Health came out to check the pool. Ms. Marabello stated complaints were received in May and the Health Officer and Middlesex County looked at the area. The Health Officer issued a violation for the grass being too high, and the County determined the pool was not a breeding ground for mosquitos based on the type of vegetation that is growing in the pool. Ms. Marabello stated she was not aware of any additional complaints. Mr. Mulligan and Mr. Taylor stated they have received complaints, and Mr. Mulligan requested the County be asked to come again to check the pool.

Mr. Mulligan suggested with the proposed changes for the DRC and Zoning Committee that the Master Plan be looked at next year. He stated the market has changed rapidly over the last seven (7) or eight (8) years and stated it would be wise to invest the time to look at the Master Plan. He requested Ms. Marabello reach out to Mr. Preiss and also to be put the funds aside in next year's budget.

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Reports and Communications  
--Members of Committee

--Mr. Taylor

Mr. Taylor reported the wood trim on the old Fire House is being repaired and repainted. He stated the Township should be receiving another quote on the electrical outlet for Town Hall and there was some discussion on the outside lighting of Town Hall.

Reports and Communications  
--Subcommittees

There were no reports from Subcommittees.

--Department Heads

There were no reports from Department Heads.

Follow-Up Item

Mayor Cook stated he would like the Township to continue to work on the GPS issue to reduce the truck traffic in the Village. It was requested the GPS and Swim Club be added as follow-up items on the next Agenda.

Agenda Additions/Changes

Ms. Cunningham reported Cranbury Resolution # R 09-17-092 on the Consent Agenda, be removed

Public Comment (For Items on Agenda)

Mayor Comment opened the meeting to public comment for items on the Agenda, and hearing none, closed the public portion of the meeting.

Ordinance

First Reading

Cranbury Township Ordinance # 09-17-13

An Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 09-17-13, "AN ORDINANCE AMENDING AND REVISING CHAPTER 150, THE LAND DEVELOPMENT CODE, AND THE ZONING MAP OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY," was introduced for first reading. On motion by Mr. Mulligan, seconded by Mr. Taylor, the Ordinance was passed on first reading by vote:

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

Public Hearing: Monday, September 25, 2017 at 7:00 p.m.

**WHEREAS**, pursuant to the New Jersey Supreme Court's decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) ("Mount Laurel IV"), the Township of Cranbury ("Township") instituted an action in the Superior Court of New Jersey (the "court"), entitled *In the Matter of the Application of the Township of Cranbury in Middlesex County*, bearing Docket No. MID-L-3960-15 (the "Action"), seeking a judgment of compliance and repose pursuant to N.J.S.A. 52:27D-313; and

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Cranbury Township Ordinance # 09-17-13  
(Continued)

**WHEREAS**, under the supervision of the court, the Township was able to reach a settlement with all participating parties to the Action and adopted a Housing Element and Fair Share Plan (the "Plan") that fully addresses the Township's third round affordable housing obligations; and

**WHEREAS**, on April 18, 2016, the court conducted a Fairness and Preliminary Compliance Hearing and found that the settlements reached were fair and reasonable to low and moderate income persons and the Township's Plan was constitutionally compliant subject to certain requirements being fulfilled as recommended by the Special Master; and

**WHEREAS**, the Township undertook efforts to make the required changes and provided the supplementary materials to the court; and

**WHEREAS**, the court held a Compliance Hearing on August 22, 2016 for the purposes of reviewing the changes and supplementary materials provided by the Township and found and determined that the Township was entitled to a final Judgment of Compliance and Repose for the third round; and

**WHEREAS**, pursuant to the Plan and in accordance with the settlements reached in the Action, the Township adopted Ordinance 09-17-13 on July 25, 2016, providing for the creation of a new "Planned Adult Residential (PAR) Overlay Zone"; and

**WHEREAS**, since the adoption of Ordinance 09-17-13, it has been discovered that a potential notice deficiency may have occurred such that the Township now seeks to reintroduce and readopt the ordinance in order to ensure that all procedural requirements have been properly met; and

**WHEREAS**, the substantive provisions and standards of the ordinance are not being changed or modified and are identical to provisions previously adopted as Ordinance 07-16-12 and approved by the Court as part of the Action.

