

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **April 27, 2021** at 8:01 p.m. (via virtual teleconference.)

Due to the ongoing public health emergency, and the Governor's Executive Orders related to the same, the Township Committee of the Township of Cranford will conduct the April 13<sup>th</sup> Official Meeting remotely and by electronic means.

In accordance with N.J.S.A. 10:4-6 (the "Open Public Meetings Act") and consistent with the Department of Community Affairs, Division of Local Government Services guidelines, the Township Committee Meeting will be open to the public by electronic means. Residents can view the meetings on TV-35, YouTube CranfordTV35 and via livestream on [TV-35's Facebook Page](#).

Members of the public who wish to participate in the virtual meeting for purposes of making a public comment or to participate in any scheduled public hearing can access the videoconference at <https://meet.google.com/rkv-qdpj-nty>, or by telephone at 213-634-2478, with the access code: 367524470#

Members of the public may submit written comments in advance of a meeting, which will be read during the public portion of the meeting. Written public comments submitted prior to the meeting must identify the name and address of the commenter. No anonymous comments will be accepted. Written comments may be submitted via e-mail with the subject line "Public Comment-Township of Cranford Township Committee- Meeting Date of April 27, 2021" to the Clerk of the Township Committee, Patricia Donahue at [clerk@cranfordnj.org](mailto:clerk@cranfordnj.org) or by mail addressed to: Patricia Donahue, Municipal Clerk, Township of Cranford, 8 Springfield Avenue, Cranford, NJ 07016. E-mailed comments must be received at least eight (8) hours prior to the meeting. Mailed comments must be received by 12:00 p.m. the day before the meeting.

This meeting is in compliance with the "Open Public Meetings Act" as Adequate notice of this meeting has been provided by e-mailing the annual schedule of meetings to THE WESTFIELD LEADER, THE UNION COUNTY LOCAL SOURCE, THE STAR LEDGER, AND TAP INTO CRANFORD, by posting such annual meeting schedule on a bulletin board in the Town Hall reserved for such announcements and the filing of said notice with the Township Clerk of Cranford. Formal Action will be taken at this meeting.

**PRESENT:** Mayor Kathleen Miller Prunty  
Deputy Mayor Brian Andrews  
Commissioner Jason Gareis  
Commissioner Thomas H. Hannen, Jr.  
Commissioner Mary O'Connor

**ABSENT:** None

#### **INVOCATION AND FLAG SALUTE**

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

#### **MINUTE APPROVAL**

On motion of Commissioner Gareis, seconded by Commissioner Hannen and passed, the minutes of the Capital Budget Workshop Meeting of February 2, 2021, the Workshop Meetings of March 29<sup>th</sup> and April 12, 2021 and Conference and Official Meetings of April 13, 2021 which were approved by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Miller Prunty, Deputy Mayor Andrews, Commissioners Gareis, Hannen and O'Connor

Nay: None

Abstained: None

Absent: None

#### **PAYMENT OF BILLS**

On motion of Commissioner O'Connor, seconded by Commissioner Hannen and passed, the Bill List dated April 27, 2021, totaling \$191,921.72 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 Miller Prunty, Deputy Mayor Andrews, Commissioners Gareis, Hannen and O'Connor

Nay: None

Abstained: None

Absent: None

#### **MAYORAL REMARKS**

Mayor Miller Prunty stated that she would like to speak about the North Avenue Gateway

Redevelopment Area. She spoke about the Township's designation of this area as in area in need of redevelopment because it presents a tremendous opportunity to transform an important part of Cranford and the downtown area. She further elaborated. Mayor Miller Prunty stated that she would invite public input. She spoke about the Request for Expressions of Interest's (RFEI) specifications. Mayor Miller Prunty spoke about previous-year redevelopment efforts for the North Avenue Gateway Redevelopment Area in 2008 and 2017. She spoke about the RFEI process and noted that the process was non-binding. Mayor Miller Prunty spoke about expected next steps for the North Avenue Gateway Redevelopment process, i.e., formation of a Review Team to evaluate and score the received proposals, the Township's Planning Consultant drafting of a Redevelopment Plan, a period of community input and a Request for Proposals based on the Redevelopment Plan. Mayor Miller Prunty spoke about the importance for planning for our future. She asked members of the public to consider this matter based on facts.

