

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **September 15, 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
Deputy Mayor Mary O’Connor
Commissioner Barbara Bilger
Commissioner Robert D’Ambola
Commissioner Thomas H. Hannen, Jr.

ABSENT: None

INVOCATION AND FLAG SALUTE

The invocation was led by Commissioner O’Connor, 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 August 10, 2015, the Conference and Official Meetings of August 11, 2015 and the Special Meeting of September 8, 2015, were approved by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Kalnins, Deputy Mayor O’Connor, Commissioners D’Ambola and Hannen

Nay: None

Abstained: Commissioner Bilger

Absent: None

PAYMENT OF BILLS

On motion of Deputy Mayor O’Connor, seconded by Commissioner D’Ambola and passed, the bills list dated September 15, 2015 totaling \$5,021,568.42, were approved for payment by recorded vote and are on file in the Office of the Township Clerk.

Recorded vote:

Aye: Mayor Kalnins, Deputy Mayor O’Connor and Commissioners Bilger and D’Ambola

Nay: Commissioner Hannen

Abstained: None

Absent: None

TOWNSHIP COMMITTEE BUSINESS

Oath of Office – Barbara Bilger

Senator Thomas H. Kean, Jr., administered the Oath of Office to Barbara Bilger as a member of the Township Committee for a term ending November 2015.

Mayoral appointment of Barbara Bilger as Finance Commissioner

Election of Vice Chairman to fill an unexpired term ending December 31, 2015

Mayor Kalnins called for nominations for Vice Chairman of the Township Committee to fill an unexpired term ending December 31, 2015. Commissioner D’Ambola placed the name of Mary O’Connor as Vice Chairman to fill an unexpired term ending December 31, 2015. No other names were placed in nomination. Mayor Kalnins closed the nominations.

Mary O’Connor was elected to serve as Vice Chairman of the Township Committee to fill an unexpired ending December 31, 2015, by roll call vote indicated below:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

The Honorable Lisa M. Adubato, NJ Superior Court Judge, administered the Oath of Office to Mary O’Connor as Vice-Chairman of the Township Committee to fill an unexpired term ending December 31, 2015.

FIVE MINUTE RECESS**MAYORAL ANNOUNCEMENTS****Constitution Week**

WHEREAS, September 17, 2015 marks the two hundred twenty-eighth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

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

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

NOW, THEREFORE, I, Andis Kalnins, Mayor of the Township of Cranford, New Jersey, do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK** and ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering, that lost rights may never be regained.

POW/MIA Remembrance Day

WHEREAS, the Township of Cranford and the Board of Chosen Freeholders of the County of Union is aware that Friday, September 18, 2015 has been declared as “POW / MIA Remembrance Day”; and

WHEREAS, all Americans everywhere owe a special debt of gratitude and a responsibility for remembering and honoring those who have given so much to make all of us free and secure in this, our national homeland, and a recognition day is a fitting testament and remembrance for all of us, for the sacrifices of our POW / MIA Veterans; and

WHEREAS, in honor of this special day, a ceremony will be held in front of the Union County courthouse, Broad Street, Elizabeth, New Jersey on September 18, 2015 at 11:15 A.M.

NOW, THEREFORE, BE IT RESOLVED by the Township of Cranford and the Board of Chosen Freeholders of the County of Union, hereby declare, Friday, September 18, 2015 as: **“POW / MIA REMEMBRANCE DAY”** and urges all citizens of to make a special effort to give thanks and to remember the sacrifices rendered to us by all these noble sons and daughters of America.

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 – Final Reading and Public Hearing**Ordinance No. 2015-31:**

The Township Clerk read by title only Ordinance No. 2015-31 entitled, “BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR PUBLIC PARKING AND OTHER MUNICIPAL PURPOSES IN, BY AND FOR THE TOWNSHIP OF CRANFORD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,335,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”

Said ordinance having been advertised and posted in accordance with law, Commissioner Bilger opened the public hearing. 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, Deputy Mayor O’Connor, Commissioners Bilger, D’Ambola and Hannen

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-32:

The Township Clerk read by title only Ordinance No. 2015-32 entitled, “ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AS BLOCK 195 LOT 2 AND BLOCK 193 LOT 14 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CRANFORD”

