The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **March 5, 2024** at 7:41 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 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 Municipal Building 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 Brian Andrews

Deputy Mayor Terrence Curran Commissioner Paul A. Gallo

Commissioner Kathleen Miller Prunty

Commissioner Gina Black

ABSENT: None

INVOCATION AND FLAG SALUTE

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

MAYORAL PROCLAMATIONS/ ANNOUNCEMENTS

Mayor Andrews stated that the recognition of March as Colorectal Awareness month had been moved to the following Township Committee Official Meeting (on March 19, 2024).

Mayor Andrews invited two (2) members of the local chapter of the Daughters of the American Revolution to the dais, Ms. Kathy Hercel and Ms. Bonnie Cierkowski, and then read the Mayor's Proclamation:

<u>Cranford Daughters of the American Revolution - 80th (eightieth) Anniversary</u>

WHEREAS, the Crane's Ford Chapter of the Daughters of the American Revolution was organized by Cranford women on March 7, 1944 during World War II as local residents were serving overseas. Their 80th Anniversary is being celebrated March 9, 2024 with current members attending; and

WHEREAS, The Daughters of the American Revolution is a nonprofit, nonpolitical volunteer women's service organization dedicated to preserving American history and securing America's future through better education and promoting patriotism; and

WHEREAS, any woman 18 years or older regardless of race, religion or ethnic background who can prove lineal descent from a patriot of the American Revolution is eligible; and

WHEREAS, the Crane's Ford DAR has carried out the mission of DAR by sponsoring American History Essay Contests in local schools; awarding "Excellence in American History" medals yearly to Cranford High School graduating seniors; and for presenting the "National DAR Good Citizen Award" for over 40 years, promoting leadership, service and patriotism to Cranford High School seniors and additional schools. They present "Youth Citizenship Awards" yearly to Cranford elementary school students. DAR promotes the national "Constitution Week" with special programs and school participation during the week of Sept. 17-23 to raise awareness about the United States Constitution; and

WHEREAS, Chapter members volunteer at the Veterans Administration Medical Centers and support DAR "Project Patriot" for America's service personnel overseas. They also yearly recognize several Union County Junior ROTC senior students with "Citizenship ROTC Award Medals"; and

WHEREAS, Crane's Ford Chapter has recognized and awarded local citizens with National Awards from DAR for extraordinary efforts in historic preservation notably "Restoration of the Historic Cranford Murals" and also "Restoring Cranford World War I Flagpole". Cranford DAR has also recognized many individual Cranford citizens with various DAR awards over the history of the Chapter;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranford, acknowledges and commemorates the Crane's Ford Chapter of the Daughters of the American Revolution on celebrating its 80th Anniversary.

Mayor Andrews spoke about the work of the Emergency Management Council and the credentials and qualifications of Tom Hannen III.

Mayoral Appointment to the Emergency Management Council

Tom Hannen III

MAYORAL REMARKS

Mayor Andrews spoke about the emergency management message which had been issued that evening

pertaining to expected rain. He elaborated about the Township's steps to prepare for the inclement weather. Mayor Andrews urged members of the public to drive with caution and encouraged residents in flood prone areas to exercise their usual precautions. Mayor Andrews stated that a meeting had been held that day pertaining to the Library Expansion project and elaborated. Mayor Andrews provided an update about activity at the 750 Walnut Avenue construction site and specifically addressed the issue of dust at the area. Mayor Andrews commended Business Administrator/CFO Lavona Patterson and Deputy Mayor Curran for their work on this situation.

COMMISSIONER REPORTS

Deputy Mayor Curran - Recreation & Parks

- Announced that the Pool fees for the 2024 season had been approved; stated that access to membership sign-ups would be available beginning on the upcoming Monday;
- Provided an update about Cranford YMCA, including an update about membership figures;
- Noted that there was a new Recreation Department website: www.cranfordrecreation.org;
- Provided a construction activity update pertaining to 750 Walnut Avenue and Hartz Mountain Industries Inc.;
- Provided comments regarding proposed Resolution No. 2024-148 pertaining to the support for "legislation to establish minimum registered professional nurse staffing standards"; elaborated about the role that healthcare workers and nurses played during the COVID pandemic, the stressful conditions that health care workers face today, the effects of Medicare and the Affordable Healthcare Act on hospital staffing and reimbursements, corporations' spending on lobbyists (millions of dollars), dissatisfaction and shortcomings with the United States healthcare system, the effects that safe staffing would provide and the pride he felt in supporting nurses and healthcare workers in calling for the passage of staff staffing bills in the New Jersey State Legislature.

Commissioner Miller Prunty – Engineering & Public Works

- Spoke about the proposed award of contract(s) for the 2023 Road Program Project (Resolution No 2024-137 and Resolution No 2024-138) and the Lambert Street Pedestrian Improvements Project (Resolution No 2024-139);
- Spoke about the Green Team/Clean Cranford Committee's upcoming projects and work;
- Wished Mr. Frank Genova "the very, very best"; spoke about the Township's commitment to the (Building Department's) service and asked for patience during the transition period (proposed Resolution No. 2024-145).

