

The Minutes of the **Workshop Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **November 28, 2016** at 7:30 p.m. in Room 108.

THIS MEETING IS IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT" AS ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED BY MAILING THE ANNUAL SCHEDULE OF MEETINGS TO THE 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 AUCTION MAY BE TAKEN AT THIS MEETING.

Present: Mayor Andis Kalnins  
Deputy Mayor Mary O'Connor  
Commissioner John Mallon  
Commissioner Patrick F. Giblin  
Commissioner Thomas H. Hannen, Jr.

Absent: None

### **PUBLIC COMMENTS**

Mayor Kalnins opened the public comments portion of the meeting and asked if there were any questions or comments. Hearing no comments, Mayor Kalnins closed the public comment portion of the meeting.

### **Review Official Meeting Agenda**

#### **Bills List:**

Township Administrator Wall informed the Township Committee that PSE&G costs discussed at a previous meeting were charged to an incorrect account and have since been adjusted.

#### **Resolution No. 2016-362:**

Commissioner Mallon informed the Township Committee that he would abstain from voting on Resolution No. 2016-362, authorizing an award of contract for the synthetic turf portion of the Cranford Athletic Facility Field Renovation Project, due to a potential conflict of interest.

The Township Committee was agreeable to moving Resolution No. 2016-362 from consent agenda to roll call vote.

### **Public Hearing-Community Development Fiscal Year 2017-2018 (Year 43) Proposal**

Township Administrator Wall reviewed the projects to be included in the Community Development Block Grant Year 43 Grant Program.

Commissioner Giblin discussed the amount of funding requested versus the amount received in prior years and asked how it impacts a project's completion.

Mayor Kalnins mentioned that the scope would be amended to comport to the availability of funds.

Discussion was held. The Township Committee was agreeable to the proposed projects as follows:

- |    |  |              |
|----|--|--------------|
| 1. | Senior Citizen Nutrition Program       | \$ 8,400.00  |
| 2. | Handicap Ramp Replacement Program      | \$100,000.00 |
| 3. | Senior Citizen Social Services Program | \$ 54,112.00 |
| 4. | Senior Citizen Handyman Program        | \$ 22,196.00 |
| 5. | ADA Improvements to Municipal Building | \$ 10,000.00 |

Mayor Kalnins opened the public hearing and asked if there were any questions or comments.

Hearing no comments, Mayor Kalnins closed the public hearing.

Resolution authorizing execution and submission of CDBG Year 43 applications to be adopted November 28, 2016.

### **Proposed enclosure-29 North Union Avenue**

Christos Zapells, owner of Ambeli Greek Taverna, 29 North Union Avenue, discussed his request to install an entranceway/awning in the Township's right-of-way. Explained that his guests complain when the entrance door is opened in the cold weather because it brings a cold draft into the restaurant. The proposed enclosure would provide a shield from the cold. Informed the Township Committee that the proposed enclosure/awning would not obstruct the sidewalk area and he would work with the Township for a design agreeable to all.

Deputy Mayor O'Connor discussed the DMC Board's review of Mr. Zapells' request. The DMC Board expressed concern that the enclosure would limit pedestrian movement, and that the design with the door opening outward would further reduce the pedestrian area. Deputy Mayor O'Connor asked Mr. Zapells' if the design could be changed to allow the door to open inward.

Mr. Zapells stated that the door must open outward in order to meet Americans with Disabilities Act (ADA) requirements.

Commissioner Hannen asked if an enclosure could be installed inside the restaurant.

Mr. Zapells explained that the area is too small for an enclosure to be installed inside, stating that the restaurant already has a limited seating capacity and an indoor enclosure would significantly reduce seating.

Deputy Mayor O'Connor discussed heavy drapery used at doorways in other establishments to block cold air, and asked if Mr. Zapells has considered this as an alternative option.

Mr. Zapells stated that he would consider other options if the Township rejects this proposal. Mentioned that the proposed enclosure is a temporary structure and would be removed during the warmer months.

Commissioner Giblin stated that he understands Mr. Zapells' issue, but feels he must follow the recommendation of the DMC Board.

Commissioner Hannen also expressed concern with the proposal and prefers that the enclosure be installed inside the restaurant.

Deputy Mayor O'Connor expressed concern with the size of the enclosure and the impact to pedestrian traffic.

Mr. Zapell's explained that the size of the enclosure cannot be reduced because it would not meet ADA requirements.

Township Administrator Wall discussed an air "curtain" or warmer that can be installed over the doorway to provide warm air when the door is opened.

Mr. Zapells stated that he is aware of the air curtain described by Township Administrator Wall, but air curtains use a very strong blast of air to offset the cool air, and he is concerned that it would be a disturbance to his guests. Ensured the Township Committee that the proposed enclosure would be attractive.

Commissioner Mallon discussed other restaurants and examples of enclosures used to shield customers from the cold when the door is opened.

Mr. Zapells stated that he would do further research and try to identify another solution.

