

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **April 21, 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 Lisa M. Adubato
Commissioner Robert D’Ambola
Commissioner Mary O’Connor
Commissioner Thomas H. Hannen, Jr.

ABSENT: None

INVOCATION AND FLAG SALUTE

The invocation was led by Fire Lieutenant Arthur Anderson, followed by the flag salute led by Fire Department Honor Guard.

MINUTE APPROVAL

On motion of Commissioner Hannen, seconded by Commissioner D’Ambola and passed, the minutes of the Workshop Meeting of April 6, 2015 and the Conference and Official Meetings of April 7, 2015, were approved by the indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

PAYMENT OF BILLS

On motion of Deputy Mayor Adubato, seconded by Commissioner O’Connor and passed, the bills list dated April 21, 2015 totaling \$306,356.98, 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 Adubato and Commissioners D’Ambola, O’Connor and Hannen

Nay: None

Abstained: None

Absent: None

MAYORAL ANNOUNCEMENTS

Arbor Day

WHEREAS, Arbor Day was initiated in what was once a treeless plain in the State of Nebraska and in the 19th century by pioneers coming from an abundance of trees, shrubs and flowers in their home states; and

WHEREAS, Arbor Day was originally proclaimed to be April 22nd, the birthday of J. Sterling Morton, a journalist, who through his newspaper spread agricultural data and his own enthusiasm for plantings; and

WHEREAS, Mr. Morton also encourage plantings not only by individuals but by civic organizations and volunteer groups, so that during the 1870’s more and more states passed legislation to observe Arbor Day, with the tradition beginning in schools in 1882 and spreading to many countries around the world; and

WHEREAS, while other holidays memorialize past events, Arbor Day proposes for the future, living trees being far superior to cold marble as a tribute, and are essential as windbreaks to keep soil from blowing, as well as for fuel, building materials and shade from the hot sun; and

WHEREAS, Arbor Day is the last Friday in April annually in the State of New Jersey.

NOW, THEREFORE, I, Andis Kalnins, Mayor of the Township of Cranford proclaim Friday, April 24, 2015 as **ARBOR DAY** in the Township of Cranford and encourage the support of all residents to join in the greening of our community.

RESOLUTION – By Roll Call Vote

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

Resolution No. 2015-177:

BE IT RESOLVED, by the Township Committee of the Township of Cranford, at a meeting held this the 21st day of April 2015, that Daniel Czeh, be and hereby is, appointed as Chief of Fire of the Cranford Fire Department, effective April 22, 2015, at a salary of \$134,366.

Recorded vote:

Aye: Deputy Mayor Adubato, Commissioners D'Ambola and O'Connor

Nay: None

Abstained: Mayor Kalnins and Commissioner Hannen

Absent: None

(Oath of Office administered by Township Clerk Tara Rowley)

FIVE MINUTE RECESS**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.

2015 MUNICIPAL BUDGET**PUBLIC HEARING ON 2015 MUNICIPAL BUDGET**

Deputy Mayor Adubato highlighted the main components of the 2015 Municipal Budget.

Deputy Mayor Adubato opened the public hearing on the 2015 Municipal Budget and asked if there were any questions or comments from the public. Hearing no comments, Deputy Mayor Adubato closed the public hearing on the 2015 Municipal Budget.

ADOPTION OF THE 2015 MUNICIPAL BUDGET

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

Resolution No. 2015-178:

(See Budget Insert)

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

ORDINANCES – Final Reading and Public Hearing**Ordinance No. 2015-10:**

The Township Clerk read by title only Ordinance No. 2015-10 entitled, "AN ORDINANCE AMENDING ARTICLE V, SECTION 219-73 OF CHAPTER 219 "REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988)," BY AMENDING SCHEDULE XXIII AND INCLUDING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS "PARKING METER ZONES".

Said ordinance having been advertised and posted in accordance with law, Commissioner O'Connor opened the public hearing. Hearing no comments, Commissioner O'Connor closed the public hearing. On motion of Commissioner O'Connor, seconded by Deputy Mayor Adubato and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-11:

The Township Clerk read by title only Ordinance No. 2015-11 entitled, “AN ORDINANCE AMENDING ARTICLE VIII, SECTION 219-67 OF CHAPTER 219 "REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988)," BY AMENDING SCHEDULE XVII AND INCLUDING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS “*TIME LIMIT PARKING*.”

