

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **December 15, 2020** at 7:50 p.m. in Council Chambers.

Per the Agenda:

“The Township Committee of the Township of Cranford will conduct the December 15th Official Meeting in person. For members of the public who wish to attend the Township Committee Meetings, please enter the Township Building at the Police Dispatch entrance.”

This meeting is in compliance with the “Open Public Meetings Act” as adequate notice of this meeting has been provided by e-mailing the annual schedule of meetings to THE WESTFIELD LEADER, THE UNION COUNTY LOCAL SOURCE, THE STAR LEDGER, AND TAP INTO CRANFORD, 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 will be taken at this meeting.

PRESENT: Mayor Patrick F. Giblin
Deputy Mayor Kathleen Prunty
Commissioner Jean-Albert Maisonneuve
Commissioner Mary O’Connor
Commissioner Thomas H. Hannen, Jr.

ABSENT: None

INVOCATION AND FLAG SALUTE

The invocation was led by Deputy Mayor Prunty, followed by the flag salute.

MINUTE APPROVAL

On motion of Commissioner Hannen, seconded by Commissioner O’Connor and passed, the minutes of the Workshop Meeting of November 23, 2020 and the Conference and Official Meetings of November 24, 2020, were approved by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty, Commissioners Hannen, Maisonneuve and O’Connor

Nay: None

Abstained: None

Absent: None

PAYMENT OF BILLS

On motion of Deputy Mayor Prunty, seconded by Commissioner Maisonneuve and passed, the Bill List dated December 15, 2020, totaling \$5,748,711.27 was approved for payment by indicated vote of the Township Committee and is on file in the Office of the Township Clerk:

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty, Commissioners Hannen, Maisonneuve and O’Connor

Nay: None

Abstained: None

Absent: None

MAYORAL ANNOUNCEMENTS

Cranford Jaycees-Operation Santa

WHEREAS for more than a decade, Operation Santa has been held annually in our community as a holiday activity to spread cheer to boys and girls and provide an opportunity to donate to local organizations; and **WHEREAS** the Cranford Jaycees, the Police, Fire and Recreation Departments and approximately sixty-five (65) volunteers collected over 2,200 gifts to be donated to,

1. Trinitas Medical System
2. Wynona's House Child Advocacy Center in Newark
3. Cranford/Elmora Soup Kitchen
4. NJCDC (NJ Community Development Corp) in Paterson
5. Hance Family Foundation in New York
6. Salome Urena School in Newark; and

WHEREAS for over fifty (50) years, the Cranford Jaycees have held many community events to raise funds for scholarship funds and donations for outside agencies; and

WHEREAS the Cranford Jaycees elves escorted Santa with lights and sirens to homes throughout Cranford, making toy deliveries as Santa brought smiles, jolly spirits and social distancing greetings to children throughout the Township; and

WHEREAS the Cranford Jaycees support and volunteers provided one of the most successful and exciting holiday events this season; and

NOW, THEREFORE, that the Township Committee of the Township of Cranford thank and commend the Cranford Jaycees for the dedication to the Cranford community and for their work as a leading advocate for making Operation Santa a true success.

INFORMAL MEETING

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

Peter Merrigan, owner of Yale Terrace Brewery, Cranford, thanked the Township Committee for allowing the street closure on Eastman Street during these difficult times. Explained that businesses are trying to survive. Thanked Caren Demyen of the Business and Economic Development Office, the Fire Department and Police Department for everything they have done to make this happen.

Christos and William Zavalas, owners of Ambeli Greek Taverna, thanked the Township Committee, the Fire Department and the Police Department for all they have done for the business owners during this challenging time. Appreciates having the opportunity other family members did not have in other towns. Wished everyone Happy Holidays.

Caren Demyen, Acting Director of the Downtown Business and Economic Development Office, spoke on behalf of local business owners that could not make the Township Committee meeting but wanted to thank the Township Committee and everyone else for their support during these challenging times. She read statements from Marc Corello, Vincent Savinelli, Liz Snyder and Katie Tierney.

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

ORDINANCE – Final Reading and Public Hearing

Ordinance No. 2020-17:

The Township Clerk read by title only Ordinance No. 2020-17 entitled, “AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, CHAPTER 255 LAND DEVELOPMENT, TO REZONE 6 CENTENNIAL AVENUE”

COMMISSIONER COMMENTS:

Commissioner Hannen explained that the ordinance will change the Zoning Designation of the First Aid Squad building from an R2 zone to a R6 Zone which will allow certain improvements including making the building flood resistant.