Commissioner Gallo – Public Safety

- Provided explanatory comments regarding 1) Ordinance No 2024-06 pertaining to the number of police personnel, 2) Ordinance No 2024-07 pertaining to "soft billing" for emergency services and 3) Ordinance No. 2024-08 pertaining to fee increases for emergency medical transport services;
- Spoke about proper steps to take if a fire breaks out in a home as well as home fire safety tips;
- Thanked the Cranford Fire Department and the Cranford First Aid Squad for their recent lifesaving actions on two (2) separate occasions.

<u>Commissioner Black – Finance</u>

- Noted that the Township was approaching the "final stretches" of the Budget season; stated that it was a tough Budget season; spoke about increased Township costs including increases for 1) utilities, 2) employee health benefits and 3) Sewerage Authority fees; elaborated about 1) resident sewer fees and Sewerage Authority costs and 2) aligning sewer fees with usage.
- Urged residents to sign up for the Township Pools.

PROFESSIONAL COMMENTS

Township Clerk Patricia Donahue

- Referencing the resignation of Construction Code Official Frank Genova, Ms. Donahue thanked Construction Code Official Frank Genova for his assistance and wished him "a lot of luck";
- Congratulated Jack Emanuele on his appointment to Assistant Superintendent of the Department of Public Works.

Business Administrator/CFO Lavona Patterson

- Thanked Frank Genova for all he did for the Township; wished him well in his "next chapter";
- Congratulated Jack Emanuele on his new position as the Department of Public Works Assistant Superintendent;
- Welcomed Tom Hannen III to the Emergency Management Council.

Township Attorney Ryan Cooper

- Wished Construction Code Official Frank Genova "good luck";
- Congratulated Jack Emanuele on his appointment to Assistant Superintendent of the Department of Public Works;
- Complimented Business Administrator/CFO Lavona Patterson for her work for the Township, specifically her work with the Budget and various personnel and staffing issues and briefly elaborated.

PUBLIC COMMENTS

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

<u>Alexis Rean Walker, 143 W. 7th Avenue (Roselle)</u> – spoke about safe staffing (for health professionals); thanked the Township Committee, on behalf of Health Professionals & Allied Employees (HPAE), for supporting Bill S2700 and consideration of Resolution No. 2024-148 (pertaining to the support of legislation to establish minimum registered professional nurse staffing standards); spoke about the problem of understaffing; stated that the health care system was in crisis and elaborated.

Banita Herndon, Registered Nurse (R.N.) – stated that she had worked at University Hospital for twenty-three (23) years; attested to the need for more nurse staffing, which could be obtained by the passage of Senate Bill 2700 and Bill A3683 (the "Patient Protection and Safe Staffing Act"); discussed her experiences working within the Emergency Room as a staff nurse; urged the Township Committee to pass Resolution No. 2024-148; spoke about the effects of safe staffing on patient care.

<u>Will Thilly, Cranford</u> – spoke about spreading good vibes; asserted that the number one problem in the world today was stress and bad feelings; announced his efforts to promote good vibes and happiness for everyone and elaborated.

John Hsu, 219 W. Shirley Avenue (Edison) – thanked the Township Committee for the placement of the resolution (Resolution No. 2024-148) pertaining to staff staffing on the Agenda; thanked Deputy Mayor Curran for his comments regarding the staff staffing Bill; spoke about his support for the nurses at Robert Wood Johnson University Hospital and elaborated about the recent nurses' strike at Robert Wood Johnson University Hospital; spoke about the short-sightedness in the corporate world towards public services; spoke about 1) the safe staffing Bill and the importance of supporting it and 2) specific politicians' support of the Bill; spoke about the importance of adopting Resolution No. 2024-148; stated that he wanted all hospitals in New Jersey to have staff staffing.

<u>Jim Carvalho, Cranford</u> – spoke about his dissatisfaction with the professional behavior of State Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, Township Attorney Ryan Cooper, Planning Board Attorney Jonathan Drill and Township Commissioner Paul Gallo.

Rita LaBrutto, 104 Arlington Road – suggested that the consideration of Resolution No. 2024-139 (pertaining to "100 Lambert" (the Lambert Street Pedestrian Improvements Project)) be postponed; spoke about her positive experience working with (Construction Code Official) Frank Genova and stated that she was sorry that he would no longer be with the Township; thanked the Township Committee for revising the South Avenue ordinance (Ordinance No 2024-05 pertaining to the rezoning of 102-104 and 106 South Avenue West); provided comments about the recently-revised Township Committee Bylaws and requested that the second Public Comments section be reinstated (at Official Meetings); expressed displeasure with the Township's Zoning Board Attorney and the Topology NJ, LLC Planner regarding their guidance pertaining to the 30 Commerce Street (Zoning Board) application.

<u>Deirdre Koczur, 207 Edgar Avenue</u> – spoke about the resolution (Resolution No. 2024-149) pertaining to the opposition of Assembly Bill No. 4 and Senate Bill No. 50; inquired if the Township had a plan in place to address new developments should the legislation pass.

