

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **January 24, 2017** 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 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 MAY BE TAKEN AT THIS MEETING.

PRESENT: Mayor Thomas H. Hannen, Jr.
Deputy Mayor Patrick F. Giblin
Commissioner Ann Dooley
Commissioner Andis Kalnins
Commissioner Mary O'Connor

ABSENT: None

INVOCATION AND FLAG SALUTE

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

MINUTE APPROVAL

On motion of Commissioner O'Connor, seconded by Deputy Mayor Giblin and passed, the minutes of the Special Workshop and Special Official Meetings of December 28, 2016, were approved by the indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: Commissioner Dooley

Absent: None

On motion of Commissioner O'Connor, seconded by Deputy Mayor Giblin and passed, the minutes of the Reorganization Meeting of January 3, 2017, Workshop Meeting of January 9, 2017 and Conference and Official Meetings of January 10, 2017 were approved by the indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

PAYMENT OF BILLS

On motion of Commissioner Kalnins, seconded by Commissioner Dooley and passed, the Bill Lists dated January 24, 2017 totaling \$5,420,926.18, 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 Hannen, Deputy Mayor Giblin, Commissioners Dooley, Kalnins and O'Connor

Nay: None

Abstained: None

Absent: None

MAYORAL ANNOUNCEMENTS

Mayoral Appointment to Tree Advisory Board

Appointment of Martha Sturm as a member of the Tree Advisory Board for a three (3) year term ending December 31, 2019.

Mayoral Appointment to Planning Board

Appointment of Dr. Christopher Chapman as a Class II member of the Planning Board for a one (1) year term ending December 31, 2017

INFORMAL MEETING

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

Frank Krause, 20 Pittsfield Street, referenced a previous meeting in which the Township Committee authorized the purchase of the Birchwood Avenue property and discussed the history and hydraulic engineering issues related to the site. Stated that former Township Engineer Gregory Sgroi was responsible for the construction of two detention basins in Cranford, and had intended to construct a third. Feels Mr. Sgroi's files, which were

provided to the Township after his passing, are very beneficial. Also discussed measurements taken by former Township Engineer Rick Marsden in connection with the detention basin and stream water in the Birchwood Avenue area. Discussed advantages a third detention basin would provide to the Township if it were simultaneously constructed with the Birchwood site. Feels it would be disappointing if the Birchwood Avenue site were to flood after it is developed, and is hopeful that the Township Committee will look into the studies conducted by both former Township Engineers.

Hearing no further comments, Mayor Hannen closed the informal meeting portion of the meeting.

RESOLUTIONS – By Consent Agenda

On motion of Commissioner Kalnins, seconded by Commissioner Dooley and passed, the following resolutions were adopted by consent agenda:

Resolution No. 2017-103:

BE IT RESOLVED by the Township Committee of the Township of Cranford, at a meeting held January 24, 2017 that Victor A. Donato be, and hereby is, appointed as the AFLAC representative for the Township of Cranford.

Resolution No. 2017-104:

BE IT RESOLVED, by the Township Committee of the Township of Cranford at a meeting held January 24, 2017 that Kevin Campbell be, and hereby is, appointed to the Swim Pool Utility Advisory Board for a one (1) year term ending December 31, 2017.

Resolution No. 2017-105:

WHEREAS, it is desirous to increase the Change Fund for the Building Department of the Township of Cranford.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford that the Building Department be and hereby is authorized and permitted to increase the Change Fund in the amount of \$30.00 to the amount of \$100.00.

Resolution No. 2017-106:

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 receipt of bids for the New Jersey Department of Transportation Local Aid Project- Improvements to Lincoln Avenue West (Section 2) Project.

Resolution No. 2017-107:

RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH UNION AVENUE 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 South Union Avenue 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-2017-South Union Avenue -00086 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.

Resolution No. 2017-108:

WHEREAS, the Township Committee of the Township of Cranford adopted a Purchasing Manual at a meeting held on October 27, 2015 via Resolution No. 2015-362; and

WHEREAS, the Township Committee desires to amend the processes associated with the Purchasing Manual to adopt electronic storage of files related to certain purchasing procedures;

WHEREAS, the Township of Cranford maintains the established Purchasing Policy Manual to support outlined the procedures, for procuring goods and services under the New Jersey Local Public Contracts Law. (N.J.S.A. 40A:11-1 et. seq.); and

WHEREAS, the Township Committee has reviewed aforementioned amendments and desires to adopt them into the existing Purchasing Policy Manual.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford, hereby adopts the amended Township Purchasing Policy Manual.