Said ordinance having been advertised and posted in accordance with law, Commissioner Hannen opened the public hearing. Hearing no comments, Commissioner Hannen closed the public hearing. On motion of Commissioner Hannen seconded by Commissioner O’Connor and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty, Commissioners Hannen, Maisonneuve and O’Connor

Nay: None

Abstained: None

Absent: None

Ordinance No. 2020-18:

The Township Clerk read by title only Ordinance No. 2020-18 entitled, “AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION, AS PER N.J.S.A. 40A:4-53, COVID-19 SPECIAL EMERGENCY”

Said ordinance having been advertised and posted in accordance with law, Deputy Mayor Prunty opened the public hearing. Hearing no comments, Deputy Mayor Prunty closed the public hearing. On motion of Deputy Mayor Prunty seconded by Commissioner Maisonneuve and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty, Commissioners Hannen, Maisonneuve and O’Connor

Nay: None

Abstained: None

Absent: None

RESOLUTION – By Roll Call Vote

On motion of Commissioner O’Connor, seconded by Commissioner Maisonneuve and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2020-381:

WHEREAS, N.J.S.A. 40A:9-133 provides that every municipality shall have a Municipal Clerk, appointed by the governing body for an initial term of three years; and

WHEREAS, no person shall be appointed as a Municipal Clerk unless that person holds a registered municipal clerk certificate; and

WHEREAS, Patricia Donahue is a Registered Municipal Clerk of the State of New Jersey, License No. C-1875, and was previously appointed as the Municipal Clerk for the Township of Cranford on January 2, 2018 for a three (3) year term ending December 31, 2020, and has now served for three consecutive years in that position; and

WHEREAS, N.J.S.A. 40A:9-133.7 provides that a Municipal Clerk who is reappointed to their position, having served for at least three consecutive years and holding a registered Municipal Clerk certification, shall continue in that position indefinitely during good behavior and efficiency notwithstanding that such reappointment was for a fixed term of years, essentially granting tenure of office to that individual upon said reappointment; and

WHEREAS, the Township Committee is desirous of reappointing Patricia Donahue as the Township's Municipal Clerk of the Township of Cranford to be effective January 1, 2021. Said term of appointment shall be for three years, thus being eligible for tenure; and

FURTHER RESOLVED, that said Patricia Donahue shall perform such duties as are now or herein after imposed by statute, regulation or by municipal ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford that Patricia Donahue, be, and hereby is, reappointed as Municipal Clerk for the Township of Cranford, effective January 1, 2021.

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty and Commissioners Hannen, Maisonneuve and O'Connor

Nay: None

Abstained: None

Absent: None

Oath of Office taken by Patricia Donahue as Township Clerk (Oath administered by Mayor Patrick Giblin)

RESOLUTIONS – By Consent Agenda

On motion of Commissioner Hannen, seconded by Deputy Mayor Prunty and passed, the following resolutions were adopted by consent agenda:

Resolution No. 2020-382:

AUTHORIZING CONTRACT CHANGE ORDER NO. 9 FOR VARIOUS ITEMS OF EXTRA WORK FOR THE NORTHEAST QUADRANT STORMWATER MANAGEMENT PROJECT

WHEREAS, by Resolution No. 2018-362 adopted November 27, 2018, the Township Committee of the Township of Cranford authorized and approved an award of contract to Underground Utilities Corporation., 711 Commerce Road, Linden, New Jersey 07036 for the Northeast Quadrant Stormwater Management Project with a total project price of \$2,188,198.00; and

WHEREAS, by Resolution No. 2019-356 adopted October 15, 2019, the Township Committee of the Township of Cranford approved Change Orders No. 1 to 6 in the amount of \$114,136.29 (5.22% of the original contract amount of \$2,188,198.00); and

WHEREAS, by Resolution No. 2020-212 adopted May 26, 2020, the Township Committee of the Township of Cranford approved Change Order No. 8 in the amount of \$102,445.85 (9.90% increase in the original contract amount of \$2,188,198.00); and

WHEREAS, certain necessary items of extra work were required to be undertaken throughout the course of the project due to unforeseen field conditions; and

WHEREAS, the Township Engineer has reviewed and approved the construction item quantities and items of extra work as set forth in Change Order No. 9, a copy of which is attached to the original hereof; and

WHEREAS, Change Order No. 9 reflects an increase in the materials and work utilized in the amount of \$1,673.04 for a total increase of change orders in the amount of \$212,255.18 (9.97%); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranford, Union County, New Jersey that the above referenced Change Order No. 9 for the Northeast Quadrant Stormwater Management Project is awarded to Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036 in the amount of \$1,673.04. The amended contract amount is \$212,406,453.18 (9.97% increase in original contract amount of \$2,188,198.00).

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2020-383:

BE IT RESOLVED, by the Township Committee of the Township of Cranford on the 15th day of December 2020 that the Tax Collector has been authorized to refund tax payments for the reason noted:

Resident Tax Overpayment

Block 429 Lot 6

Sarton, Matthew & Lalena

215 Retford Avenue

Cranford, New Jersey 07016

Refund \$10,176.10

(0-01-55-000-010-025)

Void Resident Tax Refund*

Block 332 Lot 1 Qual C016D
 Michael, Robert & Marc Bellante
 16D Parkway Village
 Cranford, New Jersey 07016

Void Refund (\$ 1,929.65)
 (0-01-55-000-010-025)

*Resident now wishes to apply payment to 2021 taxes. Original overpayment refund authorized with Resolution 2020-338.

