

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **October 13, 2015** at 8:00 p.m. in Council Chambers.

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

PRESENT: Mayor Andis Kalnins
Commissioner Barbara Bilger
Commissioner Robert D'Ambola
Commissioner Thomas H. Hannen, Jr.

ABSENT: Deputy Mayor Mary O'Connor

INVOCATION AND FLAG SALUTE

The invocation was led by Commissioner Bilger, followed by the flag salute.

MINUTE APPROVAL

On motion of Commissioner Hannen, seconded by Commissioner D'Ambola and passed, the minutes of the Workshop Meeting of September 28, 2015 and the Conference and Official Meetings of September 29, 2015, were approved by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Kalnins, Commissioners Bilger, D'Ambola and Hannen

Nay: None

Abstained: None

Absent: Deputy Mayor O'Connor

PAYMENT OF BILLS

On motion of Commissioner Bilger, seconded by Commissioner D'Ambola and passed, the bills list dated October 13, 2015 totaling \$4,236,532.67, were approved for payment by recorded vote and are on file in the Office of the Township Clerk.

Recorded vote:

Aye: Mayor Kalnins, Commissioners Bilger, D'Ambola and Hannen

Nay: Commissioner Hannen

Abstained: None

Absent: Deputy Mayor O'Connor

MAYORAL ANNOUNCEMENTS

Friends of Libraries Week

WHEREAS, the Friends of the Cranford Public Library raise money that enables our library to move from good to great by providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

WHEREAS, the work of the Friends highlights the fact that our library is a cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past and present;

WHEREAS, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages, including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

WHEREAS, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE, BE IT RESOLVED that I, Andis Kalnins, Mayor of the Township of Cranford, proclaim October 18th to October 24th, 2015 as Friends of Libraries Week in the Township of Cranford and urge everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

INFORMAL MEETING

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

ORDINANCES – Introduction

Ordinance No. 2015-34:

The Township Clerk read by title only Ordinance No. 2015-34 entitled, "AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE TOWNSHIP OF CRANFORD AMENDING

CHAPTER 15 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF CRANFORD ENTITLED CLAIMS; PAYROLL ACCOUNT, MANDATING DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES PURSUANT TO C. 52:14-15f *et. seq.*”

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

Commissioner Hannen discussed the purpose of the ordinance and suggested that any employee with concerns of this ordinance contact the Township Administrator.

Hearing no comments, Commissioner Bilger closed the public hearing. On motion of Commissioner Bilger, seconded by Commissioner D’Ambola and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Kalnins, Commissioners Bilger, D’Ambola and Hannen

Nay: None

Abstained: None

Absent: Deputy Mayor O’Connor

RESOLUTIONS – By Consent Agenda

On motion of Commissioner D’Ambola, seconded by Commissioner Bilger and passed, the following resolutions were adopted by consent agenda:

Resolution No. 2015-350:

WHEREAS, it is necessary to amend the contract for environmental legal services performed by the Environmental Attorney in connection with Cranford Development Associates (“CDA”) litigation; and **WHEREAS, Robert Podvey, Esquire, One Riverfront Plaza, Newark, New Jersey 07102**, was awarded a professional services contract in 2013 to represent the Township Committee of the Township of Cranford in said matter; and

WHEREAS, the aforementioned legal services have been performed as a “non-fair and open” contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Robert Podvey, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that **Robert Podvey, Esquire** 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 **Robert Podvey, Esquire** from making any reportable contributions through the term of the contract; and

WHEREAS, Robert Podvey, Esquire has submitted a Business Entity Contribution Certification which certifies that **Robert Podvey, Esquire** has not made any reportable contribution during the past twelve (12) month period, pursuant to N.J.S.A. 19:44A-1 et seq.; and

WHEREAS, the total amount the Township of Cranford has paid year date to **Robert Podvey, Esquire** is greater than the \$40,000.00 bid threshold for professional services; and

WHEREAS, amendments to the contracts are required in order to process payment of invoices in an amount not to exceed \$50,000.00; and

WHEREAS, the Chief Financial Officer and Finance Director have 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. Amends the contracts via issuance of purchase orders in an amount not to exceed \$50,000.00; and
2. The Business Entity Disclosure Certification and Business Entity Contribution Disclosure Certification be placed on file with a copy of this resolution; and
3. A copy of this resolution be published as required by law within twenty (20) days of its adoption.

