

TOWNSHIP COMMITTEE MEETING  
January 22, 2018

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, Dan Mulligan, Matt Scott, Jay Taylor and Mayor Glenn Johnson. Also present were Mr. Steven Goodell, Esq. and Mr. Dan Davidow, Township Attorneys; Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Municipal Clerk/Assistant Administrator. Mayor Johnson 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:

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

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

Filed on December 4, 2017 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection.

Sent to those individuals who have requested personal notice.

Township Committee Re-Organization Meeting Minutes of January 2, 2018

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the Township Committee Re-Organization Meeting Minutes of January 2, 2018 were adopted.

Township Committee Minutes of January 8, 2018

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried (with Mr. Mulligan abstaining due to absence), the Township Committee Minutes of January 8, 2018 were adopted.

Reports and Communications

--Mayor

Mayor Johnson asked for a motion to appoint Mr. Jay Taylor as the Deputy Mayor. On a motion by Mr. Mulligan, seconded by Mr. Scott, the motion was unanimously carried as follows:

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

Nays: (None

Mayor Johnson reported he attended a Board of Chosen Freeholders meeting this morning in New Brunswick. He reported the meeting referenced "Code Blue" and offering warming stations for the homeless in the event of extreme cold temperatures. Mayor Johnson stated, to his knowledge Cranbury does not have a homeless problem; however, other communities are delivering their homeless, sometimes by police cars, to the New Brunswick and Perth Amboy facilities. Mayor Johnson explained that legislation was adopted, "Code Blue," by the Legislature last year mandating that every community is required to take care of their homeless and provide a facility if the number exceeds ten homeless. Mayor Johnson stated the Police Station would be used should the issue arise in Cranbury.

Mayor Johnson reported he attended a Development Review Committee meeting and there was a presentation by Penske Truck Leasing to locate a facility in the Highway Commercial Zone. There was also a presentation by the Alfieri Corporation who owns property that borders South Brunswick and goes

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Reports and Communications

--Mayor (cont'd.)

all the way from Cranbury South River Road to Route 130. Alfieri is proposing two (2) warehouses consisting of 1.3 million square feet and the second to be just over one million square feet. Mayor Johnson stated the Planning Board had two (2) applications which were both sign variances in the warehouse district. Mayor Johnson stated he and Mr. Cook attended the re-organization meeting in Robbinsville where one of Cranbury's police officers, Mike Cipriano, was sworn in as a member of Robbinsville's Town Council.

Reports and Communications

--Members of Committee

--Mr. Mulligan

Mr. Mulligan reported the Library will be working on their proposal to the State for the Library funding approved in last November's election. Mr. Mulligan stated the Township Committee will be meeting this Saturday to work on the Township's budget. He stated he spoke with Mr. Tom Weidner, Parks' Chair, about some work that needs to be done Cranbury's parks, including fences and tree planting. Mr. Mulligan reported he and several other Committee members cleaned off part of the Lake so residents could skate.

--Mr. Taylor

Since Mr. Weidner mentioned that Parks and Shade Tree are working closely together now, Mr. Taylor suggested a coordinated effort between the two Commissions to decide where trees should be planted, including inside and outside of the parks. Mr. Taylor stated the Historical Society may be able to obtain a grant to repair the Corn Crib, and the Lions Club Barn; however, the two (2) buildings are not on the Parsonage Barn lease. In order to receive the funding, (group does not award grants to municipalities), the buildings must be on HPC's Parsonage Barn lease no later than February 26<sup>th</sup>, and if possible, sooner. Mr. Taylor explained the group does not give funding to municipalities. Mr. Taylor does not know the size of the grant; however, he stated the amount is enough to cover all the work that needs to be done. Mr. Taylor thanked Public Works for the hard work with the snow storms. He stated some residents complained that the crosswalks were plowed in by the County, and Public Works shoveled out the crosswalks.