Resolution No. 2020-384:

WHEREAS, Resolutions 2020-241 and 2020-284 authorized requests to the Director of the Division of Local Government Services to approve the inclusion of two special items of revenue and matching appropriations into the Township’s 2020 budget for the CARES Act State and Local Municipal Grant – Submission 1 and Submission 2; and

WHEREAS, current year Grant Receivable balances exist in the records of the Township of Cranford that will not be reimbursed by Union County and need to be canceled; and

WHEREAS, the balances are as follows:

CARES Act State and Local Municipal Grant:	
Submission 1:	\$2,665.73
Submission 2:	\$1,000.00
TOTAL GRANT RECEIVABLES TO CANCEL	\$3,665.73

WHEREAS, current year Grant Appropriation Reserve balances exist in the records of the Township of Cranford that will not be expended and need to be canceled; and

WHEREAS, the balances are as follows:

CARES Act State and Local Municipal Grant:	
Submission 1:	\$2,665.73
Submission 2:	\$1,000.00
TOTAL GRANT APPROPRIATIONS TO CANCEL	\$3,665.73

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to cancel the balances from the records of the Township.

Resolution No. 2020-385:

WHEREAS, a prior year’s Grant Receivable balance exist in the records of the Township of Cranford that will not be reimbursed by the State of New Jersey and needs to be canceled; and

WHEREAS, the balance is as follows:

2018 NJDEP – Green Communities Grant	\$5.00
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TOTAL GRANT RECEIVABLES TO CANCEL \$5.00

WHEREAS, a prior year’s Grant Appropriation Reserve balance exist in the records of the Township of Cranford that will not be expended and needs to be canceled; and

WHEREAS, the balance is as follows:

2018 NJDEP – Green Communities Grant	\$5.00
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TOTAL GRANT APPROPRIATIONS TO CANCEL \$5.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to cancel the balances from the records of the Township.

Resolution No. 2020-386:

WHEREAS, due to the inability to submit for reimbursement, prior years’ past receivables remain on the Township’s records that need to be canceled; and

WHEREAS, in addition, due to COVID-19, Union County amended the funds available for the following program years: 2019-2020 and 2020-2021; and

WHEREAS, Grant Receivable balances exist in the records of the Township of Cranford that will not be reimbursed by Union County and need to be canceled; and

WHEREAS, the balances are as follows:

Municipal Alliance:	
2014-2016	\$5,681.20
2019-2020	\$13,054.18
2020-2021	\$12,761.00

TOTAL GRANT RECEIVABLES TO CANCEL \$31,496.38

WHEREAS, Grant Appropriation Reserve balances exist in the records of the Township of Cranford that will not be expended and need to be canceled; and

WHEREAS, the balances are as follows:

Municipal Alliance:		
2014-2016		\$5,681.20
2019-2020		\$13,054.18
2020-2021		\$12,761.00

TOTAL GRANT APPROPRIATIONS TO CANCEL \$31,496.38

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to cancel the balances from the records of the Township.

Resolution No. 2020-387:

WHEREAS, the Township Committee of the Township of Cranford reserves the right and discretion to make salary adjustments and title changes at any time as it deems it to be in the public interest and in the interests of good management; and

WHEREAS, the Township Committee is appreciative of the hard work of all of its Township employees and is desirous of retaining dependable and experienced employees; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranford do hereby approve the salary adjustments for the employees listed below:

Effective 11/1/2020		
Name	Title	Salary
Cleary, John	Property Maint. Officer	\$21,437.97
DeJesus, Rui	Maintenance/DMC	\$39,498.36
Hrynkiewicz, Regina L.	Admin. Asst./Bldg.	\$51,808.68
Jessen, Christian	Plumbing Inspector	\$64,156.53
Kobliska, Paul M.	Electrical Inspector	\$96,488.89
Marotta, Beth Ann	Dep. Court Administrator	\$48,441.98
Patterson, Stephen G	Fire Inspector	\$57,360.30
Tunison, Richard	Bldg. Inspector	\$75,023.12
Valdivia, Maryann	Admin. Asst./ DPW	\$42,420.00
Hourly Employees		
Andre, Betty	Admin. Asst./ Health	\$21.00
Connelly, Florence	Mun. Court/Clerk	\$17.00
Holler, Joan	Health Dept./ Asst. Clerk	\$21.00
Lipari, Rich	Cons. Center	\$15.00
Patel, Sagar	REHS	\$36.00
Ritter, Sarah	PT Admin. Asst. Bldg.	\$21.00
Stavrou, Michelle	DMD/Social Media Coord.	\$24.53

Resolution No. 2020-388:

**A RESOLUTION APPROVING SALARY STEP PROGRESSION FOR EMPLOYEES
PURSUANT TO THE TOWNSHIP’S SALARY ORDINANCE**

WHEREAS, at a meeting held May 24, 2016, the Township Committee adopted Ordinance No. 2016-06, which established ranges with minimum and maximum salaries and progressive salary steps for certain job titles within the Township of Cranford; and

WHEREAS, pursuant to Ordinance No. 2016-06, the Township Committee reserves the right and discretion to make salary adjustments at any time as it deems it to be in the public interest and in the interests of good management; and

WHEREAS, the Township has appropriated funds in the 2020 municipal budget sufficient to offset the costs of any salary adjustments effectuated hereby and upon adoption of the 2021 Temporary Municipal Budget and the 2021 Municipal Budget, will appropriate funds sufficient to offset the costs of any salary adjustments effectuated hereby.