Said ordinance having been advertised and posted in accordance with law, Commissioner Bilger opened the public hearing. 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, Deputy Mayor O’Connor, Commissioners Bilger, D’Ambola and Hannen

Nay: None

Abstained: None

Absent: None

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. 2015-307:

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANFORD, IN THE COUNTY OF UNION, NEW JERSEY, DESIGNATING A \$153,355 BOND ANTICIPATION NOTE AND AN \$80,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED SEPTEMBER 11, 2015, PAYABLE SEPTEMBER 9, 2016, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED
WHEREAS, the Township of Cranford, in the County of Union, New Jersey (the "Township") intends to issue a \$153,355 Bond Anticipation Note and an \$80,000 Special Emergency Note, both issues dated September 11, 2015, payable September 9, 2016 (collectively, the "Notes"); and
WHEREAS, the Township desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union, New Jersey, as follows:

SECTION 1. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.
SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.
SECTION 3. It is further determined and stated that the Township has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2015, viz:

<u>Amount</u>	<u>Dated - Due</u>
\$9,700,000 BANS	1/30/15 – 1/29/16
\$8,600,000 BAN	5/22/15 – 5/20/16
\$ 496,860 BAN	5/22/15 - 5/20/16

SECTION 4. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.
SECTION 5. The issuing officers of the Township be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Notes.
SECTION 6. This resolution shall take effect immediately upon its adoption.

Resolution No. 2015-308:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – N.J.S.A. 40A: 4-87
WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and
WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford in the County of Union, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which is now available as a revenue from the State of New Jersey, pursuant to the provision of the statute; and
BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption “Drive Sober Get Pulled Over”; and
BE IT FURTHER RESOLVED that the above is a result of a State grant of \$5,000.00 from the State of New Jersey Drive Sober Get Pulled Over Statewide Labor Day Crackdown.

Resolution No. 2015-309:

WHEREAS, there exists a need to engage experts to provide tax appeal legal 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 Request for Qualifications (RFQ) for tax appeal legal 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 satisfies the criteria set forth in the RFQ; and
WHEREAS, the Township Committee of the Township of Cranford approved Resolution No. 2015-25 designating **Palumbo & Renaud** as an expert to be engaged to provide tax appeal legal services.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, New Jersey, as follows:

1. **Robert F. Renaud of Palumbo & Renaud 190 North Avenue East (Rte 28), Cranford, NJ 07016** be and hereby is awarded a contract to provide Tax Appeal legal services at a cost not to exceed \$28,000.00.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **Robert F. Renaud**; and
3. This contract is awarded pursuant to the “fair and open” process (N.J.S.A.19:44A-20.5 et seq.)

Resolution No. 2015-310:

WHEREAS, there exists a need to engage experts to provide tax appeal legal 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 Request for Qualifications (RFQ) for tax appeal legal 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 satisfies the criteria set forth in the RFQ; and

WHEREAS, the Township Committee of the Township of Cranford approved Resolution No. 2015-25 designating **McElroy, Deutsch, Mulvaney & Carpenter, LLP** as a firm to provide Tax Appeal legal services.

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

1. **McElroy, Deutsch, Mulvaney & Carpenter, LLP, Three Gateway Center, Newark, NJ 07102** be and hereby is awarded a contract to provide Tax Appeal legal services at a cost not to exceed \$38,000.00. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **McElroy, Deutsch, Mulvaney & Carpenter, LLP**; and this contract is awarded pursuant to the “fair and open” process (N.J.S.A.19:44A-20.5 et seq.).

Resolution No. 2015-311:

WHEREAS, the Township of Cranford advertised for a Request for Qualifications (RFQ) for the Provision of Legal and Other Professional Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, at a meeting held January 1, 2015, the Township Committee adopted Resolution No. 2015-30, designating **McElroy, Deutsch, Mulvaney & Carpenter, LLP, Three Gateway Center, Newark, New Jersey 07102** as a firm to provide labor attorney services in calendar year 2014; 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 RFQ; and

WHEREAS, the Chief Financial Officer and the Director of Finance have certified 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. **McElroy, Deutsch, Mulvaney & Carpenter, LLP, Three Gateway Center, Newark, New Jersey 07102**, be and hereby is awarded a contract to provide labor attorney services at a fee not to exceed \$48,000; and

The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **McElroy, Deutsch, Mulvaney & Carpenter, LLP**; This contract is awarded pursuant to the “fair and open” process (N.J.S.A.19:44A-20.5 et seq.)