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

Mayor Andrews and Township Attorney Ryan Cooper provided responses to the public comments.

MINUTE APPROVAL

On motion of Deputy Mayor Curran, seconded by Commissioner Miller Prunty and passed, the minutes of the Workshop (Budget and Capital Budget) Meeting of February 10, 2024, the Workshop Meeting of February 20, 2024 and the Official Meeting of February 6, 2024 were approved by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black Nay: None

Abstained: None Absent: None

PAYMENT OF BILLS

On motion of Commissioner Black, seconded by Commissioner Gallo and passed, the Bill List dated March 5, 2024, totaling \$6,009,923.42, 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 Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

ORDINANCES - Final Reading and Public Hearing

Ordinance No. 2024-03:

The Township Clerk read by title only Ordinance No. 2024-03 entitled "AN ORDINANCE AUTHORIZING A FIVE-YEAR EXTENSION OF THE LEASE AGREEMENT BETWEEN THE TOWNSHIP OF CRANFORD AND THE CRANFORD CLAY COURTS CLUB, INC."

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

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

Ordinance No. 2024-04:

The Township Clerk read by title only Ordinance No. 2024-04 entitled "AN ORDINANCE AUTHORIZING AN AGREEMENT FOR THE SALE OF CRANFORD TOWNSHIP PROPERTY TO PROVIDE AFFORDABLE HOUSING OPPORTUNITIES FOR PEOPLE WITH DEVELOPMENTAL, EMOTIONAL, PHYSICAL, OR SOCIAL DISABILITIES"

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

<u>Chiara Siliato, 19 Munsee Drive</u> – inquired about the address of the Township-owned property referenced in Ordinance No. 2024-03. Township Attorney responded that the address was 104 McClellan Street. Discussion ensued.

Hearing no further comments, Commissioner Miller Prunty closed the public hearing. On motion of Commissioner Miller Prunty, seconded by Commissioner Gallo and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

ORDINANCE – Amended and Re-Introduction

Ordinance No. 2024-05:

The Township Clerk read by title only Ordinance No. 2024-05 entitled, "AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, CHAPTER 255 LAND DEVELOPMENT, TO CORRECT THE ZONING OF 102-104 AND 106 SOUTH AVENUE WEST"

Said ordinance was amended (reintroduced and approved on first reading) on motion of Commissioner Miller Prunty, seconded by Deputy Mayor Curran, and passed by the indicated vote of the Township Committee. Mayor Andrews inquired if there was any discussion regarding the amended ordinance. Commissioner Black thanked Ms. Rita LaBrutto for her constructive feedback.

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

Final Reading and Public Hearing for Ordinance No. 2024-05 to be held April 9, 2024 and the publication will take place in the Westfield Leader on March 14, 2024.

ORDINANCES – Introduction

Ordinance No. 2024-06:

The Township Clerk read by title only Ordinance No. 2024-06 entitled "AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, CHAPTER 93 POLICE DEPARTMENT, SECTION 10 NUMBER OF PERSONNEL"

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

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

<u>Final Reading and Public Hearing for Ordinance No. 2024-06 to be held April 9, 2024 and the publication will take place in the Westfield Leader on March 14, 2024.</u>

Ordinance No. 2024-07:

The Township Clerk read by title only Ordinance No. 2024-07 entitled "AN ORDINANCE AMENDING CHAPTER XVII OF THE CODE OF THE TOWNSHIP OF CRANFORD TO AMEND THE SECTION ENTITLED FIRE PREVENTION""

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

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

<u>Final Reading and Public Hearing for Ordinance No. 2024-07 to be held April 9, 2024 and the publication will take place in the Westfield Leader on March 14, 2024.</u>

Ordinance No. 2024-08:

The Township Clerk read by title only Ordinance No. 2024-08 entitled "AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, CHAPTER 40, ARTICLE V, SECTION 28 EMERGENCY MEDICAL SERVICES TRANSPORT FEES"

Township Clerk Patricia Donahue noted that "management" would be replaced with "medical" in the second whereas clause of Ordinance No 2024-08 (as discussed earlier in the Township Committee Conference Meeting).

Said ordinance was introduced and approved on first reading on motion of Commissioner Gallo, seconded by Commissioner Miller Prunty, and passed by the indicated vote of the Township Committee: Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

<u>Final Reading and Public Hearing for Ordinance No. 2024-08 to be held April 9, 2024 and the publication will take place in the Westfield Leader on March 14, 2024.</u>

RESOLUTIONS - By Consent Agenda

On motion of Commissioner Black, seconded by Commissioner Gallo and passed, the following resolutions were adopted by <u>consent agenda</u>:

Resolution No. 2024-137:

RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2023 ROAD PROGRAM

WHEREAS, on Thursday, February 22, 2024, at 10:00 a.m., bids were opened in the presence of the Purchasing Agent and the Township Clerk; and

