

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **September 10, 2013** at 8:00 p.m. in Council Chambers.

THIS MEETING IS IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT" AS ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED BY MAILING THE ANNUAL SCHEDULE OF MEETINGS TO THE CRANFORD CHRONICLE, UNION COUNTY LOCAL SOURCE, AND THE STAR LEDGER, BY POSTING SUCH ANNUAL MEETING SCHEDULE ON A BULLETIN BOARD IN THE TOWN HALL RESERVED FOR SUCH ANNOUNCEMENTS AND THE FILING OF SAID NOTICE WITH THE TOWNSHIP CLERK OF CRANFORD. FORMAL ACTION MAY BE TAKEN AT THIS MEETING.

PRESENT: Mayor Thomas H. Hannen, Jr.
Deputy Mayor Edward O'Malley
Commissioner Kevin Campbell
Commissioner Andis Kalnins
Commissioner Lisa Adubato

ABSENT: None

INVOCATION AND FLAG SALUTE

The invocation was led by Deputy Mayor O'Malley, followed by the flag salute.

MINUTE APPROVAL

On motion of Commissioner Campbell, seconded by Commissioner Adubato and passed, the minutes of the Workshop Meeting of August 12, 2013 and the Conference and Official Meetings of August 13, 2013, were approved by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O'Malley, Commissioners Campbell and Kalnins

Nay: None

Abstained: Commissioner Adubato

Absent: None

On motion of Commissioner Campbell, seconded by Commissioner Adubato and passed, the minutes of the Special Meeting of September 3, 2013, were approved by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O'Malley, Commissioners Campbell, Adubato and Kalnins

Nay: None

Abstained: None

Absent: None

PAYMENT OF BILLS

On motion of Commissioner Kalnins, seconded by Deputy Mayor O'Malley and passed, the bills list dated August 20, 2013 totaling \$4,135,816.66 were approved for payment by recorded vote and are on file in the Office of the Township Clerk.

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O'Malley and Commissioners Campbell, Adubato and Kalnins

Nay: None

Abstained: None

Absent: None

MAYORAL ANNOUNCEMENTS

Childhood Cancer Awareness Month

WHEREAS, 36 children in the United States will be diagnosed with cancer each day and at an average age of six-years-old, one out of five of the children diagnosed will not survive the disease; and,

WHEREAS, childhood cancer spares no socioeconomic, ethnic, racial or geographic class; and,

WHEREAS, two-thirds of childhood cancer patients will develop long-lasting chronic conditions resulting from treatment; and,

WHEREAS, the childhood cancer rates have been rising for the past few decades, and approximately 11,630 children in the US under the age of 15 will be diagnosed with cancer in 2013; and,

WHEREAS, cancer kills more kids than AIDS, asthma, cystic fibrosis, diabetes, and muscular dystrophy combined; and,

WHEREAS, in the last 25 years, only 2 drugs have been specifically developed for children's cancer; and,

WHEREAS, the funding for pediatric cancer research has gone down steadily since 2003; and,

WHEREAS, despite major advances in treatment, it is still critically important to conduct research and increase awareness regarding pediatric cancer,

NOW, THEREFORE, BE IT RESOLVED, I, Thomas H. Hannen, Jr., Mayor of the Township of Cranford, do hereby proclaim September 2013 CHILDHOOD CANCER AWARENESS MONTH in the Township of Cranford in order to help raise awareness of pediatric cancer and its victims.

Patriot's Day

WHEREAS, on September 11, 2001, the United States was attacked by terrorists, killing thousands of innocent citizens in New York, Washington, D.C. and Pennsylvania; and

WHEREAS, in the aftermath of these horrific attacks, thousands of Americans displayed the highest levels of bravery and selflessness, risking or sacrificing their own lives to save their fellow citizens; and

WHEREAS, on the twelfth anniversary of that terrible day, we pay tribute to the police officers, firefighters, EMS responders, federal agents and ordinary citizens who performed extraordinary acts of courage and valor during our Nation's most dire moment of need; and

WHEREAS, the tragic events of September 11, 2001 have unified our Nation against the forces of hatred and oppression and reaffirmed our dedication to the fundamental American ideals of freedom and liberty; and

WHEREAS, as New Jersey residents gather at memorial ceremonies across the State, we are once again demonstrating the resiliency, determination, compassion, strength and patriotism that define us as Americans.