Mr. Taylor stated the McMansion Ordinance will be discussed in February. He stated several residents have reached out to him concerning second story outbuildings. He stated he reached out to the Township Planner for this to be added to the discussion.

--Mr. Cook

Mr. Cook reported the Township received a plan for tree plantings in Four Seasons. This plan addresses the significant loss of ash trees due to emerald ash borer. Mr. Cook stated the plan will replace trees in the development, and the Township Committee will discuss the associated costs at the Budget Meeting on Saturday.

Mr. Cook stated he is following up with the DOT concerning the Cranbury Circle to keep it on the DOT's radar for assessment of the needed changes to the Circle.

--Mr. Scott

Mr. Scott stated he had nothing to report this evening.

--Subcommittees

There were no reports from Subcommittees.

--Department Heads

Mr. Michael Kervan, Chief of the Cranbury Volunteer Fire Company gave his report for January, stating at the end of 2017, the Fire Company responded to 414 calls with 2,720.29 volunteer hours. For January, there have been 27 calls with 304.41 volunteer hours. Chief Kervan stated one notable incident included the Company's tanker responding as part of a task force to a warehouse fire in

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--Department Heads

(Chief Kervan cont'd.)

Rahway. He stated Cranbury was in line; however, was then sent home. Chief Kervan stated the Company will have a new firefighter tomorrow evening after graduation from school. He stated they received three (3) applications for junior firefighters.

Mr. Mulligan inquired if there were any priority items to be considered at the Budget Meeting. Chief Kervan stated he is not available to attend the Budget Meeting, and stated the Firehouse floor is something that has been discussed over the past several years. He stated there are no large capital items needed.

Mr. Greg Farrington, Construction Official, stated the topic of stairs to the Clock Tower has been discussed since January 2016. He stated the problem for pull-down stairs to the attic is the ceiling height. If permanent stairs were installed, Mr. Farrington stated a room would have to be built at the top to maintain the heat in the building. He stated you cannot get a ladder that tucks and goes up because of the 14-foot ceiling height and stated the cost for a stationery ladder and the room at the top would be approximately \$9,500. Mr. Mulligan inquired if there could be a trap door at the top. Mr. Farrington stated it would not be safe to open a trap door while standing on the ladder. Mr. Farrington stated the pull down stairs used in homes would not work because of the height of the ceiling here. Pull-down ladders are not made for 14-foot ceilings. Mr. Farrington stated homes in Four Seasons have ten-foot ceilings, and he has a hard time accessing those ladders. Mr. Kallan reported he investigated different options; however, because of the ceiling height, nothing seems to work. Mr. Kallan stated his concern is that nobody gets hurt if the ladder comes down. Mr. Kallan stated he feels a permanent ladder is a good option and does not see it as a safety issue as children do not use that hallway. Mr. Cook inquired if an electric mechanism on the clock would solve the problem as the clock would not have to be wound. Mr. Kallan stated that is not an option as the clock is delicate to wind. There was additional discussion about the clock, and Mr. Kallan stressed the safety of permanent stairs. Ms. Marabello stated the Committee can discuss the issue further now that they have the details.

The Committee and Mr. Farrington discussed the warehouse fees received by the Construction Office. Mr. Farrington explained the State cut the amount of fees the Township can collect. He stated the Construction account looks better than it used to, but he would like to see it even better. There was additional discussion about future warehouse construction and the replacement of older warehouses that will become obsolete.

Follow-up Items

There were no follow-up items for this evening.

Agenda Additions/Changes

Ms. Cunningham reported there was a correction to the Second Reading/Public Hearing date of Ordinance 01-18-02. The date on the Agenda should read February 12, 2018, not January 22, 2018.

Public Comment (For Items on the Agenda)

Mayor Johnson opened the meeting to public comment for items on the Agenda. Hearing no comments or questions, Mayor Johnson closed the public comment portion of the meeting.