WHEREAS, there were eight (8) bids received with the lowest bidder for the 2023 Road Program being Granada Construction Corp., 147 Thomas Street, Newark, New Jersey, 07114 with a Base Bid Amount of \$671,528.00; and WHEREAS, the Township Consulting Engineer and other appropriate Township Officials have reviewed the bids

where AS, the Township Consulting Engineer and other appropriate Township Officials have reviewed the bid and recommend an award of contract for base bid only for this project to Granada Construction Corp.; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds, which is on file in the Office of the Township Clerk; said contract amount shall be charged to Account No. C-04-18-191-000-200 and Account No. C-04-20-006-000-201 and Account No. C-04-23-006-000-201; and

WHEREAS, this Project is funded by way of a capital improvements bond ordinance(s) stated herein as provided by Township of Cranford; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the Township of Cranford.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranford, Union County, New Jersey that the above referenced construction project is awarded to Granada Construction Corp., 147 Thomas Street, Newark, New Jersey, 07114 for a total bid amount of \$671,528.00, and

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

I, Patricia Donahue, Township Clerk of the Township of Cranford, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Township Committee of the Township of Cranford, County of Union, State of New Jersey at a regular meeting of said Committee, held on March 5, 2024.

Resolution No. 2024-138:

RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES (CONSTRUCTION ADMINISTRATION) FOR THE 2023 ROAD PROGRAM

WHEREAS, the Township of Cranford requires an expert to provide engineering services (construction administration) in connection with the 2023 Road Program; and

WHEREAS, the Township of Cranford advertised a Request for Proposals (RFP's) for the provision of Various 2024 Professional Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Township of Cranford deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP; and

WHEREAS, Colliers Engineering & Design, Inc. is familiar with the procedures that are necessary for said improvements and shall perform the tasks as delineated in the February 23, 2024 correspondence; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, New Jersey, as follows:

- 1. **Colliers Engineering & Design, Inc.,** 400 Valley Road, Suite 304, Mount Arlington, New Jersey 07856 be and hereby are awarded a contract to perform engineering services in connection with the aforementioned project at a fee not to exceed \$70,500.00; and
- 2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with Colliers Engineering & Design, Inc; and
- 3. This contract is awarded pursuant to the "fair and open" process (N.J.S.A. 19:44A-20.5 et seg.)

BE IT FURTHER RESOLVED that said contract amount shall be charged to Account No. C-04-23-006-000-S20

Resolution No. 2024-139:

RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES FOR THE LAMBERT STREET PEDESTRIAN IMPROVEMENTS PROJECT

WHEREAS, the Township of Cranford requires an expert to provide engineering services (survey and design) in connection with the Lambert Street Pedestrian Improvements Project; and

WHEREAS, the Township of Cranford advertised a Request for Proposals (RFP's) for the provision of Various 2024 Professional Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Township of Cranford has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP; and

WHEREAS, Colliers Engineering & Design, Inc. is familiar with the procedures that are necessary for said improvements and shall perform the tasks as delineated in the February 7, 2024 correspondence; and WHEREAS, the Chief Financial Officer has certified as to the availability of funds, which is on file in the Office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, New Jersey, as follows:

1. **Colliers Engineering & Design, Inc.,** 400 Valley Road, Suite 304, Mount Arlington, New Jersey 07856 be and hereby are awarded a contract to perform engineering services

in connection with the aforementioned project at a fee not to exceed \$54,500.00; and

- 2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with Colliers Engineering & Design, Inc.; and
- 3. This contract is awarded pursuant to the "fair and open" process (N.J.S.A. 19:44A-20.5 et seq.).

BE IT FURTHER RESOLVED that said contract amount shall be charged to Account No. C-04-23-006-000-202.

Resolution No. 2024-140:

APPROVING CONTRACTS FOR PLANNING BOARD PROFESSIONALS

WHEREAS, there exists a need for the Planning Board of the Township of Cranford to engage various experts in legal, engineering and planning services; and

WHEREAS, the Township of Cranford advertised for a Request for Proposals (RFP's) for the Provision of Various 2024 Professional Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:55D-24, the Planning Board may contract for legal and other expert services within the amount appropriated for such services by the Township Committee;

WHEREAS, on January 17, 2024, pursuant to Planning Board Resolution No. 2024-01, the Planning Board appointed Jonathan E. Drill, Esq. of Stickel, Koenig, Sullivan & Drill, LLC, 571 Pompton Avenue, Cedar Grove, New Jersey, 07009, as Planning Board attorney for the year 2024, and awarded a contract for the same;

WHEREAS, on January 17, 2024, pursuant to Planning Board Resolution No. 2024-02 the Planning Board appointed Kevin Boyer, PE, CFM of Colliers Engineering & Design, Inc., 400 Valley Road, Suite 304, Mt. Arlington, New Jersey, 07856, as Planning Board engineering expert for the year 2024, and awarded a contract for the same:

WHEREAS, on January 17, 2024, pursuant to Planning Board Resolution No. 2024-03, the Planning Board appointed Nicholas A. Dickerson, PP, AICP of Colliers Engineering & Design, Inc., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey, 07701 as primary planning expert, and Topology NJ, LLC of 60 Union Street, #1N, Newark, New Jersey, 07105, as alternate planning firm for the year 2024, and awarded contracts for the same; and

WHEREAS, the Chief Financial Officer and the Director of Finance have certified to the availability of funds for the aforementioned contracts upon adoption of the 2024 municipal budget which will be on file in the office of the Township Clerk, specifically that the Stickel, Koenig, Sullivan & Drill contract will be charged to Account No. 4-01-21-180-000-214 and the Planning expert Colliers Engineering & Design, Inc. contract will be charged to Account No. 4-01-21-180-000-214.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, New Jersey, authorizes and approves the issuance of contracts awarded pursuant to Planning Board Resolutions 2024-01 through -03, consistent with the applicable Certificate of Availability of Funds.