NOW, THEREFORE, I, Thomas H. Hannen, Mayor of the Township of Cranford, do hereby proclaim:

SEPTEMBER 11, 2013 AS PATRIOT DAY, A NATIONAL DAY OF SERVICE AND REMEMBRANCE and urge all residents to honor those who lost their lives eleven years ago, to reflect upon America's proud tradition of freedom and bravery and to renew our commitment to serving our local community, State and Nation.

Constitution Week

WHEREAS: September 17, 2013, marks the two hundred twenty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I Thomas H. Hannen, Jr. by virtue of the authority vested in me as Mayor of the Township of Cranford do hereby proclaim the week of September 17 through 23, 2013 as:

CONSTITUTION WEEK and ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Green Business Certificates

Cranford Family Restaurant

Elen's Kids

Terra Realtors

INFORMAL MEETING

Mayor Hannen opened the informal meeting portion of the meeting and asked if there were any questions or comments.

Robert D'Ambola, 11 Morse Street, spoke in favor of Ordinance No 2013-17, which authorizes a speed limit reduction to 25 mph along the entire length of Walnut Avenue. Stated that he is hopeful that Union County will provide the necessary approval for a speed limit reduction. Feels this roadway attracts children at all times of the day and on weekends because of the school, Community Center, and houses of worship located there.

Leo McMahon, 405 Denman Road, discussed agenda items pertaining to curb and sidewalk repairs and discussed improvements that are needed on Denman Road.

Mayor Hannen discussed the road resurfacing program that has been established in an effort to resurface streets on an ongoing basis.

Rebecca Hoeffler, Green Team member, thanked the Township Committee for its consideration of Resolution No. 2013-293 which establishes a "Complete Streets" policy for the Township of Cranford. Discussed the purpose of the policy, explaining that it would essentially improve safety for pedestrians, bicyclists and non-drivers. This would allow for the safe arrival of children to school. Feels it would also help stimulate the downtown economy by encouraging patrons to visit shops while decreasing congested parking issues.

Mayor Hannen thanked Ms. Hoeffler for her presentation this evening during the Conference meeting.

Mary O'Connor, 22 Elm Street, discussed the resolutions authorizing the award of contract for sidewalk repairs and asked if the corner of Retford Avenue and Williams Street is scheduled for repair. Explained that this sidewalk was damaged during Hurricane Sandy and requested that it be included.

Hearing no further comments, Mayor Hannen closed the informal meeting portion of the meeting.

ORDINANCES – Final Reading and Public Hearing

Ordinance No. 2013-17:

The Township Clerk read by title only Ordinance No. 2013-17 entitled, “AN ORDINANCE AMENDING ARTICLE VIII, SECTION 219-52 OF CHAPTER 219 “REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988),” BY AMENDING SCHEDULE II AND INCLUDING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS “25 MPH SPEED LIMIT.” (*Walnut Avenue*)”.

Said ordinance having been advertised and posted in accordance with law, Commissioner Campbell opened the public hearing.

Katherine Watson, Borough of Mountainside resident, requested clarification as to the current speed limit along Walnut Avenue.

Commissioner Campbell discussed the changes in the speed limit along the roadway, explaining that it is not consistent.

Commissioner Campbell also informed Mr. D’Ambola that the comments he made earlier concerning the Walnut Avenue speed limit would be duly noted.

Hearing no further comments, Commissioner Campbell closed the public hearing. On motion of Commissioner Campbell seconded by Deputy Mayor O’Malley and passed, said ordinance was adopted by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O’Malley, Commissioners Campbell, Kalnins and Adubato

Nay: None

Abstained: None

Absent: None

ORDINANCES – Introduction

Ordinance No. 2013-18:

The Township Clerk read by title only Ordinance No. 2013-18 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING PART III, CHAPTER 250, ARTICLE III, SECTION 11 BOARD OF HEALTH LEGISLATION; SANITARY STANDARDS; STANDARDS ADOPTED BY REFERENCE; RETAIL FOOD ESTABLISHMENTS OF THE CODE OF THE TOWNSHIP OF CRANFORD TO INCLUDE FEES FOR THE RE-INSPECTION OF ANY RETAIL FOOD ESTABLISHMENT”.

The Township Committee provided comments on Ordinance No. 2013-18 as follows:

Commissioner Adubato

- Discussed the purpose of the ordinance and her support for its adoption. Feels an enforcement mechanism is important for the safety and protection of residents and guests.