IT IS NOW, THEREFORE, RESOLVED that the Township Committee hereby approves the progression in steps and/or salary increases for the following employees in the following job titles as recommended by the Township Administrator:

<i>Effective November 1, 2020:</i>				
Name	Title	Range #	Step #	Salary
Ryan Greco	Police Chief	1	MAX.	\$174,803.00
<i>Effective January 1, 2021</i>				
Patricia Donahue	Township Clerk	7	4	\$90,476.00

Resolution No. 2020-389:

BE IT RESOLVED, that the following is the schedule of Township Committee Meetings for the Year 2021, and

BE IT FURTHER RESOLVED, that formal action may be taken at Workshop or Official Meetings, and **BE IT FURTHER RESOLVED**, that Workshop Meetings and Conference Meetings will be held in Room 108 or Room 107/Council Chambers, and Official Meetings will be held in Room 107/Council Chambers; and

BE IT FURTHER RESOLVED that the Workshop Meetings will be held at 7:00 p.m. and will be dedicated to closed session discussion from 7:00 p.m. to 7:30 p.m., and

BE IT FURTHER RESOLVED that Conference Meetings will be held at 7:30 p.m. and Official Meetings will be held at 8:00 p.m.; and

BE IT FURTHER RESOLVED that during combined Workshop and Official Meeting dates, the Workshop Meeting will be held at 6:30 p.m. and the Official Meeting at 7:30 p.m.

Reorganization Meeting	Monday, January 4th	6:00 p.m.
Combined Workshop and Official	Tuesday, January 12th	6:30 p.m.
Budget Meeting	Saturday, January 16th	8:00 a.m.
Workshop Meeting	Monday, January 25th	7:00 p.m.
Conference and Official	Tuesday, January 26th	7:30 p.m.
Capital Budget Meeting	Tuesday, February 2nd	7:00 p.m.
Workshop Meeting	Monday, February 8th	7:00 p.m.
Conference and Official	Tuesday, February 9th	7:30 p.m.
Combined Workshop and Official	Tuesday, February 23rd	6:30 p.m.
Workshop Meeting	Monday, March 8th	7:00 p.m.
Conference and Official	Tuesday, March 9th	7:30 p.m.
Workshop Meeting	Monday, March 29th	7:00 p.m.
Conference and Official	Tuesday, March 30th	7:30 p.m.
Workshop Meeting	Monday, April 12th	7:00 p.m.
Conference and Official	Tuesday, April 13th	7:30 p.m.
Workshop Meeting	Monday, April 26th	7:00 p.m.
Conference and Official	Tuesday, April 27th	7:30 p.m.
Workshop Meeting	Monday, May 10th	7:00 p.m.
Conference and Official	Tuesday, May 11th	7:30 p.m.
Workshop Meeting	Monday, May 24th	7:00 p.m.
Conference and Official	Tuesday, May 25th	7:30 p.m.
Combined Workshop and Official	Tuesday, June 15th	6:30 p.m.
Workshop Meeting	Monday, July 12th	7:00 p.m.
Conference and Official	Tuesday, July 13th	7:30 p.m.
Workshop Meeting	Monday, August 9th	7:00 p.m.
Conference and Official	Tuesday, August 10th	7:30 p.m.

Workshop Meeting	Monday, September 13th	7:00 p.m.
Conference and Official	Tuesday, September 14th	7:30 p.m.
Workshop Meeting	Monday, September 27th	7:00 p.m.
Conference and Official	Tuesday, September 28th	7:30 p.m.
Combined Workshop and Official	Tuesday, October 12th	6:30 p.m.
Workshop Meeting	Monday, October 25th	7:00 p.m.
Conference and Official	Tuesday, October 26th	7:30 p.m.
Combined Workshop and Official	Tuesday, November 9th	6:30 p.m.
Workshop Meeting	Monday, November 22rd	7:00 p.m.
Conference and Official	Tuesday, November 23rd	7:30 p.m.
Workshop Meeting	Monday, December 13th	7:00 p.m.
Conference and Official	Tuesday, December 14th	7:30 p.m.

Resolution No. 2020-390:

BE IT RESOLVED, by the Township Committee of the Township of Cranford on this 15th day of December 2020, that the maximum carryover of five (5) 2020 vacation days for various Township employees be, and hereby are, authorized; and

BE IT FURTHER RESOLVED that all 2020 vacation carry-over days must be used prior to March 30, 2021; and

BE IT FURTHER RESOLVED that the Township Administrator be and hereby is authorized to approve the extension of unused 2020 vacation days beyond the March 30th deadline for those employees unable to exhaust this leave due to extraordinary circumstances.