### **INFORMAL MEETING**

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

Ms. Rita LaBrutto of 104 Arlington Road state that she had submitted an OPRA request on April 14<sup>th</sup> to view the RFEI's received. Ms. LaBrutto stated that the OPRA response received stated that if Ms. LaBrutto reviewed the RFEI's, an advantage would be given to competitors or bidders. She further elaborated. Mayor Miller Prunty stated that she would ask the Township Attorney to respond to Ms. LaBrutto's comment. Mayor Miller Prunty requested that everyone let the Township officials do their work. Mayor Miller Prunty stated that both she and members of the Township Committee are committed to public input. Township Attorney Ryan Cooper stated that the RFEI materials were consultative and deliberative materials. He spoke about the upcoming review and scoring of the RFEI's by the Township professionals and elaborated. Mr. Cooper stated that he RFEI materials would be subject to OPRA after the review process was completed and elaborated.

Mayor Miller Prunty asked Township Clerk Patricia Donahue if she had received public comments correspondence. Township Clerk Patricia Donahue stated that no public comments mail had arrived via the U.S. Post Service or via the Clerk's email box. Hearing no comments, Mayor Miller Prunty closed the informal meeting portion of the meeting.

### **ORDINANCE - Introduction**

#### **Ordinance No. 2021-09:**

The Township Clerk read by title only Ordinance No. 2021-09 entitled, "AN ORDINANCE TO CREATE A PEDESTRIAN MALL ON EASTMAN STREET BETWEEN NORTH AVENUE AND MILN STREET"

Said ordinance was introduced and approved on first reading on motion of Deputy Mayor Andrews, seconded by Commissioner O'Connor, and passed by the indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Miller Prunty, Deputy Mayor Andrews and Commissioners Gareis, Hannen and O'Connor

Nay: None

Abstained: None

Absent: None

**Final Reading and Public Hearing for Ordinance No. 2021-09 to be held May 25, 2021 and the publication will take place in the Westfield Leader on May 6, 2021.**

### **ORDINANCE – Final Reading and Public Hearing**

#### **Ordinance No. 2021-07:**

The Township Clerk read by title only Ordinance No. 2021-07 entitled, "AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, CHAPTER 255, ARTICLE V, USE REGULATIONS FOR THE NEIGHBORHOOD COMMERCIAL ZONE"

Deputy Mayor Andrews stated that the Public Hearing and consideration of this Ordinance would be carried to the following Township Committee Official Meeting which was scheduled to take place on Tuesday, May 11<sup>th</sup>.

### **RESOLUTION – By Consent Agenda**

On motion of Commissioner Gareis, seconded by Commissioner Hannen and passed, the following resolution was adopted by **consent agenda**:

**Resolution No. 2021-190**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, on this 27<sup>th</sup> day of April 2021, that the Township Committee hereby accepts, with regrets, the resignation of Construction Official/Building Subcode Official, Richard Belluscio, effective close of business on May 4, 2021.

**Resolution No. 2021-191**

**SUPERSEDING RESOLUTION 2021-189 - APPOINTING FRANK GENOVA AS ACTING CONSTRUCTION CODE OFFICIAL/ACTING BUILDING SUBCODE OFFICIAL, EFFECTIVE MAY 5, 2021**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, pursuant to N.J.A.C. 5:23-4.4 (6), that Frank Genova, be and hereby is, appointed as Acting Construction Code Official/Acting Building Subcode Official effective May 5, 2021 and continuing until the appointment of a permanent Construction Code Official, and in no event for a period of longer than sixty (60) days, at a per diem rate equivalent to \$90,000 per year.