Commissioner Kalnins

- Discussed the need for this ordinance. Explained that it is not the intention to hurt businesses but to protect the reputation of restaurants.

Said ordinance was approved on first reading on motion of Commissioner Campbell, seconded by Commissioner Adubato, and passed by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O’Malley, Commissioners Campbell, Kalnins and Adubato

Nay: None

Abstained: None

Absent: None

Final Reading and Public Hearing for Ordinance No. 2013-18 to be held October 8, 2013.

RESOLUTIONS – By Consent Agenda

On motion of Commissioner Kalnins, seconded by Commissioner Adubato and passed, the following resolutions were adopted by consent agenda:

Resolution No. 2013-284:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – N.J.S.A. 40A: 4-87

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item

shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford in the County of Union, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$2,575.65, which is now available as a revenue from the Federal Bulletproof Vest Partnership Grant; and

BE IT FURTHER RESOLVED that the like sum of \$2,575.65 is hereby appropriated under the caption "Federal Bulletproof Vest Partnership Grant"; and

BE IT FURTHER RESOLVED that the above is a result of a grant from the Federal Bulletproof Vest Partnership Program.

Resolution No. 2013-285:

WHEREAS, the Chief Financial Officer has certified to the availability of funds,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, this 10th day of September 2013, that the contract with Montana Construction Corporation, Inc., 80 Contant Ave., Lodi, NJ 07644 for the Keith Jeffries Avenue & Orchard Street Storm Sewer Reconstruction is revised as follows:

CHANGE ORDER - #1 & Final

- **Add the following to the Contract:**

<u>Item #</u>	<u>Description</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Amount</u>
2	Sawcutting	LF	3	\$ 0.10	\$ 0.30
3	Roadway Excavation, Unclassified	CY	12.5	\$ \$1,000.00	\$ 12,500.00
10	New concrete curb	LF	3	\$ 30.00	\$ 90.00
Total Additions:					\$ 12,590.30

- **Deduct the following from the Contract:**

<u>Item #</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
4	Trench repair	SY	2	\$ 10.00	\$ 20.00
7	New 15" RCP storm sewer line	SY	2	\$ 10.00	\$ 20.00
Total Deductions:					\$ 40.00

NET CONTRACT CHANGE IN THIS CHANGE ORDER (ADDITION) = **\$12,550.30**

ORIGINAL CONTRACT SUM	\$	82,825.02
CONTRACT SUM INCREASED BY THIS CHANGE ORDER #1	\$	12,590.30
CONTRACT SUM DECREASED BY THIS CHANGE ORDER #1	\$	40.00
NEW CONTRACT SUM PER THIS CHANGE ORDER	\$	95,375.32
TOTAL OF THIS CHANGE ORDER:		\$ 12,550.30

Resolution No. 2013-286:

WHEREAS, the Acting Chief Financial Officer has certified to the availability of funds which is on file in the office of the Township Clerk; and

WHEREAS, on August 30, 2013, two (2) bids were received for the Hurricane Sandy Tree stump Removal, Curb and Sidewalk Repair; and

WHEREAS, Diamond Construction is the low qualifying bidder for this contract at a low bid price of \$ 61,796.00.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranford, on this 10th day of September 2013, that **Diamond Construction** be, and hereby is, awarded the contract for the Hurricane Sandy Tree Stump Removal, Curb and Sidewalk Repair; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to sign a contract with **Diamond Construction**.

Resolution No. 2013-287:

WHEREAS, the Acting Chief Financial Officer has certified to the availability of funds which is on file in the office of the Township Clerk; and

WHEREAS, on September 5, 2013, two (2) bids were received for the Reconstruction of Curb and Sidewalk along Centennial Avenue; and

WHEREAS, **M. Sky Construction Corporation** is the low qualifying bidder for this contract at a low bid price of \$ 32,520.00.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranford, on this 10th day of September 2013, that **M. Sky Construction Corporation** be, and hereby is, awarded the contract for the Reconstruction of Curb and Sidewalk along Centennial Avenue; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to sign a contract with **M. Sky Construction Corporation**.

Resolution No. 2013-288:

BE IT RESOLVED by the Township Committee of the Township of Cranford, on this 10th day of September 2013, that the Mayor and Township Clerk be, and hereby are, authorized to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union, Public Works Division, for participation in leaf disposal at the Union County Conservation Center.