Ordinance

First Reading

CRANBURY TOWNSHIP ORDINANCE 01-18-02

An Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 01-18-02, "CALENDAR YEAR 2018 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 Mr. Mulligan, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

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CRANBURY TOWNSHIP ORDINANCE 01-18-02  
(Continued)

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

Public Hearing: Monday, February 12, 2018 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 up to 2.5% 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 2018 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 1% increase in the budget for said year, amounting to \$71,731.45 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 2018 budget year, the final appropriations of the Township of Cranbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$251,060.08, and that the CY 2018 municipal budget for the Township of Cranbury be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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.

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Ordinance  
Second Reading

Cranbury Township Ordinance 01-18-01

A motion to enter an Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 01-18-01, "BOND ORDINANCE AUTHORIZING CONSTRUCTION COSTS FOR AFFORDABLE HOUSING PURPOSES OF REAL PROPERTY SITUATED IN THE TOWNSHIP OF CRANBURY KNOWN AS "INGERMAN" AND THE REPLACEMENT OF THE FURNACE AT THE OLD FIREHOUSE APPROPRIATING \$2,630,000 THEREFORE WITH \$1,900,000 FUNDED FROM THE AFFORDABLE HOUSING TRUST FUND, RE-APPROPRIATING \$30,000 FROM AN EXISTING ORDINANCE, AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," 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. Mayor Johnson inquired if the Committee had any questions or comments, and hearing none, he opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Cook, seconded by Mr. Mulligan, the Ordinance was adopted by a vote:

Ayes: (Cook  
(Mulligan  
(Scott  
(Taylor  
(Johnson

Abstain: (None  
Absent: (None

Nays: (None

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**Section 1.** The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,630,000, including the sum of \$130,000 as the down payment required by the Local Bond Law. The down payment is available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for financing of which the bonds are to be issued for the construction costs for affordable housing purposes of real property situated in the Township of Cranbury known as "Ingerman" for and the replacement of the furnace at the Old Firehouse.

- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by

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Cranbury Township Ordinance 01-18-01  
(Continued)

the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**Section 5.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$570,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

**Section 7.** Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any

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(Continued)

change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 9.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 10.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions  
Consent Agenda

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

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

Nays: (None

CRANBURY TOWNSHIP RESOLUTION # R 01-18-030

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 01-18-031

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Hisko Excavating has outstanding credits of \$3,865.00 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 Hisko Excavating'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) Hisko Excavating

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Cranbury Township Resolution # R 01-18-032

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

- a). Phillips Preiss Gryciel, LLC – For Township Planning Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is 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 Professional has 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 this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

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 firm to provide professional services to the Township during the calendar year 2018:

- a). Phillips Preiss Gryciel, LLC – For Township Planning Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-033

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

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Cranbury Township Resolution # R 01-18-033  
(Continued)

- a). Mason Griffin & Pierson, PC for Planning and Zoning Legal Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is 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 Professional has 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 this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

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

2. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2018:

- a). Mason Griffin & Pierson, PC for Planning and Zoning Legal Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-034

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

- a). Virginia Guinta – Planning and Zoning Transcription Services

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

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Cranbury Township Resolution # R 01-18-034  
(Continued)

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 Professional has 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 this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

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

3. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2018:

a). Virginia Guinta – Planning and Zoning Transcription Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-035

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

a). Hoder Associates- Planning and Zoning Engineering Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is 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 Professional has 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

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Cranbury Township Resolution # R 01-18-035  
(Continued)

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 this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

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

4. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2018:

a). Hoder Associates- Planning and Zoning Engineering Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-036

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

a). Shropshire Associates, LLC- Planning and Zoning Traffic Consultant

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is 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 Professional has 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

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Cranbury Township Resolution # R 01-18-036  
(Continued)

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

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

5. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2018:

a). Shropshire Associates, LLC- Planning and Zoning Traffic Consultant

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-037

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2018 as follows:

a). Karen Baldino – Auditing Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is 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 Professional has 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 this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$17,500.00;