Resolution No. 2024-141:

APPROVING CONTRACTS FOR THE ZONING BOARD OF ADJUSTMENT PROFESSIONALS

WHEREAS, there exists a need for the Zoning Board of Adjustment (Zoning Board) of the Township of Cranford to engage various experts in legal, engineering and planning services; and

WHEREAS, the Township of Cranford advertised for a Request for Proposals (RFP's) for the Provision of Various 2024 Professional Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.;

WHEREAS, pursuant to N.J.S.A. 40:55D-71, the Zoning Board may contract for legal and other expert services within the amount appropriated for such services by the Township Committee;

WHEREAS, on February 12, 2024, pursuant to Zoning Board of Adjustment Resolution No. 2024-01, the Zoning Board appointed Thomas C. Jardim, Esq., of Jardim, Meisner, Salmon, Sprague & Susser, P.C., 30B Vreeland Road, Suite 100, Florham Park, New Jersey, 07932 as Zoning Board attorney for the year 2024, and awarded a contract for the same;

WHEREAS, on February 12, 2024, pursuant to Zoning Board of Adjustment Resolution No. 2024-03 the Zoning Board appointed Kevin Boyer, PE, CFM, together with associated colleagues employed by Colliers Engineering & Design, Inc., 400 Valley Road, Suite 304, Mt. Arlington, New Jersey, 07856, as the Zoning Board engineering experts for the year 2024, and awarded a contract for the same;

WHEREAS, on February 12, 2024, pursuant to Zoning Board of Adjustment Resolution No. 2024-04, the Zoning Board appointed Philip Abramson, P.P. and Greer Patras, AICP, PP of Topology NJ, LLC, 60 Union Street, #1N, Newark, New Jersey, 07105 as the Zoning Board's 2024 principal planning experts and Harbor Consultants Engineers & Surveyors, 320 North Avenue East, Cranford, New Jersey, 07016, as alternate planner, in the event of a conflict of interest with the Board's principal planner, and awarded contracts for the same; and

WHEREAS, the Chief Financial Officer and the Director of Finance have certified to the availability of funds for the aforementioned contract upon adoption of the 2024 municipal budget which will be on file

in the office of the Township Clerk, specifically that the Jardim, Meisner, Salmon, Sprague & Susser, P.C. contract will be charged to 4-01-21-185-000-214.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, New Jersey, authorizes and approves the issuance of contracts awarded pursuant to Zoning Board of Adjustment Resolutions 2024-01, 2024-03, and 2024-04 consistent with the applicable Certificate of Availability of Funds.

Resolution No. 2024-142:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 5th day of March 2024 that the Tax Collector be, and hereby is, authorized to refund tax overpayments for the reasons

Tax Court Judgements

Block 270 Lot 3, 605 Linden Place Kathleen Nist c/o Maria R. Cozzini, Esq. 1199 US Route 22 East Mountainside, NJ 07092

2020 Refund \$ 1,391.15 (4-01-55-000-010-028)

Block 270 Lot 3, 605 Linden Place

Kathleen Nist c/o Maria R. Cozzini, Esq. 1199 US Route 22 East Mountainside, NJ 07092

2021 Refund \$ 1,395.60 (4-01-55-000-010-028)

Duplicate Tax Payments

Block 503 Lot 1.01, 342 Lincoln Ave. E. PennyMac Loan Services Attn: Tax Department 6101 Condor Drive, Suite 200 Moorpark, CA 93021

Refund \$ 4,439.09 (4-01-55-000-010-025)

Block 176 Lot 28, 226 North Ave W BCB Community Bank

591-595 Avenue C Bayonne, NJ 07002 Refund \$ 2,596.80 (4-01-55-000-010-025)

Resolution No. 2024-143:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 5th day of March 2024 that the following checks will be refunded by the Tax Collector to the lien holder according to statutory requirements:

Redemption of Certificate No. 21-00005

11 Osage Drive Block 581 Lot 10 Christiana T C/F CE1/Firstrust PO Box 5021 Philadelphia, PA 19111

Refund: \$ 707.95 (4-01-55-000-010-029) **Premium:** \$ 21,700.00 (T-15-00-000-106-000)

Resolution No. 2024-144:

RESOLUTION REQUESTING APPROVAL FOR AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-20 CURRENT **FUND**

WHEREAS an emergent condition has arisen prior to the adoption of the 2024 Budget, and adequate provision has not been made in the 2024 Temporary Budget for the appropriations specified on this page;

WHEREAS the total emergency temporary resolutions adopted in fiscal year 2024 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$5,983,181.00.