**Resolution No. 2021-192**

**CANCELLING A PORTION OF ORDINANCE 2020-18 IN THE AMOUNT OF \$4,195.45 TO BRING THE ADJUSTED TOTAL ORDINANCE 2020-18 AMOUNT TO \$1,098,312.42 (SPECIAL EMERGENCY ORDINANCE)**

**WHEREAS**, the Township of Cranford, in the County of Union, declared a special emergency in November 2020 and adopted Special Emergency Ordinance No. 2020-18, as per P.L. 2020-C.74, for the amount of \$ 1,102,507.87; and

**WHEREAS**, the New Jersey Division of Local Government Services required an actual analysis of the revenue collected as of December 31, 2020 and cancellation of any overestimated shortages, and

**WHEREAS**, Township of Cranford completed 2020 operations, and

**WHEREAS**, the actual shortage of revenue is \$1,098,312.42, and

**WHEREAS**, Township of Cranford desires to cancel special emergency Ordinance funding in the amount of \$4,195.45 and

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Cranford, in the County of Union, authorizes Lavona Patterson, Chief Financial Officer to cancel Special Emergency funding in the amount of \$4,195.45 bringing the adjusted total Ordinance 2020-18 amount to \$1,098,312.42.

**Resolution No. 2021-193**

**APPROVING THE FOOD WASTE COLLECTION PROGRAM AT THE CONSERVATION CENTER**

**WHEREAS**, consistent with its goal to make the Township of Cranford a more sustainable community, the Township Committee of the Township of Cranford authorized the Cranford Green Team to explore ideas to help residents initiate cost-effective, environmentally sound changes to keep our community greener and cleaner; and

**WHEREAS**, the Cranford Green Team has identified a local solution to help the Township of Cranford reach its sustainability goals by providing residents the opportunity to divert their food material waste into renewable, sustainable energy; and

**WHEREAS**, Green Bucket Compost, LLC of 1270 Cambridge Avenue, Plainfield, New Jersey, 07062, provides food scrap diversion services for households and businesses; and

**WHEREAS**, the Township Committee of the Township of Cranford recognizes the need to encourage and develop an easy and accessible voluntary food scraps drop-off pilot program for residents through Green Bucket Compost, LLC to perform weekly pick-ups transporting collected materials to nearby sustainable waste management facilities set up to convert the waste into compost or biofuel; and

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the value of the services will not exceed the quote or bid threshold; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Cranford approves the creation of a Food Waste Collection Program for residents of the Township of Cranford and establishes an organics collection location at the Conservation Center located at 210 Birchwood Avenue, Cranford, New Jersey, 07016 as described herein; and

**BE IT FURTHER RESOLVED** that the Township Committee of the Township of Cranford directs the Township Administrator to instruct the Department of Public Works to work with the Green Team to develop and implement a public education program for residents to increase awareness of this Food Waste Collection Program and additional food waste prevention/reduction strategies.

**Resolution No. 2021-194**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, at a meeting held April 27, 2021, that the Township Committee hereby accepts, with regrets, the retirement of Jean McComb, a Records Clerk within the Cranford Police Department, effective May 1, 2021.

**Resolution No. 2021-195**

**WHEREAS**, the Township of Cranford recognizes the increase of low-flying aircrafts in the community since May 2018; and

**WHEREAS**, the increased flight traffic has created excessive noise in the community throughout various times of the day and night; and

**WHEREAS**, such extreme noise has disrupted the quality of life for Cranford residents as it has become increasingly difficult for residents to enjoy normal behaviors such as outdoor activities, watching television and listening to music; and

**WHEREAS**, the volume and frequency of the noise caused by low-flying aircrafts continue irrespective of time thus often interfering with the sleep patterns of Cranford residents of all ages; and

**WHEREAS**, the Township Committee is deeply disturbed by the impact such noise has on the health, safety and welfare of its residents; and

**WHEREAS**, the Township Committee is aware of and very concerned about the deleterious health effects such noise has on its residents, including disruption to children's learning, hearing problems, elevated blood pressure and increased stress levels; and