TOWNSHIP COMMITTEE MEETING  
January 22, 2018

Cranbury Township Resolution # R 01-18-037  
(Continued)

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

6. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2018:

a). Karen Baldino – Auditing Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement 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.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

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

4. 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 01-18-038

Resolution Authorizing the Township to Apply for a Grant Agreement  
with the Department of Environmental Protection to Fund  
the NJFS Urban and Community Forestry Program Green Communities Grant

GRANT IDENTIFIER: FS 18-006

WHEREAS, the governing body of the Township of Cranbury desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of up to \$3,000.00 to fund the NJFS Urban and Community Forestry Program Green Communities Grant.

WHEREAS, the governing body resolves that Denise Marabello, or the successor to the office of Township Administrator and CFO is authorized (1) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$3,000.00 and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

WHEREAS, the Township Committee authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property is hereby certified. 100% of the match will be made up of in kind services (if allowed by Grant program requirements and the agreement).

WHEREAS, The Grantee agrees to comply with all applicable Federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury hereby endorses and authorizes the Township to apply for the Grant Agreement with the Department of Environmental Protection to Fund the NJFS Urban and Community Forestry Program Green Communities Grant.

TOWNSHIP COMMITTEE MEETING  
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Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report this evening.

--Assistant Administrator

Ms. Cunningham stated she had nothing to report.

Public Comment

Mayor Johnson opened the meeting to public comment.

Ms. Connie Bauder, Petty Road, stated she has been to Township Committee meetings several times over the past several years to discuss the condition of Petty Road. She stated she is very disappointed that nothing has been done to make repairs to the Road. She stated she assumed the Township was moving forward to make repairs after the issue was addressed at a meeting called by Mr. Taylor for all the Petty Road residents. She stated nothing has been done and the Township has missed grant applications over subsequent years. She reported it was stated in 2015 that the repairs would have to be done in several segments. She stated this year the grant received was used for Ancil Davison Road repairs because decisions had not been made on the Petty Road drainage issues. She stated Petty Road is falling apart and the residents on Petty Road, Nicola Court and Lenape Court must use that roadway every day. Ms. Bauder stated money has been found to do other projects. She stated it is unacceptable the road is not safe and cars are being damaged. She stated the budget meeting is Saturday and Petty Road needs to be put at the top of the list. Ms. Bauder stated the residents on Petty Road, Lenape Court and Nicola Court pay very high taxes and deserve to have a safe road.

Mr. John Jackson, Petty Road, stated everyone understands there will be some sort of construction on the Protinick property. He stated he wanted to be on the record that he personally cannot see doing any physical work on Petty Road until that work is done. He stated construction traffic will take the route of least resistance and the new roadway will be ruined. Mr. Jackson stated the planning can be done; however, he cannot see spending money before the Protinick construction is complete.

Mr. Raj Lakhnupal, Lenape Court, stated the road is a mess and he requested the Township Committee address the issue.

Mr. Reece Powell, Petty Road, asked the Committee what the Township will do about Petty Road. Mr. Cook asked if there were any further comments from the public before he spoke on the issue. Ms. Bauder stated Petty Road cannot wait until the construction is done at the Protinick property since there are no agreements in place yet about sewers for that development. She stated a construction company must be brought in to cut out the bad sections of Petty Road and pave them properly. Ms. Bauder stated maybe the whole Road cannot be done before the construction; however, something must be done now.

Mr. Cook reported a series of meetings were held concerning Petty Road, and the Township Engineer had to assess the level of repairs from patching to handling the storm sewer system. Mr. Cook stated the Township now knows what the costs of those repairs will be. He stated there are also easement issues concerning residents' properties and drainage easements on the west which need to be resolved. Mr. Cook stated the other consideration is if the road is repaired whether it create a pass through from Dey Road to Plainsboro Road. He stated there will be residents who feel strongly on either side of that issue whether it be for safety reasons or not creating a pass through.