NOW, THEREFORE, BE, AND IT IS, HEREBY, RESOLVED by the Governing

Body of the Township of Cranford, County of Union, State of New Jersey, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-20:

- 1. Emergency temporary appropriations be and the same are hereby made as specified on this page in the amount of \$5,983,181.00 and
- 2. That said emergency temporary appropriations would be provided in the 2024 Budget under the headings as specified on this page.
- 3. That one certified copy of this resolution be filed with the Director

of the State of New Jersey Division of Local Government Services.

Title Emergency Appropriation

PUBLIC EMPLOYEE RETIREMENT SERVICES (PERS) \$964,779.00

POLICE & FIRE RETIREMENT SERVICES (PFRS) \$3,282,685.00

RAHWAY VALLEY SEWERAGE AUTHORITY \$1,735,717.00

Total \$5,983,181.00

Resolution No. 2024-145:

BE IT RESOLVED by the Township Committee of the Township of Cranford, at a meeting held on March 5, 2024, that the resignation of Frank Genova, a Construction Official, Building Sub-Code and Fire Sub-Code, within the Building Department, be and hereby is accepted, with regrets, effective March 18, 2024.

Resolution No. 2024-146:

WHEREAS, the Cranford Woman's Club, has proposed a "Sip & Shop" event which will take place on Friday, May 10, 2024; and

WHEREAS, the Cranford Township Committee is in favor of allowing the event to be held on Alden Street, between North Union Avenue and Miln Street; and

NOW THEREFORE, BE IT RESOLVED that the Township Committee hereby approves the consumption of alcohol by the public, consistent with all applicable State laws and regulations, during said event.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Cranford be and hereby authorizes the closure of Alden Street, between North Union Avenue and Miln Street from 3 p.m.to 10 p.m. on Friday, May 10, 2024 for the Woman's Club "Sip & Shop" event.

Resolution No. 2024-147:

WHEREAS, The Township of Cranford and the Cranford Public Library desire to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$2,000,000 to carry out a project to expand the Children's Room at the Cranford Public Library.

BE IT THEREFORE RESOLVED,

- 1) that the Township of Cranford and The Cranford Public Library do hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between
- The Township of Cranford/Cranford Public Library and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

For the Municipality:

For the Library/Nonprofit Agency:

Type or print name and Title Date:		Signature	
		Type or print name and Title Date:	
CERTIFICATION:			
I,	, the		,
		Fownship Clerk	
of			
	the Town	ship of Cranford	
hereby certify that at a	meeting of the Governing	Body held on March 5, 2024 the above RESOLUT	ION
was duly adopted.			
AFFIX GOV'T,			
CORPORATE OR			

Resolution No. 2024-148:

Township Clerk

NOTARY SEAL

RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION TO ESTABLISH MINIMUM REGISTERED PROFESSIONAL NURSE STAFFING STANDARDS

WHEREAS, a one (1)-patient increase in a nurse's workload increased the likelihood of an inpatient death within thirty (30) days of admission by seven (7) per cent (%); and

WHEREAS, mortality risk decreases by nine (9) per cent (%) for Intensive Care Unit (ICU) patients and sixteen (16) per cent (%) for surgery patients with the increase of one FTE (fulltime) RN (Registered Nurse) per patient day; and

WHEREAS, nurse staffing shortages are a factor in one (1) out of every four (4) unexpected hospital deaths or injuries caused by errors; and

WHEREAS, a 2021 study published in the American Journal of Infection Control found that each additional sepsis patient per nurse was associated with nineteen (19) per cent (%) higher odds of inhospital mortality; and

WHEREAS, a study of New York hospitals in 2021 showed significant decreases in patient deaths would occur if patient care was limited to a ratio of four (4) patients to one (1) nurse: four thousand three hundred and seventy (4,370) deaths would have been avoided in New York just among Medicare patients during the two (2)-year study; and

WHEREAS, understaffing at hospitals, ambulatory surgery facilities, State developmental centers and psychiatric hospitals have been demonstrated to be an underlying cause of the current nursing shortage as higher patient assignments create higher levels of job dissatisfaction, burnout and turnover rates among nurses:

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford, County of Union, State of New Jersey fully supports the proposed legislation and hereby urges the Legislature pass Assembly Bill No. 3450 and Senate Bill No. S1941.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of the Governor of the State of New Jersey, the State Legislators representing the Township of Cranford, the Speaker of the New Jersey General Assembly, the President of the New Jersey State Senate, the Senate Health, Human Services and Senior Citizens Committee, the Assembly Health Committee and the Commissioner of the New Jersey Department of Health.