Resolution No. 2015-312:

WHEREAS, there exists a need to engage experts to provide general litigation 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 Request for Qualifications (RFQ) for General Litigation 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 satisfies the criteria set forth in the RFQ; and

WHEREAS, the Township Committee of the Township of Cranford approved Resolution No. 2015-31 designating **McElroy, Deutsch, Mulvaney & Carpenter, LLP** as a firm to provide General Litigation services.

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

1. **McElroy, Deutsch, Mulvaney & Carpenter, LLP, Three Gateway Center, Newark, NJ 07102** be and hereby is awarded a contract to provide General Litigation legal services at a cost not to exceed \$50,000.00.

The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **McElroy, Deutsch, Mulvaney & Carpenter, LLP**; and this contract is awarded pursuant to the “fair and open” process (N.J.S.A.19:44A-20.5 et seq.).

Resolution No. 2015-313:

WHEREAS, there exists a need to engage experts to provide Animal Control 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 Bids for Animal Control services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, the Purchasing Agent of the Township of Cranford has deemed that **Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, NJ 08822** is the apparent lowest 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. **Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, NJ 08822** be and hereby is awarded a contract to provide Animal Control services at a cost not to exceed \$40,800.00.

The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with **Animal Control Solutions, LLC**; and This contract is awarded pursuant to the “fair and open” process (N.J.S.A.19:44A-20.5 et seq.).

Resolution No. 2015-314:

RESOLUTION AUTHORIZING THE TOWNSHIP OF CRANFORD TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Houston-Galveston Area Council, hereinafter referred to as “HGAC,” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on September 15, 2015, the Township Committee of the Township of Cranford, County of Union, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Cranford

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with HGAC.

CONTRACTING UNIT

HGAC shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:1-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately.

Resolution No. 2015-315:

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranford that Pierce Manufacturing be and hereby is awarded a contract for the purchase of a Tower ladder truck for the Fire Department at a quoted price of \$991,782.94, under co-op agreement with the Houston-Galveston Area Council (HGAC).

Resolution No. 2015-316:

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranford that ESI Equipment be and hereby is awarded a contract for the purchase of equipment for the new Tower ladder for the Fire Department at a quoted price of \$45,045.45, under NJ State Contract# A80967.

Resolution No. 2015-317:

BE IT RESOLVED by the Township Committee of the Township of Cranford, that the Township Clerk be and hereby is authorized to advertise for bids for payroll services.

Resolution No. 2015-318:

BE IT RESOLVED by the Township Committee of the Township of Cranford, that the Township Clerk be and hereby is authorized to advertise for bids for paver repairs.

Resolution No. 2015-319:

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANFORD, COUNTY OF UNION, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE PROPERTY MAINTENANCE CODE ENFORCEMENT OFFICER CONCERNING COSTS TO REMOVE OVERGROWN VEGETATION AND NATURAL GROWTH FROM THE PROPERTY LOCATED AT 14 CONNETICUT STREET (BLOCK 445 LOT 26) AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTY FOR SAID COSTS
WHEREAS, in accordance with the provisions of Chapter 172, the Township of Cranford removed OVERGROWN VEGETATION AND NAURAL GROWTH from the property located at 14 Connecticut St. (Block 445 Lot 26), after duly-giving notice to the property owner of said property; and
WHEREAS, the Property Maintenance Code Enforcement Officer has certified the costs incurred by the Township in removal of OVERGROWN VEGETATION AND NAURAL GROWTH from the aforementioned property; and
WHEREAS, the total additional costs incurred by the Township for the removal of OVERGROWN VEGETATION AND NAURAL GROWTH, as certified by the Property Maintenance Code Enforcement Officer, is \$2450.50; and
WHEREAS, Chapter 172 authorizes the governing body to have a lien placed against the subject property for the costs incurred by the Township, together with interest thereon at the rate of delinquent taxes,
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Cranford, County of Union, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby formally accept and approve the certification of the Property Maintenance Code Enforcement Officer for the removal of OVERGROWN VEGETATION AND NAURAL GROWTH from the property located at 14 Connecticut St. (Block 445 Lot 26).

That the Mayor and Township Committee do hereby direct the Tax Collector to place an assessment against the subject property in accordance with this resolution.