**WHEREAS**, the Township Committee is very concerned about the ongoing state of low-level flying especially after witnessing the detrimental effects of the 1987 Expanded East Coast Plan (EECP); and

**WHEREAS**, the Township Committee seeks to restore the aircraft routes to where they were prior to May 2018; and

**WHEREAS**, the Township Committee requests an explanation for the change in flight patterns absent proper notice and with total disregard to the effects such change has had on the environment and the residents of Cranford; and

**WHEREAS**, the Township Committee seeks assurances that Cranford's noise concerns will be addressed by city and county noise committees; and

**NOW THEREFORE, BE IT RESOLVED**, the Township of Cranford expresses its opposition to the continued low flying aircrafts and the maladies associated with such activity which is imposed onto its residents, and

**BE IT FURTHER RESOLVED**, that this resolution be sent expeditiously to the U.S. Representative Tom Malinowski, U.S. Senator Robert Menendez, U.S. Senator Cory Booker and that copies be sent to the Flight Standards District Offices (FSDO) which is the local field office of the Federal Aviation Administration (FAA) servicing Union County, located at Park 80 West, Saddle Brook, NJ 07663 as well as the Port Authority of New York and New Jersey Noise Office, c/o The Port Authority of New York and New Jersey Corporate Offices, 4 World Trade Center, 150 Greenwich Street, New York, NY 10007.

**Resolution No. 2021-196**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford that the Township Clerk be, and hereby is, authorized to advertise for the solicitation of bids for General Contractor Services at the Township's 375 Centennial Avenue facility.

**Resolution No. 2021-197**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, on this 27<sup>th</sup> day of April 2021, that the Township Committee hereby accepts, with regrets, the resignation of Heather Capone, Deputy Municipal Clerk, within the Clerk's Department, effective May 4, 2021.

**Resolution No. 2021-198**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, that the 2021 Relay for Life of Cranford Committee be, and hereby is, permitted to post purple ribbons on municipal property, including downtown lampposts, in connection with the 2021 Relay for Life event, and that said purple ribbons shall be posted not more than twenty (20) days prior to the event, and shall be removed the day following the event.

**RESOLUTION NO. 2021-199**

**WHEREAS**, the COVID-19 pandemic, resulting Executive Orders, and public health guidance have curtailed businesses', particularly restaurants and dining establishments, indoor capacity and operations; and

**WHEREAS**, as the Township Committee wishes to utilize a portion of Eastman Street, between North Avenue West and Miln Street, which is a local street in the Township of Cranford, as a public plaza for outdoor seating and gathering space for the businesses in the vicinity; and

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) requires that a municipality obtain a NJDOT permit prior to closing any street within 150 feet of a State Highway; and

**WHEREAS**, Eastman Street is not a State or County road, but is adjacent to North Avenue West, which is also known as State Highway 28, but operates as a local street running through the communities of Cranford, Garwood, Westfield, and others; and

**WHEREAS**, North Avenue West is a local road with a speed limit of 25 miles per hour for the portion adjacent to Eastman Avenue, which traverses a quiet downtown community of locally owned businesses struggling with the impacts of the pandemic, and is not a limited access highway or high-speed thoroughfare; and

**WHEREAS**, the Township of Cranford has submitted an application for such permit, which process can take a minimum of 45 days, during which Cranford's local business will be further impacted by the negative effects of the COVID-19 pandemic and its devastating impact on local businesses.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Cranford, that the Township requests that Governor Phil Murphy support efforts by local communities to assist local businesses by permitting street closures by expediting the NJDOT's permitting of street closures or waiving such permit requirement for the closure of non-State highways within downtown business districts.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Governor Phil Murphy.