Resolution No. 2020-391:

WHEREAS, there exists a need for collection and marketing of recyclable materials within the Township of Cranford; and

WHEREAS, the Township advertised for bid specifications for collection and marketing of recyclable materials to occur within the Township of Cranford; and

WHEREAS, on Thursday, November 5, 2020, the Township received one (1) bid for Collection and Marketing of Recyclable Materials within the Township of Cranford; and

WHEREAS, Giordano Company Inc. 142-156 Frelinghuysen Avenue, Newark, New Jersey 07114 is the lowest responsible bidder for this contract for Year 1 – (Jan. 1, 2021 – Dec. 31, 2021) in the amount of \$617,400.00 and Year 2 – (Jan. 1, 2022 – Dec. 31, 2022) in the amount of \$629,100.00

WHEREAS, the Township will award a contract for Year 1 in the amount of \$617,400.00 with an option to add an additional year at a Year 2 rate of \$629,100.00; and

WHEREAS, the Director of Finance has certified to the availability of funds which is on file in the office of the Township Clerk; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranford on this 15th day of December 2020, that **Giordano Company Inc.** be, and hereby is, awarded the contract for the Collection and Marketing of Recyclable Materials within the Township of Cranford; and

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

Resolution No. 2020-392:

BE IT RESOLVED that the Township Committee of the Township of Cranford on this 15th day of December, 2020 hereby authorizes the following holidays for Township employees for the year 2021;

<u>Holiday</u>	<u>Actual Date</u>	<u>Employee Holiday</u>
New Year's Day	Friday, January 1 st	Friday, January 1 st
Martin Luther King Jr.	Monday, January 18 th	Monday, January 18 th
Lincoln's Birthday	Friday, February 12 th	Friday, February 12 th
Washington's Birthday	Monday, February 15 th	Monday, February 15 th
Good Friday	Friday, April 2 nd	Friday, April 2 nd
Memorial Day	Monday, May 31 st	Monday, May 31 st
Independence Day	Sunday, July 4 th	Monday, July 5 th
Labor Day	Monday, September 6 th	Monday, September 6 th
Columbus Day	Monday, October 11 th	Monday, October 11 th
Election Day	Tuesday, November 2 nd	Friday, November 26 th
Veteran's Day	Thursday, November 11 th	Thursday, November 11 th
Thanksgiving Day	Thursday, November 25 th	Thursday, November 25 th
Christmas Day	Saturday, December 25 th	Friday, December 24 th

Resolution No. 2020-393:

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the year, when it has been determined it is necessary to expand for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may, by Resolution setting forth the facts, adopted by not less than two-thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2020 budget appropriations in accordance with the following schedule of transfers

Account	From	To
Salary Account 0-01-36-477-100-101	6,100.00	
B&G Parking System: Misc Mat. & Supplies 0-01-26-310-145-271		6,100.00
Engineering: F/T Salaries & Wages 0-01-20-165-100-101	20,000.00	
Engineering: O/S Professional Expenses 0-01-20-165-100-214		20,000.00
	\$26,100.00	\$26,100.00

Resolution No. 2020-394:

WHEREAS, the Township of Cranford required an expert to provide engineering services to the Township of Cranford; and

WHEREAS, the Township of Cranford advertised a Request for Proposals (RFP) for engineering services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, at a meeting held January 2, 2020, the Township Committee adopted Resolution No. 2020-17, authorizing an award of contract to Maser Consulting for the aforementioned service at a fee not to exceed \$145,000.00; and

WHEREAS, it is necessary to amend said contract for an additional amount not to exceed \$20,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford, be and hereby amends the contract awarded to, **Maser Consulting, 400 Valley Road, Suite 304, Mount Arlington, New Jersey 07856** for in-house engineering services via issuance of purchase orders in an amount not to exceed \$165,000.00.

BE IT FURTHER RESOLVED that said contract amount shall be charged to Account No. 0-01-20-165-100-214

Resolution No. 2020-395:

WHEREAS, 310 Centennial Avenue, LLC, applicant for the Zoning Board Application Numbers ZBA-15-026, has requested release of the performance bond in connection with the aforementioned project; and

WHEREAS, the Township Engineering Department has indicated that 310 Centennial Avenue, LLC has completed the project and has met all of the requirements and is recommending the return of Bond No. B 1201570 in the amount of \$88,898.00 currently on file with the Township Clerk of the Township of Cranford; and

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranford authorizes the release of the Performance Bond to 310 Centennial Avenue, LLC, in connection with its Mixed Used Development project at 310 Centennial Avenue.

Resolution No. 2020-396:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – N.J.S.A. 40A: 4-87 CARES ACT STATE AND LOCAL MUNICIPAL GRANT – FOURTH (4th) SUBMISSION

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the New Jersey 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 New Jersey Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$231,678.42, which is now available from the “CARES Act State and Local Municipal Grant, (Fourth (4th) Submission)” pursuant to the provision of the statute; and

BE IT FURTHER RESOLVED that the like sum of \$231,678.42 is hereby appropriated under the caption “CARES Act State and Local Municipal Grant, (Fourth (4th) Submission)”;

BE IT FURTHER RESOLVED that the above is a result of funds from the of “CARES Act State and Local Municipal Grant (Fourth (4th) Submission)” in the amount \$231,678.42.

Resolution No. 2020-397:

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
– N.J.S.A. 40A: 4-87 CARES ACT STATE AND LOCAL MUNICIPAL GRANT – FIFTH (5TH)
SUBMISSION**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the New Jersey 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 New Jersey Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$118,891.98, which is now available from the “CARES Act State and Local Municipal Grant, (Fifth (5th) Submission)” pursuant to the provision of the statute; and

BE IT FURTHER RESOLVED that the like sum of \$118,891.98 is hereby appropriated under the caption “CARES Act State and Local Municipal Grant, (Fifth (5th) Submission)”;

BE IT FURTHER RESOLVED that the above is a result of funds from the of “CARES Act State and Local Municipal Grant, (Fifth (5th) Submission)” in the amount \$118,891.98.