Resolution No. 2017-109:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 24th day of January 2017 that the following checks will be refunded by the Tax Collector to the lien holder according to statutory requirements:

Redemption of Certificate #14-00028

Block 465 Lot 8
 Tower Fund/Ebury Fund I NJ, LLC
 P.O. Box 37695
 Baltimore, Md. 21297-3695

Refund: \$ 38,588.70
 (7-01-55-000-010-029)
Premium: \$ 28,000.00
 (T-15-00-000-106-000)

Redemption of Certificate #15-00014

Block 320 Lot 2 Qualifier C01
 US Bank Custodian for PC4 & Crdtrs
 50 South 16th St. Suite 2050
 Philadelphia, Pa. 19102

Refund: \$ 37,201.84
 (7-01-55-000-010-029)
Premium: \$ 37,100.00
 (T-15-00-000-106-000)

Redemption of Certificate #15-00015

Block 320 Lot 2 Qualifier C02
 FWDSL & Associates, LP
 17 W. Cliff Street.
 Somerville, NJ 08876

Refund: \$ 32,011.11
 (7-01-55-000-010-029)
Premium: \$ 23,000.00
 (T-15-00-000-106-000)

Redemption of Certificate #16-00010

Block 265 Lot 2 Qualifier C083B
 TWR as Custodian /Ebury Fund I NJ, LLC
 P.O. Box 37695
 Baltimore, Md. 21297-3695

Refund: \$ 403.69
 (7-01-55-000-010-029)
Premium: \$ 300.00
 (T-15-00-000-106-000)

Resolution No. 2017-110:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 24th day of January 2017 that the Tax Collector be and hereby is authorized to expunge the following 2017 real estate taxes for reasons noted:

100% Disabled Veteran-As of January 1, 2017

Block 458 Lot 24
 Milton Fox
 3 Chester Lang Place
 Cranford, N.J. 07016

Expunged: \$4,869.95

Recorded vote:

Aye: Mayor Hannen, Deputy Mayor Giblin, Commissioners Dooley, Kalnins and O'Connor
 Nay: None
 Abstained: None
 Absent: None

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

Resolution No. 2017--111:

RESOLUTION AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO AGREEMENT FOR SALE OF REAL ESTATE FOR THE ACQUISITION OF CERTAIN PROPERTIES KNOWN AS BLOCK 291, LOT 15.01 AND BLOCK 292, LOT 2, A/K/A 215 AND 235 BIRCHWOOD AVENUE FOR PURPOSES OF REDEVELOPMENT AND MODIFICATION TO A CONTINGENT RE-PURCHASE AGREEMENT FOR THE BUY-BACK OF THE PROPERTIES

WHEREAS, Pursuant to Resolution No. 2016-394, the Township of Cranford ("Purchaser" or the "Township") Entered into an Agreement for Sale of Real Estate with Samuel P. Hekemian, Peter S. Hekemian, Richard Hekemian, Mark Hekemian and Cranford Development Associates, LLC ("CDA") (collectively, "Seller") dated January 5, 2017 ("Sale Agreement") to acquire certain properties known as Block 291, Lot 15.01 and Block 292, Lot 2 a/k/a 215 and 235 Birchwood Avenue in the Township of Cranford, Union County, New Jersey (the "Property");

WHEREAS, Purchaser and Seller have reached agreement to change certain provisions of the Sale Agreement; and

WHEREAS, Purchaser and Seller intend to memorialize their agreement by executing a First Amendment to Agreement for Sale of Real Estate ("First Amendment");

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranford, in the County of Union, New Jersey does hereby authorize execution of the First Amendment, with the following salient provisions:

1. The Township's Due Diligence Period set forth in Section 9 of the Agreement and the Due Diligence Termination Date shall be extended to expire at 11:59 P.M. EST, Tuesday, January 24, 2017.
2. The Township agrees that it will not conduct any invasive investigation or testing on the Property prior to Closing.
3. At Closing, Seller will place \$250,000 for nine months with the Escrow Agent ("Environmental Escrow Holdback") for the purpose of reimbursing the Township for remediation costs it may incur for

remediation of conditions in violation of Environmental Law, including but not limited to contamination of soil and groundwater or any hazardous waste, solid waste or other non-native debris present prior to Closing and expressly excluding site investigation costs and fees ("Remediation Costs").

4. The Re-Purchase Agreement attached to the Agreement as Exhibit E will be replaced with a new Re-Purchase Agreement that:
 - a. Reflects the change in terms of the purchase price in favor of a conventional tax structure from \$50,000/unit to \$63,000/unit based on construction of 225 housing units and other terms; and
 - b. CDA is prohibited from conducting invasive investigation or testing on the Property during CDA's due diligence period through closing, except to the extent CDA's Preliminary Assessment and/or Phase I Environmental Site Assessment identifies new Areas of Concern ("New AOCs") that did not exist on the date the Township acquired of the Property.
5. The Closing Date set forth in Section 6 of the Agreement shall be extended from 10 A.M. January 31, 2017 to 10 A.M. February 7, 2017.
6. Certified to be a true copy of a resolution adopted by the Township Committee of the Township of Cranford at a meeting held January 24, 2017.