Recorded vote:

Aye: Mayor Miller Prunty, Deputy Mayor Andrews, Commissioners Gareis, Hannen and O'Connor

Nay: None

Abstained: None

Absent: None

**PUBLIC COMMENTS**

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

Ms. Rita LaBrutto stated that she would read an excerpt from the (Hartz Mountain) Memorandum of Understanding (MOU), specifically Section 3.2, paragraph Article 3. Ms. LaBrutto asked about the PILOT wording in the MOU, specifically a sentence regarding the PILOT is a material and essential term of the Settlement. Ms. LaBrutto spoke about the need to be transparent. She stated that the Township had never received a presentation on this PILOT and elaborated. Ms. LaBrutto commented about the expected number of school children and financial expectations for the property at 750 Walnut Avenue as compared to today's use of the property. She commented that the settlement was signed in December (of 2020) and the Township still doesn't know the impact and the agreement. Ms. LaBrutto then spoke about the Wells Fargo site and the associated five (5) year tax abatement and a possible tax break at North Avenue Redevelopment. She stated that as a taxpayer she has had enough of discussions of tax breaks and further elaborated about her frustration.

Mayor Miller Prunty stated that there was a presentation scheduled for 750 Walnut Avenue on May 6<sup>th</sup>. Mr. Cooper spoke about presentations held regarding various Settlements including those with Hartz Mountain and Fair Share, as well as presentations, both on-line and in person. He stated that the MOU had been posted on the Township website. He stated that Hartz Mountain's position was that it must get a PILOT. Mr. Cooper stated that when the Township gets to the stage (to discuss a PILOT with Hartz Mountain) he expected that there would be a full presentation on all of the impacts of the Settlement such as the impact on the Affordable Housing obligation, the school system and our taxpayers. Mr. Cooper suggested that Ms. LaBrutto keep in mind the consequences of this project as opposed to alternative proposals such as the (previous-year) proposal of 900 apartments. Discussion ensued. Ms. LaBrutto further elaborated about her opposition to PILOT's.

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

**PROFESSIONAL COMMENTS**

**Township Clerk Patricia Donahue**

- Stated that Deputy Municipal Clerk Heather Capone had resigned from the Township and would be moving to a promoted position in another municipality. Stated that Ms. Capone had served the Township quite well for close to fifteen (15) years. Requested All to join her in wishing Ms. Capone continued career success.

**Township Administrator Jamie Cryan**

- Stated that the Township was losing three (3) long-time employees. Stated that he wanted them to know that they were appreciated and that we wished them well. Spoke about the service of Ms. Jean McComb, Ms. Heather Capone and Mr. Rich Belluscio.

## COMMISSIONER REPORTS/COMMENTS

### **Commissioner Mary O'Connor**

- Spoke about development in Cranford's future due to Affordable Housing Laws. Stated that it was more important than ever, that we, your representatives, are as open as possible during every step of the process. Stated she was unable to attend the previous night's Workshop Meeting but learned that Commissioner Hannen requested that the (North Avenue Gateway Redevelopment) matter be discussed in public (open session.) She stated that she supported his request and elaborated. Spoke about keeping the public as informed as possible. Stated that public discussion should take place in an arena that is a proper arena -- that is, at meetings that we set. Commissioner O'Connor further elaborated;
- Spoke about upcoming events: Relay for Life on May 22<sup>nd</sup> at Cranford High School and a Cranford High School JSA-sponsored Blood Drive on May 3<sup>rd</sup>;
- Thanked Ms. McComb, Mr. Belluscio and Ms. Capone for their service to Cranford and noted their remarkable work for the Township and the residents and wished them "all the best";
- Encouraged residents to be safe, continue wearing masks, practice social distancing and get vaccinated.