### **Engineering update**

#### *NJDEP Fiscal Year 2016 Clean Water and Drinking Water (Environmental Infrastructure)*

Township Engineer O'Brien provided an update of Phase 2B of the Northeast Quadrant Stormwater Management Project and discussed a tentative schedule for the bidding process.

#### *CRS Program*

Township Engineer O'Brien provided an update of efforts to obtain a higher rating in connection with CRS Program, which would allow for additional flood insurance premium reductions for residents.

#### *Elizabethtown Gas Company Utility Upgrades Township wide*

Township Engineer O'Brien provided an update of the paving being conducted by Elizabethtown Gas and informed the Township Committee that a majority of the work has been completed. Holly Street is the remaining roadway to be paved.

Commissioner Giblin discussed pipes and other equipment Elizabethtown Gas is storing on Township property in connection with the utility work it is conducting.

Township Engineer O'Brien to follow up.

2016 Paving Project

Township Engineer O'Brien discussed the paving schedule for 2016 and the roadways that have been completed. Stated that paving of alternate roads would occur next and discussed the schedule.

NJDOT Municipal Aid Grant Application – FY 2016- Lincoln Avenue East

Township Engineer O'Brien provided an update of the reconstruction of Lincoln Avenue East in connection with the NJ Department of Transportation's (DOT) Municipal Aid Grant Program. Stated that design work is being completed and would be submitted to DOT for approval. Also discussed the schedule for submission of the grant application and notice of award.

Cranford Baseball Field – Synthetic Turf

Township Engineer O'Brien discussed the schedule for the Cranford Athletic Facility Field Renovation Project. Mentioned that a preconstruction meeting was held and discussed the schedule for the remaining components of the project.

Proposed ordinance – Tree Preservation

Deputy Mayor O'Connor discussed the latest version of the tree preservation ordinance and its main objective. Also discussed the provision that would require that an expert be retained for tree removal, and instances in which a permit for removal might be denied.

Discussion was held as to the instances in which a Licensed Tree Expert (LTE) would be required.

Commissioner Hannen requested clarification as to the impact the ordinance would have to municipal and open space properties, such as the Cranford Conservation Center.

Deputy Mayor O'Connor explained that the ordinance would not apply to municipal properties, only residential properties.

Commissioner Hannen feels the Township should be subject to the same regulations as residential properties. Also requested clarification of the "Tree Save Plan" referenced in the ordinance.

Deputy Mayor O'Connor explained that the Tree Save Plan requires tree replacement when a tree is removed, or a contribution to an escrow fund in lieu of tree replacement.

Discussion was held concerning the role of an LTE as per the provisions of the proposed ordinance.

Tina Helmstetter, Tree Advisory Board member, discussed the fact that the proposed ordinance is based upon an ordinance adopted by Jackson Township and explained that it originated when the State of New Jersey was constructing the Garden State Parkway and removed a significant number of trees in Jackson Township. The State of New Jersey challenged the ordinance, which went to the Supreme Court and was upheld. As a result, the State was required to replace the trees it removed in Jackson Township. Also informed the Township Committee that many municipalities use Jackson Township's ordinance as a model.

Commissioner Hannen feels the ordinance does not apply to Cranford in its current form and needs further amendments to more specifically apply to Cranford.

Deputy Mayor O'Connor feels Ms. Helmstetter's comment as to the ordinance being upheld in court is valid, in the event Cranford's ordinance is challenged.

Township Attorney Dabulas requested clarification as to the individual designated to enforce the ordinance.

Deputy Mayor O'Connor stated that the Code Enforcement Officer would be responsible.

Discussion was held as to the language which requires that an LTE be retained in instances when the tree to be removed exceeds twelve (12) inches or more in diameter or twenty-five (25) feet in height.

Discussion was held as to the language which would require submission of a Conservation Plan to the Shade Tree Commission.

Commissioner Hannen pointed out that the Township does not have a Shade Tree Commission and feels this language should be removed from the ordinance. Also asked if Union County would be subject to these regulations if it were to remove trees from its property.

Township Attorney Dabulas stated that Union County would not be subject to these regulations and the Township could not compel Union County to obtain a permit.

Commissioner Hannen believes one of the main objectives of the ordinance was to prevent the “wholesale” removal of trees and feels it should apply to Union County.

Commissioner Mallon feels if the ordinance was upheld in Jackson Township against the State of New Jersey, it should apply to county property in Cranford.

Discussion was held regarding language pertaining to the denial of a permit if the removal of a tree contributes to extra runoff of surface water to adjacent properties.

Discussion was held as to the proposed fee schedule and contributions to the escrow fund.

Commissioner Hannen feels there are too many revisions needed and does not feel comfortable supporting the ordinance.

Deputy Mayor O’Connor stated that she supports the ordinance with the changes proposed.

Commissioner Giblin stated that he appreciates the efforts concerning this issue, but feels the Township should not mandate restrictions as to what a property owner can do with his/her property.

Commissioner Mallon feels if the Township Committee is struggling with the language, others may be confused as well. Asked if the ordinance could be simplified.

Deputy Mayor O’Connor feels it is not necessary for residents to read and be familiar with all provisions of the ordinance. The permit application form would provide instructions for residents and Township staff would provide guidance.