Resolution No. 2015-351:

WHEREAS, the Township of Cranford awarded Terjesen Associates, 248 West 35th street, Suite 11E, New York, NY the contract for Phase I of the architectural services by Resolution 2014-246; and

WHEREAS, there exists the need to progress to Phase II of the architectural and construction management services of the Centennial Pool & Fitness Center Renovations;

WHEREAS, in accordance with N.J.S.A. 40A:11-5(a) the Township Committee reserves the right to award the contract for Phase II of the architectural and construction management services of the Centennial Pool & Fitness Center Renovations through a Non-Fair and Open Process;

WHEREAS, Terjesen Associates will provide said architectural services to the Township of Cranford at a cost of \$70,000.00; and

WHEREAS, Terjesen Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Terjesen Associates 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 Terjesen Associates from making any reportable contributions through the term of the contract, and

WHEREAS, pursuant to the N.J.A.C. 5:30-5.5(b), the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purchase.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford

be and hereby approves an award of contract to Terjesen Associates at a cost not to exceed \$70,000.00; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk be and hereby are authorized and directed to execute documents in connection with said award of contract.

Resolution No. 2015-352:

RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE PAVER RESET PROJECT FUNDED BY THE TOWNSHIP OF CRANFORD, UNION COUNTY, NEW JERSEY

WHEREAS, Tuesday, October 6, 2015 at 10:30 am, bids were opened in the presence of the Township Engineer, Carl P. O'Brien, PE, and the Township Clerk, Tara Rowley; and

WHEREAS, there were two (2) bids received with the low bidder of the Base Bid for the project being TC Landscape Construction Group, Inc., 729 Marie Street, Toms River, NJ 08753 with a total price of \$66,220.00; and

WHEREAS, Maser Consulting P.A. and other appropriate Township Officials have reviewed the bids and recommend award of contract for this project to TC Landscape Construction Group, Inc.; and

WHEREAS, the Chief Financial Officer reviewed the available funding for the improvements and has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose by way of bond ordinance 2015-24; and

WHEREAS, this Project is funded by the 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; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Cranford, Union County, New Jersey that the above referenced construction project is awarded to TC Landscape Construction Group, Inc., 729 Marie Street, Toms River, NJ 08753, with a total bid price of \$66,220.00 for the Base Bid.; and **BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Resolution No. 2015-353:

WHEREAS, the Township of Cranford is in need of payroll, time and attendance and human resource data processing services; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that a local contracting unit may use competitive contracting in lieu of public bidding for procurement of specialized goods and services, the price of which exceeds the bid threshold, for certain purposes including the aforementioned for the Township of Cranford; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3(a), in order to award via competitive contracting, the governing body must pass a resolution authorizing the use of competitive contracting each time specialized goods or services are desired to be contracted; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford, New Jersey, hereby authorizes the Purchasing Agent to award the contract for the aforementioned services by competitive contract in lieu of public bidding pursuant to N.J.S.A. 40A:11-4.3.

Resolution No. 2015-354:

WHEREAS, there exists a need to engage experts to provide payroll, time and attendance and human resource data processing services for the Township of Cranford; 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; and

WHEREAS, the Township of Cranford advertised for a Solicitation of Proposal for payroll, time and attendance and human resource data processing services through the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1; and

WHEREAS, the Purchasing Agent of the Township of Cranford has deemed that **Automatic Data Processing, Inc. ("ADP), One ADP Boulevard, Roseland, NJ 07068** is the respondent who satisfies the criteria set forth in the specification.

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

1. **Automatic Data Processing, Inc. ("ADP), One ADP Boulevard, Roseland, NJ 07068** be and hereby is awarded a contract to provide payroll, time and attendance and human resource data processing services at a cost not to exceed \$75,000.00.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **Automatic Data Processing, Inc. ("ADP);** and

Recorded vote:

Aye: Mayor Kalnins, Commissioners Bilger, D'Ambola and Hannen

Nay: None

Abstained: None

Absent: Deputy Mayor O'Connor

PUBLIC COMMENTS

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

Michael Petrucci, 437 Brookside Place, Township Committee Republican candidate, discussed campaign literature that was distributed by him and his opponent, and both pieces indicate that road improvements and the implementation of a School Resource Officer were implemented under their party's respective leadership. Stated that it is his understanding that it was under the leadership of Mayor Kalnins that these items were approved and requested clarification. Stated that the minutes of March 24, 2014 indicate that road repair and infrastructure improvements were put forth by former Deputy Mayor Aduato.

Mayor Kalnins explained that the capital program was larger in 2014 and discussed funding in the amount of \$4,000,000 for roadwork that was approved in 2014 under former Deputy Mayor Aduato's direction.

Mr. Petrucci also discussed the implementation of the School Resource Officer. Discussed his attendance at meetings and the minutes which indicate that the resolution authorizing a School Resource Officer was approved under Mayor Kalnins' leadership.

Mayor Kalnins stated that the position of School Resource Officer was implemented in 2014.

Commissioner Hannen thanked Mr. Petrucci for highlighting both pieces of campaign literature. With respect to road repairs, explained that in 2013 the Township Committee cancelled prior bond ordinances for projects that were not completed, which provided funding for road improvement projects that moved forward in 2014.