Resolution No. 2020-398:

WHEREAS, the Township of Cranford required the purchase of a Video Production Platform for the Township of Cranford; and

WHEREAS, the Township of Cranford requested quotes for the purchase of a Video Production Platform through a non-fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, Varto Technologies of 195 Hackensack Street East Rutherford, New Jersey, 07073 has submitted a proposal dated November 25, 2020 for \$39,990.00; and

WHEREAS, Varto Technologies has completed and submitted a Business Entity Disclosure Certification which certifies that Varto Technologies has not made any reportable contributions to a political or candidate committee in the Township of Cranford in the previous one year, and that the contract will prohibit Varto Technologies from making any reportable contributions through the term of the contract, and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford, authorizes the Purchasing Agent to enter into a contract with Varto Technologies as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value to be placed on file with this resolution.

Resolution No. 2020-399:

BE IT RESOLVED by the Township Committee of the Township of Cranford, at a meeting held December 15, 2020, that Joshua Sousa be, and hereby is, appointed as a Communications Officer within the Cranford Police Department, effective January 1, 2021.

Resolution No. 2020-400:

REMOVED FROM AGENDA

Resolution No. 2020-401:

**AUTHORIZING CONTRACT CHANGE ORDER NO. 5 FOR VARIOUS ITEMS OF EXTRA
WORK FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJ DOT) FISCAL
YEAR (FY) 2017 AND 2018 SOUTH UNION AVENUE IMPROVEMENTS PROJECT**

WHEREAS, by Resolution No. 2019-316 adopted September 24, 2019, the Township Committee of the Township of Cranford authorized and approved an award of contract to P & A Construction, Inc., 650

Leesville Avenue, Rahway, NJ 07065 for the New Jersey Department of Transportation (NJ DOT) Fiscal Year (FY) 2017 and 2018 South Union Avenue Improvements Project with a total project price of \$1,132,955.17; and

WHEREAS, the project is currently under construction and the need exists to rectify some additional item quantities and additional services with the original contract quantities for the project; and

WHEREAS, certain necessary items of extra work were required to be undertaken throughout the course of the project due to unforeseen field conditions; and

WHEREAS, the Township Engineer has reviewed and approved the construction item quantities and items of extra work as set forth in Change Order No. 5, a copy of which is attached to the original hereof; and

WHEREAS, Change Order No. 5 reflects an increase in the materials and work utilized in the amount not to exceed \$108,532.62 (9.58% increase); and

WHEREAS, the sum off all change orders related to the contract is \$224,310.34 (19.8%); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranford, Union County, New Jersey that the above referenced Change Order No. 5 for the NJ DOT Fiscal Year (FY) 2017 and 2018 South Union Avenue Improvements Project is awarded to P & A Construction, Inc., 650 Leesville Avenue, Rahway, New Jersey 07065 in the amount not to exceed \$108,532.62. The adjusted contract amount for the New Jersey Department of Transportation (NJ DOT) Fiscal Year (FY) 2017 and 2018 South Union Avenue Improvements Project is \$1,357,265.51; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2020-402:

WHEREAS, Marcos Geleski, applicant for 70 Osborne Place, has requested release of the performance bond in connection with the engineering permit RO-20-00128; and

WHEREAS, the Township Engineering Department has indicated that the applicant has completed the project and has met all of the requirements and is recommending the return of Bond No. 41426799 in the amount of \$3,333.00, currently on file with the Township Clerk of the Township of Cranford;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranford authorizes the release of the Performance Bond to Marcos Geleski in connection with engineering permit for 70 Osborne Place.

Resolution No. 2020-403:

APPROVE RETURN OF PERFORMANCE BOND FOR DESILTING OF THE RAHWAY RIVER AND REPLACEMENT OF DAM GATES AT DROESCHER'S DAM AND HANSEL DAM PROJECT

WHEREAS, the Contractor, T.R. Weniger, Inc. of 1900 New Brunswick Avenue, Piscataway, New Jersey, 08854 has submitted Maintenance Bond (Number 100467305) in the amount of \$478,388.00 to the Township in connection with aforementioned project; and

WHEREAS, the Township's Consulting Engineer has indicated that T.R. Weniger, Inc. has completed the project and is recommending the return of the Performance Bond No. 100467305 in the amount of \$454,740.00 currently on file with the Township Clerk of the Township of Cranford; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranford authorizes the release of the Performance Bond to T.R. Weniger, Inc, in connection with the Desilting of the Rahway River and replacement of dam gates at Droescher's Dam and Hansel Dam project.