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

**Section 1.**     **New Section §150-29.2 "Planned Adult Residential (PAR) Overlay Zone"**. The Code of the Township of Cranbury ("Code") is hereby amended to add new Section §150-29.2 "Planned Adult Residential (PAR) Overlay Zone" to Article III – Zoning Districts, Rules and Regulations of Chapter 150 – Land Development of the Code, that shall read as follows:

**§150-29.2. Planned Adult Residential (PAR) Overlay Zone.**

- A.     Purpose. In addition to the base zoning district standards that shall continue to apply, the Planned Adult Residential (PAR) Overlay Zone is designed to permit a planned adult, age-restricted development consisting of single-family detached housing units and community amenities as provided herein, subject to the following standards and requirements.
  
- B.     Permitted Uses. In the PAR Overlay Zone, no land shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:

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Cranbury Township Ordinance # 09-17-13  
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- (1) Single-family detached houses, occupied by persons 55 years of age or older in accordance with State and Federal law, inclusive of a prohibition that no occupant may be under the age of 18 years, and that no occupant may be registered in the public school system of the Township.
- (2) Other permitted uses allowed in the RLD-3 Zone.
- (3) Recreation facilities as permitted by the bylaws of the condominium or homeowners' association governing the use of property in the PAR community.
- (4) Pump station, lift station, maintenance building(s), and storage building(s) appurtenant to a planned adult residential community.

C. General Tract Requirements.

- (1) The minimum gross tract area for a planned adult residential community shall be 50 acres.
- (2) The maximum gross density for a tract zoned for a planned adult residential community is 3 dwelling units per acre.
- (3) The development shall be served by public water and sewer facilities.
- (4) The development shall have primary access and egress in accordance with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21 et. seq.).
- (5) Residential units shall be age-restricted in accordance with the requirements of this section.
- (6) Not more than 35% of the entire tract shall be covered by buildings.
- (7) Not more than 60% of the entire tract shall be covered by impervious surfaces.
- (8) All buildings shall be set back a minimum of 50' from the tract perimeter.
- (9) A minimum 25' landscaped buffer meeting the requirements of this chapter shall be provided at the perimeter of the tract adjacent to existing roads and where proposed lots abut existing off-tract residential parcels. The landscaped area shall be deed restricted as a planted buffer and shall be maintained by the homeowners association and/or the property owner. Planted buffers may be included in open space or on individual lots.

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- (10) The internal roads may be privately owned and maintained. Private roads shall meet New Jersey Residential Site Improvement Standards design guidelines for residential streets. Mountable granite curbing shall be permitted on private roads. Gatehouse structures shall be set back a minimum of 80 feet from public roads and shall provide for resident access as well as visitor and emergency access, to the reasonable satisfaction of the township.
- (11) Location, design, installation, construction, maintenance and control of fences, lighting, public and private landscaping (including street trees), community buildings and related parking, bikeways and pathways, entrance structures, signage, and private roads, to the extent that they are proposed, shall be addressed in the subdivision and/or site plan submitted for preliminary approval.

D. Area and bulk requirements – Single-family detached lots.

- (1) Minimum lot area: 6,050 square feet.
- (2) Minimum lot width, measured at the front setback line: 55 feet.
- (3) Minimum lot depth: 110 feet.
- (4) Minimum front yard setback - principal & accessory structures: 20 feet.
- (5) Minimum side yard setback - principal & accessory structures: 7 feet; driveways shall be set back a minimum of 2' from the side lot line.
- (6) Minimum rear yard setback - principal structures only: 20 feet.
- (7) Minimum rear yard setback - accessory structures, including but not limited to patios & decks: 10 feet.
- (8) Minimum driveway depth from back of sidewalk to face of garage: 20 feet.
- (9) Minimum driveway width: 8 feet per garage bay.
- (10) Maximum building height: 35 feet.
- (11) Patios: raised paver patios shall be permitted at a height not to exceed 2 feet-6 inches (2'-6").