Resolution No. 2024-149:

RESOLUTION OF THE TOWNSHIP OF CRANFORD, COUNTY OF UNION, OPPOSING ASSEMBLY BILL NO. 4/SENATE BILL NO. 50, WHICH PROPOSES TO OVERHALL THE FAIR HOUSING ACT ("FHA") IN A WAY THAT IMPOSES UNREALISTIC OBLIGATIONS WITH UNREALISTIC DEADLINES BASED UPON ONEROUS STANDARDS

Mount Laurel II

WHEREAS, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II: and

WHEREAS, Mount Laurel II and its progeny generated substantial litigation culminating in the enactment of the New Jersey Fair Housing Act in 1985 ("FHA"); and

The Fair Housing Act of 1985

WHEREAS, the Legislature enacted the FHA to restore home rule, to allow municipalities to plan for their Mount Laurel compliance in a manner consistent with the municipal Master Plan, known as home rule; and WHEREAS, the FHA brought balance to Mount Laurel compliance by imposing a moratorium on the builder's remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder's remedies to try to compel them to capitulate their zoning demands; and

WHEREAS, the FHA intended for municipal fair share numbers to be based on a transparent, predictable, and empirical-based methodology by among other things defining the prospective need as the need "based on development and growth which is reasonably likely to occur" and by creating mechanisms for creating affordable housing consistent with sound planning in municipalities that were fully or near fully-developed and lacked sufficient land to satisfy the obligation generated by the fair share formula; and

WHEREAS, the FHA sought to reduce the burdens on municipalities by prohibiting any requirement for municipalities to expend their own resources to comply; and

The New Jersey Council on Affordable Housing

WHEREAS, the FHA created COAH and conferred "primary jurisdiction" on COAH to administer the FHA and to implement the affordable housing policies of our State; and

WHEREAS, all acknowledge -- even Fair Share Housing Center ("FSHC") -- that COAH functioned just fine in Rounds 1 and 2; and

WHEREAS, COAH did not adopt valid regulations for Round 3 despite multiple efforts to do so and made no efforts to cure the bottleneck the third time COAH voted 3-3 on Round 3 regulations; and

Mount Laurel IV

WHEREAS, in 2015, the Supreme Court issued a decision, commonly referred to as <u>Mount Laurel IV</u>, in response to a motion to transfer the responsibilities of COAH back to the courts in light of COAH's failure to adopt valid regulations; and

WHEREAS, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job and made no effort to cure the roadblock when it voted 3-3 on the third iteration of Round 3 regulations; and

WHEREAS, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that COAH would be effective so that towns could comply once again through the administrative process created by the FHA; and

WHEREAS, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing matters; and

WHEREAS, the Round 3 process undermined the purposes of the FHA in that it created unpredictable and inconsistent results, created additional burdens and expenses on municipalities, and increased the likelihood that municipal fair share plans would be inconsistent with the State Master Plan and municipal Master Plans; and

WHEREAS, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, the Superior Court, Chancery Division issued an opinion which set forth a fair share methodology; and

WHEREAS, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 to be addressed between 2015 and 2025; and

WHEREAS, municipalities, through Dr. Robert Powell, presented evidence that, in a best case scenario, the State could only absorb less than 40,000 affordable units and thus argued that FSHC's calculations was not grounded in reality whatsoever; and

WHEREAS, the Court, having been constrained by the Supreme Court to prescriptively utilize a formula from 1993, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

The 354 Settlements with FSHC

WHEREAS, FSHC reports that it entered 354 settlements in Round 3; and

WHEREAS, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

WHEREAS, many of those Round 3 settlements will result in development during the Round 4 period; and

WHEREAS, Round 4 is set to begin on July 1, 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

WHEREAS, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking and open space; and

A-4/S-50

WHEREAS, the Township of Cranford has grave concerns regarding the proposed legislation to reform the State's <u>Mount Laurel</u> compliance mechanisms for Round 4; and

WHEREAS, the Bill creates a judicial entity made up of 3-7 retired Mount Laurel judges called "The Program", which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

WHEREAS, the Bill still does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH's response to their comments; and

WHEREAS, the Bill presumes that 40 percent of all new households will qualify as low or moderate by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

WHEREAS, the Bill still fails to account for the costs and impact on municipalities and the State by virtue of the 354 Round 3 settlements entered into only in the past few years; and

WHEREAS, the Bill requires municipalities to create a realistic opportunity for satisfaction of a fair share without taking into account how many affordable units can realistically be achieved through traditional inclusionary zoning (where generally one out of every five units must be affordable); and

WHEREAS, as explained below, the bill dilutes the protections to which a municipality is currently entitled as it seeks to comply voluntarily and even after it secures approval of its affordable housing plan; and

WHEREAS, current law preserves a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", the proposed bill does not give municipalities seeking to comply voluntarily the same measure of protection the Supreme Court deemed appropriate; and

WHEREAS A4/S50 subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

WHEREAS, more specifically, A4/S50 provides municipalities a "compliance certification" if the municipality secures approval of its affordable housing plan; however, that certification does not prevent an interested party from "alleging that, despite the issuance of compliance certification, a municipality's fair share obligation, fair share plan, housing element, or ordinances implementing the fair share plan or housing element are in violation of the Mount Laurel doctrine"; and