Commissioner Hannen also discussed efforts to implement a School Resource Officer. Stated that he met with the Superintendent of Schools, Dr. Carrick, in 2013 to discuss needs for the school and explained that these meetings were prompted by the tragedy in Sandy Hook, Connecticut. Explained that he continued these discussions in 2014 as Board of Education Liaison to the Township Committee. A presentation was then brought to the Township Committee by the Chief of Police and the proposal was ultimately approved in 2014. Stated that while both proposals were officially approved in 2014, both began in 2013.

Mayor Kalnins discussed his recent campaign which included a commitment to the reestablishment of a School Resource Officer. Also discussed the budget for road improvements prior to 2014, which was \$1,000,000 to \$2,000,000 and stated that while the cancellation of bond ordinances occurred in 2013, the Township Committee ensured that this funding was included in the budget in 2014 for road improvements.

Mr. Petrucci feels much has been accomplished in the last two (2) years during Mayor Kalnins' term as Mayor and thanked him for his efforts.

Commissioner Hannen thanked Mr. Petrucci for his comments but feels there is a difference in opinion as to the effort needed to bring these programs forward.

Anthony DiGiovanni, 26 Forest Avenue, discussed an application to be considered by the Planning Board on October 21, 2015 regarding the PSE&G substation. Stated that during the Planning Board meeting of September 16, 2015, PSE&G proposed demolition of the existing building that houses the transformer and other equipment and allow for this equipment to be explored. The Planning Board provided conditional approval of this proposal, with the condition that PSE&G construct a wall. Discussed his concerns with the application and feels the Township Committee has an obligation to express concern to the Planning Board and to bring awareness to the community. Feels PSE&G's proposal would not be heard or considered in another municipality in Union County with a similar downtown. Also discussed a photograph he obtained which depicts what was approved by the Planning Board on September 16, 2015. Feels there is a difference in the way the Township treats a public utility company versus a private developer. Also feels PSE&G's proposal would detract from development on South Avenue. Discussed a banquet facility recently constructed on South Avenue that would have windows overlooking a site which he feels belongs in an industrial area of town. Also stated that while his firm was noticed, he did not receive notice of this application. Explained that the Planning Board would be the forum in which to make this argument, but he feels it is the Township Committee's responsibility to promote awareness of the application to the community. Feels there are many residents unaware of this project. Also feels this is an industrial use and the equipment should be surrounded by a building. Discussed the construction of the existing building in 1927 and questioned whether the building was required by the Township or if PSE&G acted as a "good neighbor" and offered to construct it. Stated that he is unsure if the Township Committee could legally go before the Planning Board and make an objection to this application, but feels there must be an option to the Township because he believes it has been done in other towns. Also feels that the Union County Board of Chosen Freeholders and other legislators should be noticed of this issue. Feels Township professionals should challenge this application.

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

PROFESSIONAL COMMENTS

Township Attorney Diane U. Dabulas

- Provided an update regarding litigation involving Cranford Development Associates (CDA) and stated that a motion to consolidate the Township's appeal to the Department of Environmental Protection and the court was filed.

COMMISSIONER REPORTS/COMMENTS

Commissioner Thomas H. Hannen, Jr.

- Expressed condolences to Township Administrator Wall and his family on the loss of his father;
- Quoted John F. Kennedy concerning Neil Armstrong's landing on the moon. While the actual landing on the moon occurred several years later, does not feel anyone would challenge the fact that it was President Kennedy that set that accomplishment in motion.