E. Open Space and recreation requirements. A planned adult residential community shall provide common open space and recreational improvements for the exclusive use of its residents, in accordance with the following standards:

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- (1) The minimum common open space in each planned adult residential community shall be 30%. The minimum required open space area is permitted to include drainage basins, environmentally sensitive lands, perimeter landscape buffers, and all recreational improvements in common open space, including community buildings and associated public parking and walkways.
- (2) There shall be not less than 15 square feet of floor space per dwelling unit provided in a community clubhouse building(s), which building(s) shall have a minimum total floor area of 3,000 square feet. The community clubhouse buildings(s) shall not exceed two stories.
- (3) The community clubhouse buildings(s) shall meet the parking standard of one (1) space per 350 square feet of building area.
- (4) Within the common open space, facilities shall be included for outdoor recreational use. These facilities may include but shall not be limited to tennis and other sport courts, bocce courts, and a swimming pool. Walking, jogging, and bicycle paths may also be provided.
- (5) The community clubhouse shall be operational on or prior to the issuance of certificates of occupancy for 50% of the approved residential units.
- (6) A homeowners' association administrative area and sales office shall be permitted within the community clubhouse or in a separate building.
- (7) Community maintenance and storage facilities shall be permitted. Such facilities shall be landscaped, fenced, and visually screened.
- (8) Sidewalks. An interconnected system of sidewalks and walking paths shall be provided to permit access from all residential units to the recreational facilities and to existing frontage roads. At a minimum, sidewalks shall be provided on one side of all proposed residential streets in the community.
- (9) Perimeter setback requirements. No buildings or structures, other than roadways, access drives, entrance sign, walking, jogging and bicycle paths, walkways, entrance gatehouses, walls, fences, drainage facilities, utility structures and residential decks and/or patios with at least one wall contiguous with the principal building shall be located within 50 feet of any exterior tract boundary. The outer 25 feet of the perimeter setback shall be designated as a landscape/conservation easement, and may be included within the individual lot areas. Where the outer 25 feet of the non-roadway perimeter setback is comprised of existing preserved vegetation, such as within a wetland area, floodplain, or wetland transition area, the landscaped buffer requirements shall not apply.



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Cranbury Township Ordinance # 09-17-13  
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- (10) Signs shall be permitted on and around the clubhouse and recreational facilities for identification purposes. Such signs shall be permitted in addition to other signs permitted within the community. Each sign shall be limited to a maximum of 12 square feet of sign face and shall be coordinated as part of an overall signage design for the community.
- F. Signs. In addition to the signs customarily permitted in residential zones, a planned adult residential community shall be permitted to have the following additional signs:
- (1) One monument entrance feature sign on each side of the primary entrance to the community, plus one entrance feature sign on each side of a secondary entrance. Each entry monument shall be limited to a maximum of 36 square feet of sign face and shall be coordinated as part of an overall signage design for the community.
  - (2) Way-finding signs may be located throughout the community.
  - (3) Temporary flags and signs shall be permitted during sales events during the construction phases of the development.
  - (4) Entry feature monuments may include hardscape in the form of brick or stone and may include decorative fencing at a maximum height of 48". Monument structures shall have a maximum height of 60" from the average grade. The sign face shall be designed to match the scale, style, and design of the entrance monument on which it is mounted.
  - (5) Entrance features and all secondary way-finding signage may be lighted with either ground-mounted or sign-mounted lighting meeting the requirements of this chapter.
  - (6) All signs shall be landscaped appropriately and shall be designed as a coordinated signage plan.
- G. Deed restrictions. Approval of a PAR planned adult residential community shall be conditioned upon the placement of restrictive covenants on the deeds to any and all portions of the tract so developed to:
- (1) Ensure that the age-restricted units qualify as "55 or over housing" within the meaning of the Federal Fair Housing Act. The age-restrictive covenants shall be subject to review by the Township Attorney.
  - (2) Ensure garages shall not be converted to habitable space.

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- (3) Ensure that all public and common open space, all community facilities, private roads, signs, lighting, parking, and all required landscaping are maintained by a homeowners' association.
- H. Affordable housing. A planned adult residential community shall provide for affordable housing either on-site or by way of a monetary payment to fund municipally-sponsored off-site housing, at a rate to be mutually agreed upon by the developer and Cranbury Township.
- I. Other ordinances. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

**Section 2. Boundaries; Zoning Map Amended.**

A. The PAR Overlay Zone is hereby established and shall comprise an overlay zone for all of Lot 1 in Block 25 as depicted on the Cranbury Township Tax Map.