Resolution No. 2013-289:

BE IT RESOLVED, by the Township Committee of the Township of Cranford at a meeting held September 10, 2013 that the Township Clerk be, and hereby is, authorized to advertise for sale at public auction certain unclaimed vehicles which have come into the possession of the Cranford Police Department through abandonment or failure of owner to claim same.

BE IT FURTHER RESOLVED, that the Public Auction will be held on September 26, 2013 at 9:00 a.m.

<u>MAKE YEAR</u>	<u>SERIAL NO.</u>
Yam 2001	JYAVP11EX1A011600
Chevy 2004	2G1WF52E649411700
Ford 1997	1FALP6248VH128478

Resolution No. 2013-290:

BE IT RESOLVED that the Township Committee of the Township of Cranford be and hereby authorizes the Hanson Park Conservancy to post signs on Township property to promote its "Rubber Ducky Race" to be held October 13, 2013 (rain date October 20, 2013) ; and

BE IT FURTHER RESOLVED that said signs shall be posted not more than ten (10) days prior to the event, and shall be removed the day following the event.

Resolution No. 2013-291:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 10th day of September 2013 that the Tax Collector had been and hereby was authorized to refund overpayments for reason noted:

Tax Court Judgments:

Block 198 Lot 31

Refund: \$4,387.42

Gary S. Goodman, Esq.
Atty Trust Fund
23 North Avenue E.
Cranford, N.J. 07016
(Year 2012)

Block 200 Lot 24

Refund: \$1,396.99

Michael P. Hrycak, Esq
Atty Trust Fund
316 Lenox Avenue
Westfield, N.J. 07090
(Year 2012)

Block 189 Lot 8.01

Refund: \$5,188.22

Michael I Schneck, Esq.
Atty Trust Fund
301 South Livingston Avenue
Suite 105
Livingston, N.J. 07039
(Year 2012)

Resolution No. 2013-292:

WHEREAS, an application has been filed by Milen Roussenov, 73 Winans Avenue, Cranford, New Jersey, for a limousine/livery service vehicle license; and

WHEREAS, the submitted vehicle license application form is complete in all respects, the fees have been paid, and a favorable recommendation has been provided by the Chief of Police; and

WHEREAS, the applicant has complied with the provisions of N.J.S.A. 48:16-13 et seq. with respect to proof of insurance and delivery of power of attorney; and

WHEREAS, pursuant to § 212-4B of the Code of the Township of Cranford, The Township Clerk may not issue

any new vehicle license until the application has been approved by the Township Committee.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranford does hereby approve, effective September 10, 2013, the issuance of a taxicab service vehicle license for Milen Roussenov for a license term ending December 31, 2013.

Resolution No. 2013-293:

ESTABLISHING A “COMPLETE STREETS” POLICY FOR THE TOWNSHIP OF CRANFORD

WHEREAS, the Township of Cranford is committed to creating streets that accommodate all road users of all ages and abilities for all trips; and

WHEREAS, a Complete Street is defined as a means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options; and

WHEREAS, the benefits of Complete Streets include improving safety for pedestrians, bicyclists, children, older citizens, families, non-drivers, the mobility challenged and other legal users of the roadway as well as those who cannot afford a car or choose to live car-free; providing connections to bicycling and walking trip generators such as employment, residential, recreation, transit, retail centers, public and civic facilities, promoting healthy lifestyles; creating more livable and walkable communities, reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and saving money by incorporating sidewalks, on-streets bicycle facilities, safe and convenient crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the Mayor and Township Committee fully supports these initiatives and wishes to reinforce its commitment to creating a comprehensive, integrated, connected street network that accommodates all road users of all abilities and for all trips through the implementation of a Complete Streets policy; now therefore

WHEREAS, a Complete Streets policy will be implemented through the planning, design, construction, maintenance, and operation of new and retrofit transportation facilities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Cranford adopts a Cranford Complete Streets Policy.

BE IT FURTHER RESOLVED that the Planning Department and the Engineering Department should make Complete Streets practices and principles a routine part of everyday operations, should approach every transportation project and program as an opportunity to improve public streets and the transportation network in Cranford for all users, and should work in coordination with other departments, agencies, and jurisdictions to achieve robust Complete Streets.