Resolution No. 2015-320:

APPROVE THE RELEASE OF PERFORMANCE GUARANTEE FOR 555 SOUTH AVENUE EAST – “THE COURTYARD”

WHEREAS, the Developer of 555 SOUTH AVENUE EAST – “THE COURTYARD” has posted a Performance Guarantee for construction work and activity to be performed at the aforementioned address; and
WHEREAS, Maser Consulting as the Township Engineer is recommending the full release of the Performance Guarantees posted with the Municipality in the form of a bond equal to (90%) of the total Performance Guarantees in the amount of \$323,009.44 issued by the Valley National Bank as a Letter of Credit; and
WHEREAS, the release of the Performance Guarantees will be contingent upon the Developer posting a Maintenance Bond in the amount of \$159,220.14 as per Section 136-18 of the Township Ordinance corresponding to 15% of the original Performance Guarantees posted with the Municipality;
NOW, THEREFORE BE IT RESOLVED that the Performance Guarantees posted by the Developer is released per the recommendation of the Township Engineer, contingent upon posting of the Maintenance Bond in the amount of \$159,220.14 or 15% of the original Performance Guarantees.
 Performance Bond Guarantee held by the Township in the form of a Standby Letter Of Credit from Valley National Bank, L/C # OD13001834 for Woodmont Properties, shall remain in possession until a Maintenance Bond is posted in the amount of \$159,220.14.

Resolution No. 2015-321:

APPROVE RELEASE OF PERFORMANCE GUARANTEE FOR 239 CRANFORD AVENUE, LLC

WHEREAS, the developer of 239 Cranford Avenue, has posted a Maintenance Bond for construction work and activity performed at the aforementioned address; and
WHEREAS, Maser Consulting as the Township Engineer and per correspondence dated September 4, 2015, is recommending the release of the Performance Guarantee in the amount of \$7,132.00; and
WHEREAS, Maser Consulting as the Township Engineer and per correspondence dated September 4, 2015, is also recommending the release of the additional escrow posted as guarantee for work that was not completed at the time TCO/CO was issued in the amount of \$5,000.00; and
WHEREAS, The Developer has provided a 15% Maintenance Bond equal to \$1,069.80 as per Section 136-18 of the Township Ordinance in check form dated September 4, 2015; and
NOW, THEREFORE, BE IT RESOLVED, that all work was performed to the satisfaction of the Township Engineer and release of Performance Guarantees in the amount of \$7,132.00 and additional escrow in the amount of \$5,000.00 to be authorized.

Resolution No. 2015-322:**APPROVE RELEASE OF PERFORMANCE GUARANTEE FOR SOOJIAN BROTHERS CONSTRUCTION 345 NORTH AVENUE, STARBUCKS COFFEE**

WHEREAS, the developer of Starbucks Coffee, has posted a Maintenance Bond for construction work and activity performed at the aforementioned address; and

WHEREAS, Maser Consulting as the Township Engineer and per correspondence dated September 4, 2015, is recommending the release of the Performance Guarantee in the amount of \$16,611.36; and

WHEREAS, Maser Consulting as the Township Engineer and per correspondence dated September 4, 2015, is also recommending the release of the bond posted as guarantee for the road opening of State Highway Route 27, known as North Avenue, for the repair of the sanitary sewer lateral servicing the site, in the amount of \$10,000.00; and

WHEREAS, The Developer has provided a 15% Maintenance Bond equal to \$3,991.70 as per Section 136-18 of the Township Ordinance in check form dated September 4, 2015; and

NOW, THEREFORE, BE IT RESOLVED, that all work was performed to the satisfaction of the Township Engineer and release of Performance Guarantees in the amount of \$16,611.36 and the Bond for the road opening of Route 27 for the repair of the sanitary sewer lateral servicing the site in the amount of \$10,000.00 to be authorized.

Performance Bond Guarantee held by the Township in the form of a bond issued by Fidelity and Deposit Company of Maryland, dated October 21, 2014, shall be return to the Developer.

Resolution No. 2015-323:**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LINCOLN AVENUE (SECTION 5) PROJECT**

BE IT RESOLVED that the Township Committee of the Township of Cranford formally approves the grant application to the New Jersey Department of Transportation for the Lincoln Avenue (Section 5) Project; and

BE IT FURTHER RESOLVED that the Township Engineer and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Cranford Township-00150 to the New Jersey Department of Transportation on behalf of the Township of Cranford; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Cranford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Committee of the Township of Cranford on this 14th day of September 2015.