B. The map entitled "Cranbury Township Zoning Map," dated October 1995, as prepared by Moskowitz, Heyer & Gruel, and amended through May 21, 2012 by Hatch Mott MacDonald, and amended through May 21, 2012 by Maser Consulting, shall be amended to reflect the new boundaries of the PAR Overlay Zone described above.

E. Section 150-9.A (Zoning Map) of the Code adopting the above-referenced Zoning Map shall be amended to indicate the most recent revision date (September 15, 2016 by Van Cleef Engineering Associates) of said Map.

**Section 3. Referral to Planning Board.** Pursuant to *N.J.S.A. 40:55D-26*, a copy of this Ordinance shall be referred to the Cranbury Township Planning Board for review prior to being considered for final passage.

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

**Section 5. Severability.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any Court of competent jurisdiction that any such portion of this Ordinance is unconstitutional, void or ineffective for any cause or reason, shall not affect any other portion of this Ordinance.

**Section 6. Effective Date.** This Ordinance shall 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.

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Ordinance  
Second Reading

Cranbury Township Ordinance # 08-17-12

A motion to enter an Ordinance entitled CRANBURY TOWNSHIP ORDINANCE # 08-17-12, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 143 ENTITLED "VEHICLES AND TRAFFIC," was presented for second reading and final adoption. The Ordinance was published in the Trenton Times, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. Ms. Marabello explained once the Ordinance is passed, signs will be posted prohibiting four ton trucks from using the road. There was discussion about updating the GPS so trucks would not be directed there. Mayor Cook stated Station Road was used for years and this Ordinance will prohibit from truck traffic. Mr. Richard Kallan, Wynnewood Drive, inquired if the two (2) routes can be co-mingled (Routes 535 and Old Trenton Road Extension). Mayor Cook stated co-mingling the roads would be harder to do and the greater concern is correcting the GPS. Mr. Decker, Township Engineer, stated the Township was looking at changing indicated this is what the County suggested we do. Mr. Bill Kanawyer, Brainerd Drive, inquired about the mapping for the GPS. Mr. Decker stated he contacted a service to see how to change the GPS. He stated the GPS services probably get notified eventually by the DOT. Mr. Kanawyer stated some services will accept comments and perhaps the Township can reach through that way. Mr. Mulligan stated there is more work to do on this. No one further wished to speak, so the hearing was declared closed. On motion by Ms. Goetz, seconded by Mr. Taylor, the Ordinance was adopted by a vote:

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

Cranbury Township Resolution # R 09-17-091

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 09-17-093

A RESOLUTION OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF CRANBURY AND THE COUNTY OF MIDDLESEX

WHEREAS, Middlesex County has created the Middlesex County Department of Public Health pursuant to N.J.S.A. 26:3A2-1 et seq. to provide an array of public health services; and

WHEREAS, the Township of Cranbury is desirous of contracting with Middlesex County for furnishing by the County to the Municipality health services of technical and professional nature; and

WHEREAS, Middlesex County has submitted a proposed agreement to provide all public health services for the Township of Cranbury for two (2) years commencing on January 1, 2018 and terminating on December 31, 2019;

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Cranbury Township Resolution # R 09-17-093  
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NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Mayor and Clerk be authorized to execute a Shared Services Agreement between the Township of Cranbury and the County of Middlesex for public health services; and

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Township of Cranbury.