BE IT FURTHER RESOLVED that all Cranford Departments shall make best efforts to ensure that all public street projects, both new construction and reconstruction in the Township of Cranford shall be designed and constructed as complete streets. As set forth above, the “complete street” accommodates travel by pedestrians, bicyclists, public transit, and other motorized vehicles and their passengers. This policy shall be implemented as follows:

1. Best efforts shall be taken to ensure that all Township streets be designed and constructed to include accommodations for pedestrians, bicyclists, public transit, and motorists. Complete streets shall accommodate users of all ages and abilities.
2. Recognizing the inter-connected multi-modal network of street grid, the Township of Cranford will work with Union County and state agencies through existing planning efforts to ensure complete streets principles are incorporated in a context sensitive manner.
3. While complete streets principles are context sensitive, it would be appropriate to consider these features during the design, planning, maintenance and operations phases and incorporate changes into some retrofit and reconstruction projects. Departments shall reference New Jersey Roadway Design Manual; the AASHTO Guide for the Development of Bicycle Facilities; AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities; the Manual of Uniform Traffic Control Devices; the NACTO Urban Bikeway Design Guide and other design criteria as necessary, striving to balance all needs, when repaving or reconstructing streets.
4. Municipal departments and professionals, such as Department of Public Works, municipal planner, engineer and Zoning Officer should review and either revise or develop proposed revisions to all appropriate plans, zoning and subdivision codes, laws, procedures, rules, and regulations, including subsequent updates to the Township of Cranford Master Plan, to integrate, accommodate, and balance the needs of all users in all projects. Information and education will be provided. To facilitate timely implementation of the new policy, the following steps shall be taken:
 - a. A memorandum outlining this new policy will be distributed to all department heads within 90 days of this resolution.
 - b. At least one training about complete streets will be conducted for appropriate staff within 180 days of this resolution.
5. Exceptions may be made to this policy under any one of the following conditions:
 - a. Bicycle and pedestrian facilities are not required where they are prohibited by law.
 - b. Public transit accommodations shall not be required on streets which do not serve as transit routes.
 - c. When the cost of incorporating new bicycle, pedestrian, and/or public transit facilities is excessive, defined as greater than 20% of the overall project cost, the need for and/or probable use of the facility shall be considered in making the determination as to whether or not an exception should be approved at this time or held for future consideration. This determination

may occur during the budget and capital improvements program approval process or when project plans and specifications are being prepared.

Resolution No. 2013-294:

Moved to Roll Call Vote (see below)

Resolution No. 2013-295:

BE IT RESOLVED by the Township Committee of the Township of Cranford that the Mayor be, and hereby is, authorized to execute a settlement agreement in connection with litigation entitled “NJDEP v. Occidental Chemical Corporation, et al.”

Recorded vote:

Aye: Mayor Hannen Deputy Mayor O’Malley, Commissioners Campbell, Adubato and Kalnins

Nay: None

Abstained: None

Absent: None

RESOLUTION - by Roll Call Vote

On motion of Deputy Mayor O’Malley, seconded by Commissioner Campbell and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2013-294:

BE IT RESOLVED that the Township Committee of the Township of Cranford, at a meeting held September 10, 2013, hereby authorizes the submission of an Application to the Union County Open Space, Recreation & Historic Preservation Trust Fund for a grant in connection with the 2013 Kids Recreation Trust Fund Grant Program for Memorial Field Locker Rooms, Restrooms, and Concessions; for a playground at Roosevelt Park; and for Resurfacing of Sherman Field; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign any and all documents necessary in connection with said applications.

The Township Committee provided comments on Resolution No. 2013-294 as follows:

Mayor Hannen discussed the Kids Recreation Trust Grant Program and the proposed projects to be included in the grant application. Explained that none of the proposed projects are guaranteed but he is hopeful that funding would be made available.

Commissioner Kalnins explained that he does not support this resolution and discussed his concerns with the matching requirement. Also discussed his opposition to the proposed field house at Memorial Field. Feels this is a project for the Board of Education. Stated that he understands that the Board of Education does not qualify for funding through this grant program, but feels if grant funds are awarded for a field house, the matching funds that are required should be provided by of the Board of Education.

Commissioner Adubato feels the proposed projects are worthwhile, but expressed concern with the Township’s obligation to provide matching funds if a grant is awarded. Feels the Township needs to consider this cautiously because of the large scope of the field house project.