Resolution No. 2020-409:

A RESOLUTION CONTINUING THE CODE REVIEW COMMITTEE FOR OUTDOOR DINING AND RELATED APPLICATIONS AND WAIVING PERMIT FEES FOR THE SAME

WHEREAS on January 31, 2020, the United States Department of Health and Human Services declared a public health emergency for the United States due to the highly contagious and deadly nature of the disease COVID-19; and

WHEREAS on March 9, 2020, due to the imminent danger to the residents of New Jersey posed by COVID-19, the Governor of the State of New Jersey declared a public health emergency and a State of Emergency through Executive Order No. 102; and

WHEREAS on March 16, 2020, the Governor of the State of New Jersey issued Executive Order No. 104 emphasizing the state-wide implementation of the social distancing guidelines recommended by the Center for Disease Control which specifies that individuals should avoid group settings and mass gatherings, and to maintain a physical distance of approximately 6 feet or 2 meters from others when possible; and

WHEREAS it was declared by the State of New Jersey that "bars and restaurants are locations where significant numbers of individuals gather in close proximity, making adherence to social distancing protocols impossible or impracticable" and that in order to "mitigate community spread of COVID-19, it is necessary to limit the unnecessary movement of individuals in and around their communities and person-to-person interactions in accordance with CDC and DOH guidance,"; and

WHEREAS the Township Committee adopted Ordinance 2020-09 amending Chapter 255 Land Development to, among other things, create a Code Review Committee to expedite and streamline the

process by which Cranford's local businesses could adapt their operations to facilitate social distancing; and

WHEREAS, more than nine months after the declared public health emergency, the danger of COVID-19 has not abated and is expected to continue well into 2021; and

WHEREAS, Ordinance 2020-09 was originally adopted as a temporary measure that, by its terms, expires on December 31, 2020; and

WHEREAS, the Township Committee wishes to extend Ordinance 2020-09 until the public health emergency abates.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranford, that the terms of Ordinance 2020-09 are continued in full force and effect until amended or repealed by a duly enacted ordinance, and that the Township will waive permit fees related to such applications for outdoor dining until further notice.

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty, Commissioners Hannen, Maisonneuve and O'Connor

Nay: None

Abstained: None

Absent: None

RESOLUTION – By Roll Call Vote

On motion of Commissioner Maisonneuve, seconded by Commissioner O'Connor and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2020-404:

BE IT RESOLVED by the Township Committee of the Township of Cranford at a meeting held December 15, 2020, that Matthew Kiame has successfully completed his probationary period, and hereby is, advanced to First (1st) Grade Firefighter within the Cranford Fire Department, effective December 1, 2020.

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty and Commissioners Maisonneuve and O'Connor

Nay: None

Abstained: Commissioner Hannen

Absent: None

On motion of Commissioner Maisonneuve, seconded by Deputy Mayor Prunty and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2020-405:

BE IT RESOLVED by the Township Committee of the Township of Cranford at a meeting held December 15, 2020, that Adrian Taberna has successfully completed his probationary period, and hereby is, advanced to First (1st) Grade Firefighter within the Cranford Fire Department, effective December 1, 2020.

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty and Commissioners Maisonneuve and O'Connor

Nay: None

Abstained: Commissioner Hannen

Absent: None

On motion of Commissioner Maisonneuve, seconded by Deputy Mayor Prunty and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2020-406:

AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH HARTZ MOUNTAIN INDUSTRIES REGARDING SETTLEMENT OF VARIOUS DISPUTES, INCLUDING RELATED TO 750 WALNUT AVENUE

WHEREAS, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 2, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Township of Cranford, County of Monmouth, Docket No MON-L-6026-08, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "DJ Action"); and

WHEREAS, the Township simultaneously sought and ultimately secured an Order protecting Cranford from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, Hartz, by and through certain subsidiaries, is the fee owner of real property, comprised of roughly 30.5 total acres, identified on the Tax Map of the Township of Cranford as Block 541, Lot 2, Qualifiers C01 through C07, and known as 750 Walnut Avenue (the "Property"); and

WHEREAS, Hartz participated in the Township's Declaratory Judgment Action via intervention;

WHEREAS, the Parties have reached an agreement to resolve their various disputes regarding the Property, the DJ Action, and the Township's Affordable Housing Plan wherein, among other things, Hartz will develop the Property to include an inclusionary project consisting of units which will be set-aside for very low, low and moderate income households ("**Inclusionary Development**"), which Inclusionary

Development is part of the Township's Compliance Plan that is subject of a settlement agreement between the Township and Fair Share Housing Center ("FSHC Settlement Agreement"); and

WHEREAS, the Parties wish to enter into this MOU which sets forth the terms, conditions, responsibilities and obligations of the Parties relative to creating a realistic opportunity to develop the Inclusionary Development.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranford, that the Mayor, Township Administrator, and Township Attorney be, and hereby are, authorized to execute a Memorandum of Understanding in substantially the form approved by the Township Committee, and related documents necessary to implement the same.

PROFESSIONAL COMMENTS:

Township Attorney Cooper stated that the Township has reached an agreement with Hartz Mountain Industries (Hartz) to resolve the status of the 750 Walnut Avenue property. Explained that this resolution authorizes the Township to enter into a Memorandum of Understanding (MOU) that outlines the material terms of that agreement. Stated that the Settlement will encompass redeveloping the entire thirty (30) acres into two (2) equal parcels of land, one of which will be commercial and the other residential. Stated that Hartz has also requested a Payment in Lieu of Taxes (PILOT) agreement which would allow an eleven and a half (11 ½) per cent (%) PILOT on the residential only portion of the property increasing to twelve and a half (12 ½) per cent (%) at year eleven (11) and thirteen and half (13 ½) per cent (%) at year twenty-one (21.) The Township and Hartz will mutually dismiss the multiple pending litigations between them. Stated that the Court date to finalize this agreement was set for April 2021. Feels this is a fantastic deal for the Township.