Work Session

a). Discussion with Township Engineer on NJDOT Grants for 2018

Thomas Decker, PE, Township Engineer discussed with the Township Committee the NJDOT Grants for 2018. Mr. Decker explained the Township applies for DOT Grants every year, and applications are being accepted until October 6<sup>th</sup>. Most recently the Township has completed construction on John White Road, Section 1, and 2017 funding will cover Section 2. He stated the Township needs to apply for the 2018 Grant and stated the Township would not be successful applying for work on a cul-de-sac or a neighborhood road. He explained it would need to be for repairs to a major road that many people use. The two (2) roads being considered that are not adjacent to construction areas are Petty Road and Ancil Davison Road, and costs were looked at. He stated Petty Road needs drainage work and easements will need to be looked at. He stated the information will not be ready in time to apply for the 2018 Grant. Mr. Decker explained the DOT will reimburse for construction costs, not engineering or survey costs or other soft costs. He stated for Petty Road drainage, the Township would have to pay surveying, permitting, engineering and possible easement acquisition costs, which could be substantial. Mr. Decker stated without doing the drainage work on Petty Road, the roadway would be better; however, the drainage issues would not be addressed. The cost for Petty Road would be approximately \$1.3 million. There was discussion about Petty Road and that residents did not want to make the road wider and make it attractive as a thoroughfare. Mr. Decker stated the Township can do road repairs in phases as the DOT typically gives approximately \$200,000.

Mr. Decker stated Ancil Davison is already 24 feet wide and needs minimal drainage work. He does not need permits or easement acquisition. He stated the cost Ancil Davison Road for a comparable amount of road work as Petty Road is about half the cost or \$681,000. He stated the work on Ancil Davison Road could be done in three (3) phases. He stated this project would still have the engineering costs but would not have the other soft costs. Mayor Cook stated Ancil Davison is also adjacent to Plainsboro and connects to a large artery so chances of obtaining the funding would be good.

Mr. Decker recommended applying for funding for repairs to Ancil Davison Road as the other preliminary work for Petty Road would not be done in time. Ms. Goetz stated if the Protinick property is developed, Petty Road will be used more and the Township needs to address repairing Petty Road before that occurs. Mr. Decker stated the project timeframe for Ancil Davison Road would be three (3) years to complete, and during that time, the Township should line up the DEP permits and looking into the easements and drainage repairs for Petty Road. The Township Committee agreed to applying for the Grant for Ancil Davison Road.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator

Ms. Cunningham stated she had nothing to report.

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Reports from Township Boards and Commissions

Ms. Bonnie Larson, Cranbury Neck Road and a member of the Shade Tree Commission reported the two (2) surveys have been completed. The "1-2-3 Survey" is an updated survey of the tree inventory and rates the condition of trees and necessary action required for each tree. The "Empty Hole Survey" lists all the addresses of properties on Main Street that are missing trees. Ms. Larson suggested for each Arbor Day, planting a tree in one of the "empty hole" locations. Ms. Goetz explained to the public the rating of each tree and stated some trees need immediate attention.

Ms. Larson, also Chair of the Cable Commission, stated Mr. Tom Connolly has not been available and has not responded to her calls. She requested that Mr. Connolly be replaced with a gentleman who is very interested in serving on the Cable Commission. She stated she would like the replacement done before she begins negotiating with Comcast. Ms. Cunningham stated the Mayor should send a letter to Mr. Connolly to remove him from the Commission. Ms. Marabello stated Ms. Larson can reach out to Comcast as Chair of the Commission.

Ms. Kirstie Venanzi, President of the Cranbury Public Library Board of Trustees, had questions for the Township Committee concerning the bid for the new Library, and stated she wanted to bring information back to the Library Board. Mayor Cook stated bids were received for the new Library and from a fiscal standpoint, there was a shortfall in funds on the amount that the lowest bid came in for. There is a 60 day response time to accept or reject bids. He stated in November there is a referendum on the ballot for library funding. Mayor Cook stated he understands the low bid was \$3,089,197. He stated the Township will give \$475,000 towards the Library parking lot and the Library can certify \$2.26 million, which leaves a shortage of \$387,000. He stated the hope was additional funds would be found before the September 27<sup>th</sup> deadline, which will probably not happen. Ms. Venanzi will bring the information back to the Board that the Library cannot award the bid because it does not have funds. She inquired if the parking lot funds will still be available next year. Ms. Marabello stated that money has been set aside by an Ordinance. Ms. Venanzi stated the Township Committee and Library Board are on the same team and should perhaps publicize the private/public partnership that the Library will get done at some point.

Mayor Cook agreed that he hoped the public did not view the Township Committee and Library Board as having an adversarial relationship. He stated he feels the Library is close to happening. Ms. Ann Gordon, North Main Street wanted to emphasize that a Library brings the community together. She stated she is passionate about Cranbury and stated the Township needs more volunteers to build the community. She stated the Library having the extra space is where the "community" happens.