Commissioner Robert D'Ambola

- Discussed various events being hosted by the Friends of the Public Library and provided contact information for those interested in attending;
- Discussed taxes, flooding, public safety and development/infrastructure, stating that he feels these are the items of biggest concern to residents. With respect to taxes, stated that they will "always be around" and will probably always increase because that is the cost of doing business, but Cranford has held its increases to a minimum with one of the lowest increases in Union County in 2014 and 2015. Also stated that the combined total increase for 2014 and 2015 is lower than the increase in 2013 alone. In addition, explained that the Township Committee is constantly reviewing operations to make interaction with the departments more efficient. As to flooding efforts, stated that Cranford has been working with the Army Corps of Engineers since 1999 to alleviate flooding that has devastated Cranford on more than one occasion. Feels more has been accomplished during the last two (2) years due to the efforts of the Mayors Council on the Rahway River Watershed (Council). Discussed Cranford's participation in the Council and the Council's efforts to obtain a lobbyist to ensure its voice is heard in Washington. Explained that, as a result, there are elected officials from local, county, state and federal levels working in unison to mitigate flooding issues in this area, and over \$1,000,000 has been funded towards the Army Corps of Engineers Study. Feels the Council is closer than ever to getting a "shovel in the ground" for flood relief, starting with the Orange Reservation. Also discussed plans to move forward with Phases 2B and 5 of the Northeast Quadrant Stormwater Management Project and the Orchard Brook Project. Discussed the delay in the Orchard Brook Project, stating that it was a result of mismanagement and a lack of follow up by past engineering departments. Provided an update of the Orchard Brook Project and recent efforts to move the project forward. Also mentioned that drainage issues are being addressed all over town by the current engineer. As respects public safety, discussed the appointment of chiefs within the Police and Fire Departments and stated that the Township Committee has filled the ranks with promotions and supplemented staffing levels in both departments. Stated that, under Mayor Kalnins, Chief Wozniak implemented the School Resource Officer Program and reactivated the Juvenile Bureau. In addition, Fire Department shifts are now at full complement, which allows for a safer response to the Township's "ever expanding" community and assistance with mutual aid calls. Also discussed efforts to improve the Township's mutual aid agreement to "even out the workload" and expenses to Cranford. Also stated that Emergency Medical Services has been expanded and the Township Committee has approved funding for the purchase of new equipment for both the Police and Fire Departments to improve communications and operations in those departments. Discussed development and infrastructure and the Township's efforts concerning the Birchwood Avenue litigation. Assured residents that there is no conspiracy to "pull one over" on the public. Stated that the Township Committee members are Cranford residents also and do not want to pay more for services than is necessary. Feels growth is inevitable, but the key is to have smart growth. In addition, Commissioner D'Ambola discussed the decision to outsource for engineering services in 2014 and feels the Township has seen drastic results. Referred to Commissioner Hannen's comments at the previous Township Committee meeting in which he stated that the Township's engineering costs were at \$240,000 in 2013. Stated that engineering costs were \$440,000 in 2013 because the Township needed to retain other firms to provide engineering services that the in-house engineer could not provide. Also referenced Commissioner Hannen's comment in which he stated that the Township has spent \$360,000 for engineering services in 2015. Explained that this amount is currently less than the costs associated with in-house engineering services with no hidden costs, and the Township's current engineering firm is overseeing millions of dollars more on various projects, and those projects are being handled correctly according to requirements. Stated that the Township's current engineering firm has moved forward with massive paving projects and improving roads that have not been addressed for thirty (30) years. Discussed the total miles of roadways paved during the consulting engineer's tenure versus the in-house engineer's tenure. Discussed repairs to the Hillside Avenue Tunnel, which were completed under the supervision of the Township's consulting engineer. Also discussed the North Avenue Station Pedestrian Improvement Project, stating that that it was "saved" by the Township's consulting engineer and Township Administrator and was days away from being cancelled. The project has now moved to construction. Also stated that the project has always

been entitled “North Avenue Station Pedestrian Project”. Explained that grant funding was awarded to the Township for a comprehensive traffic, parking and pedestrian study, which led to the North Avenue Station Pedestrian Improvement Project. Stated that while the increased cost of this project was not the fault of the Township’s former in-house engineer, the ten (10) year delay in moving the project forward ultimately resulted in a cost increase. Also discussed NJ Transit’s Platform Replacement Project and explained that it is a project that is totally separate from the North Avenue Station Pedestrian Improvement Project. Informed residents that NJ Transit’s project was delayed for financial reasons and there are plans to move the project forward in 2016. Discussed the Township’s new Spatial Data Logic program and cost reductions it has provided to residents with respect to 200 foot lists. Lastly, stated that the Township Committee is constantly reviewing procedures and adapting to whatever changes are necessary for cost effectiveness and efficient operations.

Commissioner Barbara Bilger

- Extended her condolences to Township Administrator Wall and his family on the passing of his father;
- Discussed the Chamber of Commerce Networking event and provided information for those interested in attending;
- Discussed the Town wide Garage Sale;
- Discussed the upcoming Fall Street Fair and provided information for those interested in attending.

Mayor Andis Kalnins

- Thanked Commissioner D’Ambola for providing a summary of the Township’s accomplishments over the past couple of years. Feels the key to accomplishing these goals is financial planning, which allows for correct staffing levels, and allows for sustainable infrastructure improvements, while keeping the tax rate low. Discussed reductions in state aid in the last several years which means that municipalities must identify ways to fund infrastructure projects without state aid. Feels the Township has a plan to move forward with a sustainable capital program while keeping tax rates at a reasonable level;
- Extended his condolences to Township Administrator Wall and his family on the passing of his father. Read a message Township Administrator Wall sent to him in which Mr. Wall stated, “the presence of so many Cranford friends was surprising and comforting. It meant a great deal to me and my family, and especially my father”. Feels this is an example of how the Cranford community comes together to support “its own”.

On motion of Commissioner Bilger, seconded by Commissioner D’Ambola and passed, the Township Committee adjourned at 8:52 PM.

Respectfully submitted,

Tara Rowley, RMC
Township Clerk

Date: October 13, 2015