Mr. Cook stated the Protinick issue is interesting in the fact that there is an option by Toll Brothers to build out the property. Mr. Cook stated it is public knowledge that the scale of the Protinick project is large, consisting of 174 senior units. He stated the easiest way for Toll Brothers to get sewer would be through Plainsboro Township, which probably will not happen because Plainsboro has its own affordable housing and capacity issues. Mr. Cook stated the second option would be to have an on-site sewer treatment capability, which would not be perceived favorably. The last option, which is twofold, would be to run a force main all the way down Dey Road to Route 130, which would be expensive and is on the  
Public Comment

TOWNSHIP COMMITTEE MEETING  
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(Mr. Cook cont'd.)

border of South Brunswick, or to run a force main down Petty Road to Plainsboro Road and connect there. Mr. Cook stated that in addition to construction trucks, the possibility of a force main going through Petty Road would also impact the roadway. Mr. Cook stated where the force main would be (side of road or middle of road) would determine how much Tolls Brothers would pay versus the Township's responsibility. Mr. Cook stated this has been the biggest component as to why the Township has not done anything to Petty Road. He stated addressing the water drainage issues in addition to the repaving of the road will involve easements, which will cost money and time. Mr. Cook stated until Toll Brothers makes a decision on the sewer issue, the Township does not know where it stands. He stated there was a meeting, and Toll Brothers has the information they need from the Township to put together their prices. Mr. Cook estimated there should be some decisions made by first or second quarter this year. He stated if no decision has been made at that point, the Township will ask Toll Brothers how they plan to proceed.

Mr. Cook was asked if the force main would affect their well and septic systems, and he explained the force main would handle the one entity, the Protinick project, and would run past the residents' homes. He further explained it is a force main so the homes would not be able to hook up to it. Once the Township knows about the force main, it will better be able to determine the Township's costs.

Mr. Mulligan stated the Committee knows Petty Road is in very poor condition, and it is not that they do not care. He stated the costs for drainage and road repair are very expensive and the Protinick issue has prevented the Township from moving forward. Ms. Bauder stated when the meeting was held when Mr. Taylor was Mayor, the Protinick property was not even in the picture. She stated easement work could have been started and was not. Mayor Johnson reported in April 2016, \$35,000 was approved in a bond ordinance to be spent on a drainage study for Petty Road. In September 2016, the drainage study was completed by the Township's Engineer, Tom Decker, and he met with Ms. Marabello and Mr. Cook to discuss the costs, the easement issues and the discharge options. The Township spent \$10,000 on a survey to have flags put in where the actual roadbed should be. Mayor Johnson stated what is being driven on now is not always the actual roadbed. He explained the road as it was put in actually ignore the path the road was supposed to take, which is why some residents may lose frontage while the neighbor across the street may gain property. Mayor Johnson stated the road will have to be aligned correctly.

Mr. Mulligan stated in 2015 the Committee decided to put money in the budget in January of 2016, the year he was Mayor. In early 2016, the Protinick's decided not to be part of farmland preservation and to sell the property. Unfortunately, Mr. Mulligan stated, it derailed everything the Committee was doing to start work on Petty Road.

Ms. Bauder stated the drywells are a problem. She stated they were never installed correctly, clog up and are sinking, which is making the road like a roller coaster. She stated the drywells need to be corrected because they are a safety hazard. Ms. Bauder stated on the other side of the bridge, Plainsboro Township leveled all of the drywells and installed new grates. She stated at a minimum that needs to be done. Mr. Mulligan stated the Committee can ask the Mr. Decker to look at the drywells to see about an interim solution.

Mr. Jackson thanked the Committee for trying to address the problem, and stated that while none of the current members were on the Committee at the time, he pointed out a very poor repair job was previously done. Mr. Cook stated perhaps at the time the scope of the problem was not known, and now that this Committee does know what it needs to do to address the total issue or portions of it.