Recorded vote:

Aye: Mayor Hannen, Commissioners Dooley, Kalnins and O'Connor

Nay: Deputy Mayor Giblin

Abstained: None

Absent: None

PUBLIC COMMENTS

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

PROFESSIONAL COMMENTS - None

COMMISSIONER REPORTS/COMMENTS

Commissioner Mary O'Connor

- Discussed the Street Smart Program to be initiated in the spring by the Cranford Police Department and the North Jersey Transportation Authority. Explained that the program addresses pedestrian safety concerns through education and enforcement, and its fundamental aspect is to change the behavior of both drivers and pedestrians to create a safer environment for everyone. Stated that the public would be kept informed of important dates and information related to the program. Also urged those walking and running outside in the dark to wear reflective gear or light colored clothing;
- Discussed the Army Corps of Engineers' public information meeting that was held at Union County College, and thanked residents who attended. Explained that the Township is working on consolidating all of the information concerning this initiative to one area on the website in an effort to keep residents updated on the project through its various stages. Provided the Army Corps of Engineers' website address for those interested, and announced that the public comment period has been extended to February 7, 2017. Urged residents to take advantage of this opportunity and to submit comments. Also announced that members of the Township Committee would be traveling to Washington DC next month to show its continued support for the project, its funding and to hopefully expedite the process;
- Congratulated the 2017 recipient of the Martin Luther King, Jr. award;
- Discussed her appointment as Commissioner of Public Affairs and discussed plans to improve the communication of events and initiatives through social media and other platforms. Encouraged residents to contact her with any ideas they may have in this regard;
- Announced that she would be holding office hours for residents once a month beginning February 7, 2017;
- Thanked Redevelopment Attorney Wanda Monahan, former Township Attorney Diane Dabulas, Township Attorney Ryan Cooper, and Township Administrator Terence Wall for their efforts with the Birchwood Avenue project. Feels this transaction will help move the Township in a positive direction.

Commissioner Andis Kalnins

- Discussed his attendance at the Chamber of Commerce's 2017 Retreat. Also discussed the role of the Chamber of Commerce and encouraged residents to support local businesses;
- Announced that the Chamber of Commerce's kickoff party would be held on January 31, 2017. Explained that this is a networking event and encouraged residents to participate and meet business owners. Provided information for those interested;
- Discussed the Mayors Council on the Rahway River Watershed. Stated that he would be attending the next meeting in Washington DC, the purpose of which is to request that legislators expedite the project. Encouraged residents to continue to contact legislators regarding this initiative;
- Announced that a Budget Workshop Meeting has been scheduled for Saturday, February 4, 2017 from 8:00 AM until 12:00 PM and invited the public to attend. Stated that he would also be holding office hours for residents wishing to meet with him regarding the 2017 Municipal Budget.

Commissioner Ann Dooley

- Discussed the recent nor'easter and preparation methods that were taken. Also discussed de-silting plans for the Rahway River and improvements planned for the flood gates;
- Discussed a cost proposal for improvements to the WWI Flagpole located at Post Office Plaza and discussed the schedule for those improvements, weather permitting;
- Discussed the Birchwood Avenue project and congratulated everyone on the committee for their efforts in investigating and analyzing the pros and cons related to this transaction. Also extended her thanks to Mayor Hannen, Redevelopment Attorney Wanda Monahan and Township Administrator Terence Wall for their efforts with this issue;
- Congratulated Cranford resident Carol Blazejowski on being named to the New Jersey Hall of Fame.

Deputy Mayor Patrick Giblin

- Discussed various events being hosted by the Friends of the Public Library and provided contact information for those interested in attending;
- Announced that there would be a 2017 Municipal Budget meeting on Saturday, February 4, 2017 from 8:00 AM till 12:00 PM. Explained that the goal is to hold a meeting at a time that might be more convenient to residents and encouraged residents to attend;
- Announced that the river cleanup would take place on April 22, 2017 and a meeting is scheduled for March 22, 2017 for those interested in participating;
- Extended his appreciation to public safety personnel for their efforts when his son was bitten by a dog. Stated that the Fire Department's Emergency Medical Services personnel and Police Department personnel were very professional and responsive.

Mayor Thomas H. Hannen, Jr.

- Extended his thanks to the professionals involved with the Birchwood Avenue property;
- Encouraged residents to submit letters to the Army Corps of Engineers in support of the proposed regional flood mitigation project. Also discussed the Township's efforts to expedite the process;
- Announced that the Army Corps of Engineers would be holding another public meeting on January 26, 2017 in City Hall in the City of Orange. Encourage residents to attend if they missed previous meetings;
- Discussed additional information that is posted on the website in connection with Township Committee meeting agendas.

On motion of Commissioner O'Connor, seconded by Commissioner Kalnins and passed, the Township Committee adjourned at 8:33 PM.

Respectfully submitted,

Date: January 24, 2017

Tara Rowley, RMC
Township Clerk