Public Comment

The Mayor opened the meeting to public comment.

Mr. Bill Kanawyer, Brainerd Drive, inquired if there is anything the Township can do to encourage more competition from other high-speed providers to come to Cranbury. Ms. Larson responded that Fios is no longer going to come into municipalities. She stated it is very expensive and other companies will not come. She stated the cable companies are losing subscribers because of streaming. Mr. Mulligan stated the issue is market driven and the Township is not doing anything to discourage other companies from offering services in Cranbury. Mr. Kanawyer recommended when re-negotiating with Comcast that the Township makes sure the infrastructure is addressed. Ms. Larson asked Mr. Kanawyer to send an e-mail to her listing any service problems he has experienced.

Mr. and Mrs. J. Zuczek of Wyckoff Mills road addressed noise and traffic issues from the Rodeo. They stated they have been living with loud music and other problems. They requested assistance from the Township Committee, and the Mayor stated he would reach out to the Police and Zoning Officer. He stated there have been incidents

TOWNSHIP COMMITTEE MEETING  
September 11, 2017

Public Comment (cont'd.)

there when the Police had to be called. Mayor Cook stated Chief Varga was contacted and he reported any violations from the past have been addressed. Mr. and Mrs. Zuczek stated they have come home to cars parked on their front lawn, beer cans on the property and public urination. Ms. Zuczek stated the Rodeo has seriously affected their quality of life. She stated this property is a farm, not a concert hall and the music is very loud. Mayor Cook stated in order for the Police to respond, they have to be called. Mrs. Zuczek stated they have five (5) or six (6) police reports and they have had no response. They have been told to call the Township. They stated it used to be every six (6) weeks and now it's every other week. The rodeo ran three (3) weeks in a row. Ms. Marabello stated there is a Noise Ordinance, and Mayor Cook requested that Mr. Graydon, Zoning Officer, go out again to check the noise. Mayor Cook inquired if they spoke to the Monroe Police, and they responded they were directed to speak to Cranbury Police. Ms. Cunningham stated the Rodeo usage is approved for that property. She explained they are allowed by the State Division of ABC to run the Rodeo. They apply to the State ABC each time for a Social Affairs Permit, which allows them to sell alcohol. They must come to the Township for the Police Chief and Municipal Clerk to sign off on the application. Mrs. Zuczek inquired why permits are still being issued if there are valid complaints against the rodeo, and Ms. Marabello stated the Township cannot legally withhold permits from the applicant if they are in compliance with the rules and regulations of the permit. Ms. Marabello stated Monroe and Cranbury Police are paid for traffic and safety by the Rodeo. The Township Committee assured the Zuczek's they would look further into to the matter.

They asked if Wyckoff Road is going to be paved and the Mayor explained that road is shared with Monroe Township.

Mr. and Mrs. Bruce Thompson, Brainerd Drive, asked for an explanation why the bid for the Library cannot be awarded. Mr. Thompson raised his concern over waiting to start construction as costs will increase. Ms. Marabello explained the bid process. Mr. Thompson raised his concern over having the Library in the school. He stated if something should happen, it would be a huge liability to the Township.

Mr. Ken Gordon, North Main Street asked if there is a policy concerning bike paths and/or lanes. Mayor Cook responded there is no policy now, and Mr. Gordon urged the Township to consider bike lanes.

There being no comments, Mayor Cook closed the public comment portion of the meeting.

Mayor's Notes

Mayor Cook stated he had nothing further to report

Township Committee Members' Notes

There were no additional Committee comments.

Resolution

At 8:52 p.m. Mayor Cook requested a motion to go into Closed Session. On motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the following Resolution was adopted by vote:

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

Nays: (None

TOWNSHIP COMMITTEE MEETING  
September 11, 2017

Cranbury Township Resolution # R 09-17-094

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.

At 9:00 p.m., on motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the meeting returned to open session.

Mayor Cook requested a motion to adjourn. On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 9:01 p.m.

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Kathleen R. Cunningham  
Municipal Clerk