Mr. Taylor stated the flags were placed on properties when he was Mayor, and residents asked why the flags were so far up on their property.

Concerning the grant funding, Mr. Mulligan explained the Engineer looks the criteria of the grant, including how roads connect across counties and connect major roadways, and Petty Road did not meet Public Comment (cont'd.)

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that criteria. He stated the Township had a better chance to obtain the funding on other roadways. He stated Petty Road could have been submitted, however with the uncertainty of the Protinick property, there may have been an issue with the money being spent within the required timeframe.

The Committee was asked if there was a possibility of other utilities being brought in for the Petty Road area, and Mr. Cook stated probably not on Toll Brothers' nickel. Mr. Cook explained Toll Brothers has an option on the property and has put together a site plan of 174 over-55 units, (which would restrict the number of students for the school district). He stated the issue now is whether Toll Brothers would spend money on a force main or something else, both of which are highly unlikely. Since Toll Brothers has the information it needs from the Township, Mr. Cook stated he feels fairly confident a decision will be made soon on how they will proceed, if at all.

Mr. Richard Kallan, Wynnewood Drive, stated some residents on Petty Road may not be happy with losing property and may say they don't want the road moved. He stated he sees problems in the future and unless there is consensus among the neighbors, there will be extra money spent and grief to the Township.

Mr. Mulligan stated residents have sued the Township in the past for easements for affordable housing, and Mr. Cook stated those were for use easements and not even acquiring property. Mr. Taylor explained some properties could lose 15 to 20 feet of their frontage. Ms. Bauder stated, except for the ranch homes that are close to the road, the loss of frontage is insignificant since the homes are set back.

Mr. Cook stated the residents' complaint is the amount of time it has taken to make decisions, and he stressed the biggest delay will be if Toll Brothers decides to run the force main and if they do not, then the Township will deal with the level of easement work. He stated it is hard for the Township to spend money now on a roadway that may be taken up. Mr. Cook explained it will be difficult for the Township to repair the road without the cooperation of all the neighbors, and he admitted he does not think residents will readily want to give up property. He stated if the Township were to force the fix of Petty Road, it would probably take eminent domain to acquire property.

There was additional discussion about deeds and easements. Mayor Johnson stated there are drainage easements between properties that were never recorded at the County, and that issue will also have to be addressed. He stated repairing the problems with Petty Road will be expensive, and in addition, the Township will have to pay for easements, making the project even more costly.

Ms. Bauder stated the constant freezing and thawing this winter has greatly increased the damage to the road. She stated the Township may be limited on how long repairs can be delayed. She asked that funding be put into the budget to start work on Petty Road. Mr. Mulligan stated it will be discussed at budget time, and the Committee will work to keep the project moving.

Mr. Cook stated the budgeting for soft costs (not hard costs of paving, pipe in road, etc.) was at least \$250,000 based on the projection of like scenarios discussed this evening, and that does not include acquisition of easements or the assumption that residents will be agreeable that the roadbed may relocate on their properties. Mr. Cook assured the public the Committee has started the process and can make decisions; however, the Protinick Project will dictate the level of solution. Hearing no additional public comment, Mayor Johnson closed the public portion of the meeting.

Mayor's Notes

Mayor Johnson reported he had no Mayor's Notes.

Township Committee Members' Notes

There were no additional Township Committee Members' Notes.

TOWNSHIP COMMITTEE MEETING  
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Resolution

At 8:25 p.m. Mayor Johnson requested a motion to go into Closed Session. On motion by Mr. Cook, seconded by Mr. Taylor and unanimously carried, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 01-18-039

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 (8/Personnel/Employment)
- N.J.S.A. 10:4-12B (7/Attorney-Client Privilege; Potential Litigation)

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 10:05, on a motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting returned to Open Session.

Mayor Johnson requested a motion to adjourn. On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 10:06 p.m.

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Kathleen R. Cunningham  
Municipal Clerk