Resolution No. 2015-324:

WHEREAS, an application has been filed by Gregory Ryan, 59 Burnside Avenue, Cranford, New Jersey, for a limousine/livery service vehicle license for Ryan & Riley Limousine, Inc.; and

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

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

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranford does hereby approve, effective September 15, 2015, the issuance of a limousine/livery service vehicle license to Gregory Ryan (dba Ryan & Riley Limousine, Inc.) for a license term ending December 31, 2015.

Resolution No. 2015-325:

BE IT RESOLVED by the Township Committee of the Township of Cranford at a meeting held September 15, 2015, that the following alcoholic beverage license be and hereby is renewed for the term 2015-2016:

RETAIL DISTRIBUTION LICENSES

2003-44-002-007 WSBFB, LLC
T/A Cranford Wine and Spirits
6-20 South Avenue

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the NJ Division of Alcoholic Beverage Control.

Resolution No. 2015-326:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 15th day of September 2015 that the Tax Collector be and hereby is authorized to refund real estate/sewer taxes for reasons noted:

OVERPAYMENT OF TAXES:

Block 473 Lot 11
Actlien Holding Inc.
Attn: Minna Fu
45 W. 45th St. 1402
New York, N.Y. 10036

2014 Refund: \$3,430.08
(5-01-55-000-010-025)

Block 531 Lot 5
Arthur & Yvonne Kiamie
10 Woodside Ave.
Cranford, N.J. 07016-3150

Refund: \$3,088.76
(5-01-55-000-010-025)

COUNTY BOARD JUDGMENTS-2015

Block 203 Lot 5
Block 203 Lot 7
Corelogic Real Estate Tax Service
Attn: Tax Refunds
1 Corelogic Dr.
Westlake, Tx 76262

Refund: \$ 404.64
Refund: \$ 413.74
Total: \$ 818.38
(5-01-55-000-010-028)

Block 203 Lot 24
Wells Fargo Real Estate Tax Service, LLC
Attn: Financial Support Unit
MAC X2301-04D
1 Home Campus
Des Moines, IA 50328-0001

Refund: \$ 683.61
(5-01-55-000-010-028)

Block 217 Lot 14
Roundpoint Mortgage Servicing Corp
5032 Parkway Plaza Blvd
Charlotte, N.C. 28217
Attn: Stephen Moss

Refund: \$1,002.04
(5-01-55-000-010-028)

Block 222 Lot 1
Mark & Janine Sullivan
104 Central Ave.
Cranford, N.J. 07016

Refund: \$ 528.32
(5-01-55-000-010-028)

Block 319 Lot 5.01
354 North AJ, LLC
354 North Ave E.
Cranford, N.J. 07016

Refund: \$4,015.11
(5-01-55-000-010-028)

Block 568 Lot 6
Harrison & Spomenka Weaver
215 West Passage
Columbia, SC 29212

Refund: \$ 963.45
(5-01-55-000-010-028)

Block 642 Lot 2
Ventura, Miesowitz, Keough & Warner
783 Springfield Ave.
Summit, N.J. 07901

Refund: \$ 448.16
(5-01-55-000-010-028)

STATE TAX APPEAL

Block 267 Lot 13.01
Mc Elroy, Deutch, Mulvaney & Carpenter
1300 Mount Kemble Ave
Morristown, N.J. 07962-2075

2013 Refund: \$ 72.96
2014 Refund: \$ 73.87
Total: \$ 146.83
(5-01-55-000-010-028)

OVERBILL OF TAXES-2015

Block 473 Lot 47
Homaz, LLC
P.O. Box 1452
Mountainside, N.J. 07090

Refund: \$ 207.91
(5-01-55-000-010-025)

OVERPAYMENT OF SEWER:

Block 315 Lot 7
Eric & Tara Hudson
106 Arlington Rd
Cranford, N.J. 07016

Refund: \$ 809.29
(5-01-55-000-010-026)

Block 492 Lot 1.01
PSE&G
472 Weston Canal Rd
Somerset, N.J. 08873
Attn: Kris Cantrella

Refund: \$ 111.45
(5-01-55-000-010-026)

Block 511 Lot 1
WP Cranford, LLC
100 Passaic Ave. Ste#240
Fairfield, N.J. 07004

Refund: \$ 380.76
(5-01-55-000-010-026)

Resolution No. 2015-326A:

BE IT RESOLVED that the Township Committee of the Township of Cranford hereby ratifies, affirms and approves the advertisement for bids for the 2015 Cranford Paving Project.