Commissioner Hannen is looking forward to seeing how certain details will be ironed out for the Township's benefit.

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Prunty and Commissioners Hannen, Maisonneuve and O'Connor

Nay: None

Abstained: None

Absent: None

Resolution No. 2020-407:

REMOVED FROM AGENDA

Resolution No. 2020-408:

REMOVED FROM AGENDA

PUBLIC COMMENTS

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

James Carvalho, 9 Orange Avenue, spoke about the Fifth Amendment and the first five (5) rights in the Bill of Rights which are human rights possessed by the people and protected by the Constitution against government interference. Mentioned that it is "Bill of Rights Day". Spoke about the adoption of Resolution 2020-227 on June 9, 2020 which condemned Cranford residents as racist without providing proof. Discussed Commissioner comments made regarding the adoption of said resolution. Provided examples as to why he feels that in this year of carnage, the English language has been one of the casualties. Feels the year 2020 sounds like the year 1984 which he will not succumb to.

Kevin Cumiskey, 109 Columbia Avenue, stated that he is not political and votes for whoever he feels is the right candidate. Feels Cranford does a lot of great things for its community. Thanked the Township Committee for all their efforts.

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

PROFESSIONAL COMMENTS

Township Clerk Patricia Donahue

- Thanked the Township Committee for giving her tenure and all her colleagues who made it possible.

Mayor Patrick Giblin thanked Township Attorney Cooper for all his efforts with the Township over the past several years.

Township Attorney Ryan Cooper

- Thanked Mayor Giblin and Commissioner Maisonneuve for their service to Cranford. It was a real privilege working with them both. Wished them good luck in their future endeavors;
- Thanked the entire Township Committee for all their hard work. Wished good luck to Commissioner-elect Gareis and Commissioner-elect Andrews.

COMMISSIONER REPORTS/COMMENTS

Deputy Mayor Kathleen Miller Prunty

- Presented Commissioner Maisonneuve with a plaque for his three (3) years of service to the Township of Cranford. He is a joy and a pleasure to work with and feels honored to have served with him this year;
- Presented Mayor Giblin with a plaque for his years of service with the Township of Cranford. Thanked him for bringing all his knowledge and experience to Cranford in such a productive way. Spoke about the extraordinary way Mayor Giblin handled this past year and how it was a privilege for her to work beside him.

Commissioner Mary O'Connor

- Thanked Commissioner Maisonneuve and Mayor Giblin for their service to Cranford. Hopeful they will continue to serve in the community;
- Spoke about personal events that happened this week last year;
- Spoke about how the COVID-19 pandemic affected people this past year and how they came together. Stated that the Front-Line Appreciation Group (FLAG) was created to bring hope and inspiration. Discussed various ways the community came together;
- Spoke about various holidays that fall in the month of December and how each holiday celebrates light;
- Wished everyone to be safe, stay well and look out for each other;
- Wished everyone happy holidays and thanked the Township Committee for a wonderful year. Feels a lot was accomplished this year and congratulated Township Clerk Donahue on receiving tenure.

Commissioner Thomas H. Hannen

- Thanked Commissioner Maisonneuve and Mayor Giblin for their service to the Township. Feels the culmination of different views has made the community of Cranford a better place;
- Spoke about the mourning of those who lost their lives this past year to COVID. Asked everyone to remember those that have passed;
- Announced that there is a new recycling schedule for 2021. Stated that the vendor raised the cost significantly so the Township will be looking into ways to mitigate some of those costs. Spoke about the new recycling schedule;
- Wished everyone happy holidays.

Commissioner Jean-Albert Maisonneuve

- Thanked the Township Committee for the effort that they put into Cranford to create a great community. Thanked the community for trusting the Township Committee;
- Wished good luck to Commissioner-elect Andrews and Commissioner-elect Gareis;
- Thanked his family for their support the past three years;
- Wished everyone happy holidays and requested everyone to be safe.

Deputy Mayor Kathleen Miller Prunty

- Discussed how the Cranford community has come together during various tragedies;
- Spoke about the Drive-by Holiday Parade that Cranford residents participated in for the residents at Atria Assisted Living facility;
- Thanked everyone who participated;
- Discussed the Volunteer Directory for the Township. Grateful for the resident response which was pretty impressive. Feels the Town will be well served this year;
- Thanked the Township Committee and the Township employees for all the hard work that they do in serving the community;
- Wished everyone happy holidays.

Mayor Patrick Giblin

- Thanked everyone who voted for him the first time he ran for office. Appreciates the confidence the residents had in him to serve the community. Glad to have had the honor of serving as Mayor for two years. Stated that it was an honor for him to be the third generation in his family to serve in government in an elected office;
- Thanked his family for their support during his term;
- Stated that 2020 has been challenging but he had lots of help which helped him see the best of the community.

On motion of Commissioner Maisonneuve, seconded by Commissioner Hannen and passed, the Township Committee adjourned the Official Meeting at 8:50 p.m.

Respectfully submitted,

Date: December 15, 2020

Patricia Donahue, RMC
Township Clerk