Mayor Hannen explained that the adoption of this resolution is the first step in the process. Stated that he understands the concerns that have been expressed, but feels the Township has to “start somewhere”. Believes it has become apparent to residents who frequent Memorial Field that a field house project is necessary. Assured residents that the Township would continue to seek additional funds from other sources to minimize the Township’s exposure.

Deputy Mayor O’Malley explained that the submission of an application is not binding if the Township decides not to move forward with a project. Feels more cost information is needed before further decisions are made. If the Township could obtain matching funds, feels it could be a way to deliver a “tremendous bang for the buck” for taxpayers. Explained that the Kids Recreation Trust Fund Grant Program is not an avenue that is open to the Board of Education and this is why the Township needs to obtain more cost information.

Commissioner Kalnins explained that he has concerns with submitting an application for a project that may not move forward. Further explained that the Township has been reprimanded for not utilizing grant funds previously awarded.

Mayor Hannen referred to Commissioner Kalnins’ comment and explained that a number of grants awarded to the Township by the County of Union have not been utilized because the Township did not do its part. Over the past weeks, the Township has been moving forward with the use of those grants, which would also put the Township in line for future grant funds.

Commissioner Campbell feels participation in this grant program provides the Township with options. Explained that there is no guarantee that the Township would be awarded funds or that the Township would move forward with a project if funds were awarded, but it provides an option if the Township wishes to move forward.

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor O'Malley, Commissioners Campbell and Aduvato

Nay: Commissioner Kalnins

Abstained: None

Absent: None

PROFESSIONAL COMMENTS

Township Attorney Daniel McCarthy

Township Attorney McCarthy provided an update of the status of litigation involving Cranford Development Associates (CDA) and informed residents that the appeal is proceeding. Transcripts were delivered and he is awaiting the briefing schedule from the Appellate Division. In addition, CDA has filed an application with the Union County Planning Board and the Township is requesting that the Union County Planning Board not consider this application until all legal challenges concerning this development have been addressed. Also provided an update concerning CDA's DEP application, stating that the application is still considered incomplete.

Township Attorney McCarthy also provided an update of the status of litigation involving Occidental Chemical Corporation. Discussed the settlement that was reached with other impacted municipalities at a cost of \$95,000 or more, and explained that Cranford declined to participate in that settlement agreement. Cranford continued to negotiate and was able to reach a settlement at a cost of \$25,000 to the Township.

PUBLIC COMMENTS

Mayor Hannen opened the public comments portion of the meeting and asked if there were any questions or comments.

Edward Davenport, TV35 Manager, announced that TV35 programs would be available on the internet and explained that this is a service that would be provided for one year. Encouraged residents to view programs on the internet and thanked the Township Committee and residents for their support.

Mayor Hannen commended TV35 for the strides it has made since losing its studio in Hurricane Irene. Feels there are innovative programs that can now be provided and made available through the internet, which would be informative to the public. Assured Mr. Davenport of the Township Committee's continued support of TV35.

Rita LaBrutto, 104 Arlington Road, discussed the need to replace shrubbery in downtown parking lots to provide screening of cars.

Ms. LaBrutto also discussed her support of the 2013 Kids Recreation Trust Fund Grant Program application and also suggested that the Township consider obtaining private donations for the matching requirement.

Ms. LaBrutto referred to Township Attorney McCarthy's comment concerning the appeal of the CDA litigation and the delivery of court transcript. Asked if the transcript of the hearing concerning Lehigh Acquisition's motion to sever was included. Discussed an OPRA request she submitted for a copy of that transcript and was told there was no record on file in the Township.

Township Attorney McCarthy stated that it is his understanding that the attorney handling the appeal of the CDA litigation, Jeffery Surenian, Esq., has all of the necessary transcripts to prosecute the appeal. As to the OPRA request that Ms. LaBrutto filed, stated that the transcript that was requested is not on file in the Township and that he would follow up with Mr. Surenian for a copy.

Ms. LaBrutto discussed existing group homes in Cranford and credits that should have been applied toward the Township's affordable housing obligation. Feels the Township could have avoided the Builder's Remedy lawsuit if all credits were obtained for these group homes and also feels that someone should be accountable for this.