Recorded vote:

Aye: Mayor Kalnins, Deputy Mayor O'Connor, Commissioners Bilger, D'Ambola and Hannen
Nay: None
Abstained: None
Absent: None

RESOLUTION – By Roll Call Vote

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

Resolution No. 2015-327:

BE IT RESOLVED that the Township Committee of the Township hereby ratifies, affirms and approves the advancement of Wesley Ditzel III to 1st Grade Firefighter in the Cranford Fire Department effective September 1, 2015.

Recorded vote:

Aye: Mayor Kalnins, Deputy Mayor O'Connor and Commissioners Bilger and D'Ambola
Nay: None
Abstained: Commissioner Hannen
Absent: None

PUBLIC COMMENTS

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

Rosemarie Saladino, 24 Hillside Place, discussed the handicap access/curb cut next to the Garlic Rose. Explained that her husband has a handicap and must use a wheelchair and the curb cut by the Garlic Rose has a lip that is difficult to get the wheelchair over. Requested that it be repaired.

Mayor Kalnins assured Ms. Saladino that the matter would be addressed.

Frank Krause, 20 Pittsfield Street, congratulated Deputy Mayor O'Connor and Commissioner Bilger on their appointments and extended his best wishes. Discussed the "Greenway" entrance into Cranford on North Avenue. Also discussed signage in the downtown. Discussed recent development on North Avenue West and requested clarification as to how it was approved and if the appropriate protocol was followed concerning its approval.

Mayor Kalnins informed Dr. Krause that he contacted the Chairman of the Zoning Board who confirmed that it was approved by the Zoning Board at a public meeting. Stated that he agrees with Dr. Krause and feels the development is not appropriate.

Dr. Krause discussed his concern with the potential consequences of that development being approved. Feels the character of the neighborhood will change and it will contribute to an increase in traffic. Also expressed doubt as to whether the applicant filed for approval with the New Jersey State Highway Access Management Code. Requested the Township Committee review this issue.

Michael Petrucci, 437 Brookside Place, Candidate for Township Committee, congratulated Deputy Mayor O'Connor and Commissioner Bilger on their appointments. Informed the Township Committee that while campaigning he received positive feedback from residents, but residents are also seeking updates on certain issues, such as Union County College's proposed sports field. Stated that residents in that area are concerned with the noise, traffic and after game celebrations that would occur if a field is built on the Cranford campus. Requested input from the Township Committee as to its position on the matter.

Mayor Kalnins stated that the Township Committee opposes construction of the field at the Cranford campus. Discussed the Union County Board of Chosen Freeholder's (Freeholder Board) offer to allow construction of the field at Oak Ridge Park and expressed concern with the lack of progress concerning this matter.

Deputy Mayor O'Connor discussed her opposition to the field at the Cranford campus and suggested the Township Committee consider adoption of a secondary resolution to further clarify the Township Committee's position on this issue.

Mayor Kalnins discussed the Township Committee's efforts to address this matter.

Commissioner Hannen informed residents that he has gone before the Freeholder Board with Cranford residents to officially declare the Township Committee's opposition to the field. Assured residents that he has been monitoring this issue on a daily basis. Also expressed disappointment with the lack of progress regarding Union County College's negotiations with the Freeholder Board for construction of the field at Oak Ridge Park. In addition, Commissioner Hannen expressed concern with decisions that were made by Union County College concerning foundation scholarships.

Deputy Mayor O'Connor asked if the Freehold Board has adopted a resolution expressing its opposition to the field at the Cranford campus.

Commissioner Hannen explained that at the last Board of School Estimate's meeting, funds were not included in the budget for the installation of a field. Also stated that it does not appear that there is present or past support by the Freeholder Board for a field at the Cranford campus, which is why the Freeholder Board offered construction of the field at one of the Union County parks.

Deputy Mayor O'Connor requested that the Freeholder Board adopt a resolution officially opposing construction of a field at the Cranford campus.