### **Commissioner Thomas H. Hannen, Jr.**

- Stated that he would echo Commissioner O'Connor's comments regarding Mr. Belluscio, Ms. McComb and Ms. Capone, i.e., he stated his "best wishes" to them. Stated that each of them served the Township of Cranford and its citizens in an exemplary fashion and noted his appreciation;
- Stated that he wanted to comment on Ms. LaBrutto's questions and comments. Spoke about the Township Committee's previous consideration of the 750 Walnut Avenue proposals. Stated that he believes that the Township Committee has not committed to a PILOT (with Hartz Mountain) but noted that he will now do additional homework on this matter. Noted that he did vote against the South Avenue proposal as he was concerned that it was too generous to the developers; thanked Ms. LaBrutto for bringing our attention back to this and briefly elaborated;
- Spoke about the previous evening's Executive Session discussion (of North Avenue Gateway Redevelopment) and his desire that such discussion would have been conducted in Open Session and elaborated;
- If they hadn't already done so, Commissioner Hannen encouraged residents to view Tyler Perry's acceptance speech for the Jean Hersholt Humanitarian Award (at the Academy Awards)
- Commissioner Hannen stated that as Commissioner O'Connor suggested, he encouraged residents to stay safe, get vaccinated and be healthy.

### **Commissioner Jason Gareis**

- Encouraged anyone interested in a career in law enforcement to consider applying to the Cranford Police Department and elaborated;
- Thanked all the residents who participated in the first town-wide Clean-Up event. Thanked Mayor Miller Prunty and the Clean Communities Committee for organizing the event;
- Thanked Ms. McComb, Mr. Belluscio and Ms. Capone for their service and wished them well in their future endeavors;
- Congratulated the Cranford Lacrosse Club members for their participation in the Trilogy MetLife Stadium Classic during the weekend of April 10<sup>th</sup>; Commended the Club's President, Mr. Mike Robel, and the Lacrosse Club coaches;
- Noting his comments would be similar to the previous Commissioner comments, Commissioner Gareis encouraged "masks up," and to stay safe.

### **Deputy Mayor Brian Andrews**

- Stated that he would like to comment on the Redevelopment proposal for the North Avenue Gateway Redevelopment project; stated that this initiative was an important way to take control over our destiny including getting ahead of developer lawsuits; thought the public attention to this matter was good; encouraged engagement with the process; spoke about getting public input and being transparent;

- Joined Commissioner Gareis in recognizing Green initiatives such as tonight's authorization of the food composting option (thanked the Green Team;) spoke about the Town-wide clean-up (thanked the Clean Communities Committee and the Mayor;)
- Spoke about the Township Committee's authorization pertaining to the closure of a portion of Eastman Street;
- Provided a Memorial Day Parade update and noted its postponement until 2022;
- Thanked Ms. McComb, Mr. Belluscio and Ms. Capone for their service to the Town;
- Provided Downtown Management Corporation (DMC) updates including the upcoming Cran-tucky Derby event and the new feature on the DMC website pertaining to the collection of all Cranford menus;

**Mayor Kathleen Miller Prunty**

- Wished Ms. McComb, Mr. Belluscio and Ms. Capone the "very best" and thanked them for their contributions and elaborated;
- Spoke about two (2) quality of life issues: 1) the Township Committee passed a resolution that evening regarding increased air traffic; stated that a letter would be sent to Senator Booker, Senator Menendez and Congressman Malinowski seeking an explanation as to why the flight pattern had changed and requesting that the flight pattern be restored to what it was before 2018; 2) Garbage pickup before the approved hours. Stated that the Administrator's office had reached out to garbage haulers regarding the allowed hours; Noted that letters have now been sent to the garbage haulers regarding the allowed hours of operation and the Township would be enforcing such hours;
- Spoke about the previous week's ribbon cutting event she attended with Commissioner O'Connor at Eye Décor on Centennial Avenue;
- Spoke about the upcoming Centennial Village Group's Velocity 5k Race on June 6<sup>th</sup>;
- Thanked the Scouts and members of the Clean Communities Committee for their work on the town-wide Clean-Up event; spoke about soon-to-be released signs pertaining to litter pick-up in Township playgrounds;
- Encouraged residents to social distance, wear masks and get vaccinated.

On motion of Commissioner O'Connor, seconded by Commissioner Gareis and passed, the Township Committee adjourned at 9:02 p.m.

Respectfully submitted,

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Patricia Donahue, RMC  
Township Clerk

Date: April 27, 2021