Township Attorney McCarthy discussed the fact that former Township Attorney Carl Woodward handled the COAH litigation and he does not believe these credits would have enabled Mr. Woodward to seek dismissal of the affordable housing litigation that was filed. Stated that he would follow up with Mr. Woodward concerning this matter.

Township Attorney McCarthy also discussed efforts to reclaim some of the credits discussed by Ms. LaBrutto. Explained that he has discussed this issue with the Mayor and he has contacted the appropriate entities in an attempt to obtain every credit that is available to the Township. Stated that he is hopeful that he would have an updated concerning this issue within the next month.

Ms. LaBrutto explained that it is not her intention to place blame on Mr. Woodward and questioned whether Mr. Woodward was provided with the proper information from the Township in order for him to include it in the affordable housing plan.

Mayor Hannen explained that the Township is taking measures to reclaim all possible credits and an update concerning this matter would be provided at the next Township Committee meeting.

Ms. LaBrutto expressed concern that credits for these group homes were overlooked.

Katherine Watson, Borough of Mountainside resident, requested information concerning the Birchwood Avenue litigation.

Mayor Hannen stated that he would contact Ms. Watson after the meeting to provide her with information concerning this litigation.

Mary O'Connor, 22 Elm Street, commended Rebecca Hoeffler on the "Complete Streets" policy and stated that she was happy to see that the Township Committee unanimously adopted the resolution supporting this policy.

Ms. O'Connor also discussed water drainage issues on Aberdeen Court. Informed the Township Committee that residents of that area are asking that the Township Engineer address this issue.

Ms. O'Connor also informed the Township Committee of concerns expressed by residents regarding the intersection of Orchard Street and Holly Street. Residents are requesting improvements to this intersection which would enhance pedestrian safety.

Ms. O'Connor discussed the resignation of Township Administrator Hartnett and feels it is apparent that Mr. Hartnett had been instrumental in much of the progress made this past year. Discussed recommendations included in the report of the Charter Study Committee that was prepared in 2008. These recommendations included changes in the Township Code that would give the Township Administrator more autonomy and administrative capabilities. Feels that in light of recent events, now may be the time to make those recommendations a reality. Feels the Township Administrator must be able to tend to the day-to-day operations of the Township, and the Township Committee should truly be a governing body that is responsible for creating and strengthening Township policies, overseeing the budget process, and administering the budget to make sure taxpayer money is wisely spent. Commissioners must also ensure that the needs of all residents are fairly represented and well met. Feels everyone wants the best for Cranford and feels the recommendations that were put forth several years ago, and discussed recently, might be a good place to start. Extended best wishes to Township Administrator Hartnett and stated that his leadership has been very much appreciated.

Mayor Hannen thanked Ms. O'Connor for her comments and stated that he believes that ninety (90%) percent of the recommendations put forth by the 2008 Charter Study Committee have been implemented over the past years.

Hearing no further comments, Mayor Hannen closed the public comment portion of the meeting.

PROFESSIONAL COMMENTS

Township Administrator Joseph Hartnett

- Discussed the grant that was approved for the cleanup of debris in the Rahway River and announced that Union County would be responsible for one hundred (100%) percent of the construction costs;
- Discussed the status of the Hillside Avenue Tunnel project and informed residents that it is still on schedule;
- Discussed IT upgrades for the municipal building, stating that these upgrades would significantly improve operations;
- Announced that bids for road resurfacing projects would be advertised within the next two (2) weeks and that resurfacing would occur in the fall season.

COMMISSIONER REPORTS/COMMENTS

Commissioner Adubato

- Congratulated and thanked Edward Davenport and Chris Hoffman of TV35 for their efforts and invited residents to visit the TV35 station;
- Expressed regret with Township Administrator Hartnett's decision to resign. Explained that under the Township Committee form of government, the governing body should serve as policy makers. The daily operations of the Township are not the responsibility of the Township Committee. Feels Township Administrator Hartnett was more than capable of handling the day-to-day operations, which he demonstrated during his tenure. Stated that the Township must find another individual who can handle

these day-to-day operations. Feels it would serve everyone well if they kept in mind the separate functions of the Township Committee and the Township Administrator;

- Announced that the 9/11 Memorial Service would be held at 7:00 PM tomorrow evening and thanked those who organized the event;
- Extended best wishes to students, teachers, administrators and staff for a productive school year.