Mayor Kalnins discussed efforts to monitor this issue.

Mr. Petrucci also discussed progress with street paving and paving that occurred at the corner of Central Avenue and Day Place. Informed the Township Committee that water is pooling at that intersection when it rains and suggested the matter be addressed.

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

PROFESSIONAL COMMENTS

Municipal Clerk Tara Rowley

- Congratulated Commissioner Bilger on her appointment and welcomed her back to the Township Committee;
- Congratulated Deputy Mayor O'Connor on her appointment as Deputy Mayor;
- Congratulated former Deputy Mayor Lisa M. Adubato on her appointment as NJ Superior Court Judge.

Township Administrator Terence M. Wall

- Congratulated Deputy Mayor O'Connor on her appointment and wished her continued success;
- Congratulated Commissioner Barbara Bilger on her appointment and welcomed her back to the Township Committee;
- Congratulated former Deputy Mayor Lisa M. Adubato on her appointment as a NJ Superior Court Judge;
- Discussed the Township's electronic newsletter and informed residents that it could be accessed through the Township's website.

Township Attorney Diane U. Dabulas

- Congratulated Commissioner Bilger on her appointment and stated that she looks forward to working with her;
- Congratulated Deputy Mayor O'Connor on her appointment as Deputy Mayor;
- Informed the public that there is no update regarding the Birchwood Avenue litigation.

COMMISSIONER REPORTS/COMMENTS

Commissioner Thomas H. Hannen, Jr.

- Congratulated Deputy Mayor O'Connor and Commissioner Bilger on their appointments and extended his best wishes.

Commissioner Robert D'Ambola

- Congratulated Commissioner Bilger on her appointment and welcomed her back to the Township Committee;

- Congratulated Deputy Mayor O'Connor on her appointment as Deputy Mayor;
- Discussed various events being hosted by the Friends of the Public Library and provided contact information for those interested in attending;
- Discussed the Township's newsletter and the information that it provides. Also discussed new regulations which would require the removal of vehicles from certain roads when snow covered and informed residents that the newsletter includes a map of the streets impacted by the new regulations;
- Discussed the 2015 Paving Program and announced that a list of streets included in the program is available on the Township's website. Explained that paving would end in November, and depending on the weather, would begin again in the spring;
- Discussed an article in the Westfield Leader which included statements by Commissioner Hannen concerning costs related to the Township's consulting engineer, Maser Consulting, versus its former in-house engineering department. It was stated in the article that costs related to Maser Consulting are upwards of \$360,000, while the costs associated with the former in-house engineering department were \$250,000. Commissioner D'Ambola explained that while the costs are higher with Maser Consulting, a significant number of projects are either moving forward or were completed, as compared to when the Township had an in-house engineer. Informed residents that in-depth reports as to the status of engineering projects are provided by Maser Consulting on a regular basis, which were not provided in the past. Also discussed the immediate or timely responses from Maser Consulting, regardless of whether it is after hours or during weekends. Also discussed the projects that are underway or have been completed under the direction of Maser Consulting as follows:
 - Orchard Brook Flood Project
Explained that an outside engineer was retained approximately seven (7) years ago to prepare a plan for the Orchard Brook Project and due to the lack of follow up to obtain easements, the plan is now out of date and the Township must prepare a new plan. Stated that the money spent to prepare this plan was wasted, in addition to several years;
 - High Street Water Main Break
Explained that there was a persistent water leak on High Street coming from a property on South Avenue. The Township received a complaint from a nearby property owner who informed the Township that the leak had been an issue for at least five (5) years. Maser Consulting addressed the problem and corrected it within a short period of time;
 - Stormwater Management Regulations
Discussed the New Jersey Department of Environmental Protection's (NJDEP) Tier A Stormwater Management Regulations and explained that the Township was not in compliance with these regulations for a minimum of five (5) years. The Township was fined for its lack of compliance and for its failure to file required documentation. Maser Consulting has corrected this situation and has submitted a request to NJDEP requesting a waiver of the fines;
 - Community Rating System
Discussed efforts to participate in the National Flood Insurance Program's Community Rating System that would provide a discount to residents on flood insurance premiums. Explained that the Township is now participating in the program with assistance that was provided by Maser Consulting;
 - 2014 Paving Program
Explained that prior to retaining Maser Consulting (years 2010 to 2013), approximately one-half (1/2) mile of roadway per year (.3 mile of a roadway) was paved. During Maser Consulting's tenure, approximately 4.4 miles (22 roadways) were paved. Also discussed Maser Consulting's efforts and coordination with utility companies for the paving of roadways;
 - North Avenue Pedestrian Project
Discussed a grant in the amount of \$500,000 awarded to the Township for the North Avenue Pedestrian Project. Explained that the grant award was nearly rescinded by the State of New Jersey due to the Township's lack of progress with the project. Stated that the project was "saved" as a result of the efforts of the Township Administrator and Maser Consulting and is now underway. Also discussed the increased cost for the project due to the delay in moving it forward. In addition, explained that the former engineer failed to inform the Township Committee that twenty-two (22) parking spaces would be lost with the project. Once informed of this issue, the Township was able to identify locations for alternate parking for a majority of the lost spaces;
 - Engineering review of Zoning and Building Department applications
Discussed the number of zoning and construction code applications completed by Maser Consulting, which include both residential properties and large commercial development. Also discussed the collection of escrow fees in connection with these applications which was not collected in the past. Also discussed efforts of engineering, building and zoning departments to streamline the application process;
 - Maser Consulting Costs
Explained that the Township pays an agreed upon rate for engineering services rendered by Maser Consulting, and the Township no longer pays for overtime, sick, vacation or personal time for an in-house engineer. There is also no outstanding pension liability associated with Maser Consulting;