WHEREAS, under current laws, a municipality would have a right to rely on the fair share number that COAH provides; however, under the new bill a municipality would only have a presumption of validity that the number the DCA provides to the municipality is appropriate and FSHC, a deep pocketed developer or any other interested party could seek to overcome that presumption through litigation; and

WHEREAS, the A4/S50 Bill replaces a straightforward system by which a municipality could secure bonus credits up to a 25 percent cap with a highly complicated system for securing bonuses with many conditions attached to various forms of bonus.; and

WHEREAS, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be "onerous"; A4/S50 applies the 1,000-unit cap only to a component of the municipality's fair share -- the prospective need – and authorizes the imposition of an obligation that is onerous; and

WHEREAS, the A4/S50 Bill creates unfair requirements and ambiguity when it comes to the Vacant Land Adjustment process, which could lead to municipalities that lack sufficient vacant land being required to produce more affordable housing units than is practical; and

WHEREAS, the Township of Cranford is concerned that the Bill will lead to over development is inconsistent with its Master Plan and the State Master Plan, and affordable housing that is not smartly planned nor well suited for the needs of New Jerseys low- and moderate-income families, and will lead to increased taxes, and excessive burdens on our schools, public services, roads, sewer and water infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that for all of the above reasons, the Township of Cranford, objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, rewritten and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations.

BE IT FURTHER RESOLVED a certified copy of this resolution shall be sent to the Legislators in the State Assembly and Senate representing our District immediately.

Resolution No. 2024-150:

AUTHORIZING SUSTAINABLE JERSEY GRANT APPLICATION FUNDED BY PSE&G

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and WHEREAS, the Township of Cranford strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Cranford is participating in the Sustainable Jersey Program; and WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program funded by PSE&G;

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranford, County of Union, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by PSEG in the amount of \$2000.00

Resolution No. 2024-151:

BE IT RESOLVED, by the Township Committee of the Township of Cranford, at a meeting held on March 5, 2024 that Jack Emanuele be and hereby is appointed as Assistant Superintendent of the Department of Public Works, effective March 5, 2024.

Resolution No. 2024-152:

Removed from Agenda

Recorded vote:

Aye: Mayor Andrews, Deputy Mayor Curran, Commissioners Gallo, Miller Prunty and Black

Nay: None Abstained: None Absent: None

COMMISSIONER COMMENTS

Commissioner Gina Black

- Recognized and thanked the Nurses who attended the Meeting; stated that she supported their cause wholeheartedly;
- Thanked Frank Genova for his contributions to the Township; noted that his resignation was received with deep regret;
- Thanked Tom Hannen III for "stepping up" to serve on the Emergency Management Council;
- Encouraged residents to sign up for the Pools.

Commissioner Paul Gallo

- Encouraged residents to join the Pools;
- Welcomed Tom Hannen III to the Emergency Management Council;
- Wished Frank Genova "well" and thanked him for his time serving as the Construction Code

Official:

- Welcomed Jack Emanuele to the position of Assistant Superintendent of the Department of Public Works;
- Thanked the Nurses who attended the Meeting;
- Discussed the recent Fire & Ice event and thanked the Local Sheet Metal workers, Caren Demyen and Michelle Stavrou of the Downtown Management Corporation (DMC) and the DMC Board for their work at the event;
- Congratulated the "King of Wings" participants at the Fire & Ice event as well as the winner of the competition, Urban Burger.

Commissioner Kathleen Miller Prunty

- Expressed thanks and deep appreciation for Nurses and the work they do;
- Thanked the DMC for hosting the the recent Fire & Ice event; thanked the restaurants who participated in the "King of Wings" contest;
- Congratulated Jack Emanuele and Tom Hannen III and spoke about them, including their dedication to Cranford.

Deputy Mayor Terrence Curran

- Thanked Frank Genova for his service to Cranford;
- Congratulated Tom Hannen III and Jack Emanuele;
- Spoke about a recent Memorial Park Committee meeting he attended which included meeting with representatives from the VFW (Veterans of Foreign Wars), Commissioner Black, the Cranford 86 and the Cranford Garden Club;
- Thanked the Nurses who attended the Meeting;
- Spoke about plans to renovate Liberty State Park in Jersey City; encouraged residents to access the New Jersey Department of Environmental Protection's website to view plans regarding Liberty State Park; spoke about his opposition to large stadiums for the area.

Mayor Brian Andrews

- Thanked Frank Genova for his service to the community;
- Congratulated Jack Emanuele and elaborated about his advancement;
- Thanked the Downtown Management Corporation (DMC) for executing the successful Fire & Ice event;
- Congratulated Ricot Baptiste of Urban Burger for winning the 2024 "King of Wings" competition; spoke about a recent lunch he participated in with Mr. Baptiste and Caren Demyen which included discussion about how Cranford could remain a deeply inclusive town.

On motion of Commissioner Miller Prunty, seconded by Commissioner Black and passed, the Township Committee adjourned and returned to the Workshop Meeting at 9:00 p.m.

Patricia Donahue
Dated: March 5, 2024

Respectfully submitted,

Patricia Donahue
Township Clerk