Commissioner Mallon mentioned that some chapter numbers are incorrectly referenced.

Township Attorney Dabulas to revise.

The majority of the Township Committee was agreeable to moving forward with the ordinance.

Commissioner Hannen and Commissioner Giblin were opposed.

#### **Union County Deer Hunt in Nomahegan Park**

Discussion was held as to a proposed resolution in connection with Union County’s Deer Management Program at Nomahegan and Lenape Parks.

Township Attorney Dabulas to revise language with respect to park closures. Resolution to be adopted November 29, 2016.

#### **Office rearrangement – upper level**

Township Administrator Wall discussed options for the rearrangement of the office space on the upper level of the Municipal Building.

Mayor Kalnins feels the priority is to move the payroll specialist to another location because of the lack of privacy her current location provides.

Discussion was held as to available funding for the rearrangement of offices.

Township Administrator Wall feels there is approximately \$100,000 in funding available. Stated that he would provide a diagram of the proposed layout for discussion on December 12, 2016.

Further discussion December 12, 2016.

Commissioner Hannen stated that he is opposed to the proposed rearrangement of offices. Feels funds should be used for other purposes.

#### **Proposed 2017 Township Committee meeting schedule and 2017 holiday schedule**

Discussion was held as to the proposed 2017 Township Committee meeting schedule and the potential scheduling of special budget meetings on Saturdays.

Further discussion to be held during the November 29, 2016 Conference Meeting.

The Township Committee was agreeable to holding the annual reorganization meeting on January 3, 2017 at 6:00 PM.

The Township Committee was agreeable to the proposed 2017 holiday schedule.

**Minute approval – Closed Session Minutes of November 14, 2016**

On motion of Commissioner Giblin, seconded by Commissioner Hannen and passed, the Closed Session Minutes of November 28, 2016 were approved by indicated vote of the Township Committee.

**Recorded vote:**

Aye: Mayor Kalnins, Deputy Mayor O'Connor and Commissioners Mallon, Giblin and Hannen

Nay: None

Abstained: None

Absent: None

**ADMINISTRATOR REPORTS****Office of Planning and Zoning and the Department of Public Works**

Township Administrator Wall provided an update on the hiring process for a Zoning Officer and for laborer/driver positions in the Department of Public Works.

Commissioner Hannen feels the Request for Proposals (RFP) for engineering services needs to be revised and re-advertised.

Further discussion to be held November 29, 2016.

**COMMISSIONER REPORTS****Commissioner Giblin**

Commissioner Giblin discussed the RFP for Risk Management Consultant services and informed the Township Committee that the Township's current Risk Management Consultant is available to attend the next meeting to discuss the process, if the Township Committee is agreeable.

Township Administrator Wall discussed regulations involved with the Township's participation in the Joint Insurance Fund and feels it would be worthwhile for the current Risk Management Consultant to attend the next meeting to update the Township Committee.

**Mayor Kalnins**

Mayor Kalnins informed the Township Committee that John Hrebin has resigned as an Alternate No. 2 member of the Environmental Commission, and the Environmental Commission's Chairperson, Nelson Dittmar, has recommended the appointment of Frank Klapinski to fill Mr. Hrebin's unexpired term.

The Township Committee was agreeable to the recommendation. Frank Klapinski to be appointed to Mr. Hrebin's unexpired term by Mayoral Appointment on November 29, 2016.

**Late Starter-Hiring of additional police officer**

Discussion was held regarding the Police Department's request to increase headcount in 2017 and hire an additional police officer.

Deputy Mayor O'Connor stated that it is her understanding that funding is available in the budget.

Commissioner Giblin and Commissioner Hannen stated that they are opposed to the request.

No action was taken.

**PUBLIC COMMENTS**

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

Tina Helmstetter, 70-72 Burnside Avenue, spoke in support of the tree preservation ordinance and encouraged the Township Committee to move forward with its adoption.

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

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

**Resolution No. 2016-98.29:**

**BE IT RESOLVED** that the Township Committee will go into closed session to discuss the following, the minutes of which will be released at some time in the future at the discretion of the Township Committee:

**Contractual**

- Shared services agreement for public health services
- Verizon Wireless Right-of-Way Agreement

**Legal**

- CDA v. Township of Cranford
- 7-Eleven v. Township of Cranford
- Wawa v. Township of Cranford

**Personnel**

- 2017 appointments to committees, boards and commissions

**Minute Review**

- Closed Session Minutes of November 14, 2016

**Recorded vote:**

Aye: Mayor Kalnins, Deputy Mayor O'Connor, Commissioners Mallon, Giblin and Hannen

Nay: None

Abstained: None

Absent: None

On motion of Commissioner Hannen seconded by Deputy Mayor O'Connor and passed, the Township Committee returned to open session at 12:30 PM.

On motion of Commissioner Hannen, seconded by Deputy Mayor O'Connor and passed, the Township Committee adjourned at 12:30 PM.

Respectfully submitted,

Dated: November 28, 2016

Tara Rowley, RMC  
Municipal Clerk