- Various projects

Discussed additional projects completed by Maser Consulting in 2015 including the Springfield Avenue Sanitary Sewer Project, renovations to the upper level of the Municipal Building, improvements to the Carpenter Place Basin and continued assistance by Maser Consulting with respect to the Township's opposition to the Union County College Sports Annex at the Cranford campus.

Commissioner Barbara Bilger

- Thanked the Township Committee for welcoming her back to the Township Committee. Also thanked her friends for attending the meeting this evening, along with Assemblywoman Munoz, Assemblyman Bramnick and Senator Kean;
- Congratulated former Deputy Mayor Lisa M. Adubato on her appointment as NJ Superior Court Judge;
- Thanked VFW Commander James Boxwell for attending the meeting this evening and for distributing POW/MIA pins to the Township Committee;
- Discussed her temporary appointment to the Township Committee and assured residents that she is committed to Cranford and would do her best to represent its residents;
- Announced that the Cranford PBA would be hosting a fundraiser on September 25, 2015 and provided information for those interested in attending.

Deputy Mayor Mary O'Connor

- Announced that the Historic Preservation Advisory Board is partnering with the Mayors Wellness Campaign to sponsor a Historic Walk through Downtown Cranford and provided information for those interested in participating;
- Encouraged residents to support the Farmers Market this weekend;
- Discussed recent rescue efforts by the Police Department and Fire Department and commended them for those efforts. Stated that she feels extremely fortunate to have great public safety officers who are dedicated to the community;
- Thanked former Deputy Mayor Lisa M. Adubato for her service to Cranford. Feels Ms. Adubato made a significant impact to the Township and always put the residents first. Discussed her tenure as a Township Committee member and congratulated her on her appointment as a NJ Superior Court Judge;
- Welcomed Commissioner Barbara Bilger to the Township Committee and stated that she feels she will be an asset to the Township Committee.

Mayor Andis Kalnins

- Thanked Senator Kean, Assemblywoman Munoz and Assemblyman Bramnick for attending the meeting this evening and for their constant support of Cranford;
- Announced that the Chamber of Commerce would be hosting a golf outing this week and provided information for those interested in attending;
- Announced that the Knights of Columbus would also be hosting a golf outing and provided information for those interested in attending;
- Discussed the 9/11 Remembrance Ceremony and commended the committee on hosting the event. Announced that the 9/11 committee is accepting donations to continue maintenance of Cranford's 9/11 Memorial Park;
- Welcomed Commissioner Barbara Bilger to the Township Committee;
- Thanked Deputy Mayor O'Connor for her willingness to serve as Deputy Mayor.

On motion of Commissioner Hannen, seconded by Deputy Mayor O'Connor and passed, the Township Committee adjourned at 9:15 PM.

Respectfully submitted,

Tara Rowley, RMC
Township Clerk

Date: September 15, 2015