Commissioner Andis Kalnins

- Discussed the resignation of Township Administrator Hartnett and Mr. Hartnett's decision to delay his resignation effective date until a replacement is found. Commended Township Administrator Hartnett on all he has accomplished and feels his resignation will have a negative impact on the Township. Extended thanks to Township Administrator Hartnett for his willingness to extend his resignation effective date, and for remaining fully engaged;
- Commended Edward Davenport and his staff for their efforts and invited residents to visit the new TV35 studio. Also encouraged citizens to volunteer and provided information for those interested;
- Announced that the Cranford Jaycees would be hosting its first Annual Octoberfest on October 5, 2013 and provided information for those interested in attending.

Commissioner Campbell

- Commended Township Administrator Hartnett for his efforts and expressed regret for Mr. Hartnett's decision to resign. Informed residents that the job opening has been posted and some resumes have been submitted. Stated that he is hopeful that Township Administrator Hartnett's successor would be able to continue with the work that Township Administrator Hartnett started;
- Discussed his attendance at the Clark Planning Board hearing on the development of the former US Gypsum property. Stated that he voiced his concerns over the portions of the application that would impact Cranford's interests, specifically traffic, parking and storm water drainage. However, stated that his concerns were not heeded and the project would be moving forward. Discussed the increase in traffic this project would create and assured residents that the Township would be working with Union County to ensure that Union County roads remain safe;
- Discussed the fact that school has started and urged everyone to drive safely and to be aware of pedestrians in the crosswalks;
- Extended his thanks and commended Township Attorney McCarthy on the savings obtained in connection with the litigation involving Cranford Business Associates ;
- Discussed the 9/11 Memorial service and provided information for those interested in attending;
- Discussed Hurricane Irene and the impact it had on Cranford. Stated that it has been two (2) years since the storm and the Township is still recovering. Discussed plans for the elevation of several houses in the more flood sensitive areas. Explained that the impact Hurricane Irene had on Cranford is one of the reasons the Township Committee is opposed to the development on Birchwood Avenue. Feels this property is not suitable for development;
- Thanked Rebecca Hoeffler for her presentation and efforts with respect to the "Complete Streets" policy.

Deputy Mayor Edward O'Malley

- Thanked Rebecca Hoeffler for her efforts with the "Complete Streets" policy. Acknowledged Chuck Hoeffler for his involvement in the Green Business Program and thanked Mr. Hoeffler for his help in getting the program established;
- Acknowledged the attendance of former Mayor Robert Hoeffler and his wife Gloria this evening;
- Discussed the Rubber Duck Race that would be held by the Hanson Park Conservancy on October 13, 2013. Encouraged residents to participate and provided information for those interested;
- Discussed the Annual Music Fest sponsored by the Centennial Village Group to be held September 14, 2013 in the Lincoln Avenue School parking lot. Provided information for those interested in attending and announced that the proceeds would support improvements to the Centennial Avenue business district.

Mayor Thomas H. Hannen, Jr.

- Discussed the closure of the Hillside Avenue tunnel due to construction and urged parents not to allow children to walk along the railroad tracks. Explained that the Hillside Avenue Tunnel project has unfortunately been delayed, but he is hopeful that it will be finished by the end of the month. Discussed the safe routes that should be taken by students and stated that crossing guards are located at the appropriate corners;
- Announced that the Cranford Historical Society is seeking donations to have the fireplace that was formally located in the Solomon Schechter School installed at the Cranford Community Center, and encouraged residents to support this initiative;
- Discussed efforts of former Mayor Daniel Achenbach to secure additional funding for flood control projects in Cranford. Informed residents that he is meeting in Washington DC with congressional representatives on Cranford's behalf in anticipation of the Army Corps of Engineer's report due at the end of this month regarding potential projects that would alleviate flooding. The Township has "jumpstarted" the funding process and the appropriate congressmen and Senators have already been

contacted. Stated that he is hopeful that representatives would visit Cranford to view the damage that was done as well as Cranford's resilience;

- Thanked Township Administrator Hartnett for his service to the community of Cranford. Stated that the Township Committee is in the process of recruiting and identifying potential candidates for the position and stated that he looks forward to completing this process in a timely manner.

On motion of Deputy Mayor O'Malley, seconded by Commissioner Campbell and passed, the Township Committee adjourned at 9:35 PM.

Respectfully submitted,

Tara Rowley, RMC
Township Clerk

Date: September 10, 2013