Said ordinance having been advertised and posted in accordance with law, Commissioner O’Connor opened the public hearing. Hearing no comments, Commissioner O’Connor closed the public hearing. On motion of Commissioner O’Connor, seconded by Deputy Mayor Adubato and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-12:

The Township Clerk read by title only Ordinance No. 2015-12 entitled, “AN ORDINANCE FIXING THE SALARIES AND WAGES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY FOR THE YEAR 2015.”

Said ordinance having been advertised and posted in accordance with law, Deputy Mayor Adubato opened the public hearing. Hearing no comments, Deputy Mayor Adubato closed the public hearing. On motion of Deputy Mayor Adubato, seconded by Commissioner O’Connor and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-13:

The Township Clerk read by title only Ordinance No. 2015-13 entitled, “ AN ORDINANCE RESCINDING CERTAIN PROVISIONS OF THE CODE OF THE TOWNSHIP OF CRANFORD ”

Said ordinance having been advertised and posted in accordance with law, Deputy Mayor Adubato opened the public hearing. Hearing no comments, Deputy Mayor Adubato closed the public hearing. On motion of Deputy Mayor Adubato, seconded by Commissioner O’Connor and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-14:

The Township Clerk read by title only Ordinance No. 2015-14 entitled, “CALENDAR YEAR 2015-ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)”

Said ordinance having been advertised and posted in accordance with law, Deputy Mayor Adubato opened the public hearing. Hearing no comments, Deputy Mayor Adubato closed the public hearing. On motion of Deputy Mayor Adubato, seconded by Commissioner O’Connor and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-15:

The Township Clerk read by title only Ordinance No. 2015-15 entitled, "AN ORDINANCE TO AMEND CHAPTER 55 (ALARM SYSTEMS) OF THE CODE OF THE TOWNSHIP OF CRANFORD"

Said ordinance having been advertised and posted in accordance with law, Commissioner O'Connor opened the public hearing. Hearing no comments, Commissioner O'Connor closed the public hearing. On motion of Commissioner O'Connor, seconded by Deputy Mayor Adubato and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Ordinance No. 2015-16:

The Township Clerk read by title only Ordinance No. 2015-16 entitled, "AN ORDINANCE TO AMEND CHAPTER 168-3 (PEDDLING, CANVASSING, SOLICITING, AND ITINERANT VENDING) OF THE CODE OF THE TOWNSHIP OF CRANFORD"

Said ordinance having been advertised and posted in accordance with law, Commissioner O'Connor opened the public hearing. Hearing no comments, Commissioner O'Connor closed the public hearing. On motion of Commissioner O'Connor, seconded by Deputy Mayor Adubato and passed, said ordinance was adopted by indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

ORDINANCES – Introduction**Ordinance No. 2015-17:**

The Township Clerk read by title only Ordinance No. 2015-17 entitled, "AN ORDINANCE AMENDING ARTICLE V, SECTION 219-73 OF CHAPTER 219 "REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988)," BY AMENDING SCHEDULE XXIII AND REMOVING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS "PARKING METER ZONES." (South Avenue)

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

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Final Reading and Public Hearing for Ordinance No. 2015-17 to be held May 19, 2015.

Ordinance No. 2015-18:

The Township Clerk read by title only Ordinance No. 2015-18 entitled, "AN ORDINANCE AMENDING ARTICLE V, SECTION 219-75 OF CHAPTER 219 "REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988)," BY AMENDING SCHEDULE XXV AND ADDING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS "PERMIT PARKING AREAS." (South Avenue)

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

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Final Reading and Public Hearing for Ordinance No. 2015-18 to be held May 19, 2015.

Ordinance No. 2015-19:

The Township Clerk read by title only Ordinance No. 2015-19 entitled, "AN ORDINANCE AMENDING ARTICLE VIII, SECTION 219-67 OF CHAPTER 219 "REVISED ORDINANCES OF THE TOWNSHIP OF CRANFORD, NEW JERSEY (1988)," BY AMENDING SCHEDULE XVII AND REMOVING CERTAIN PORTIONS OF ROADWAYS AS INDICATED IN SECTION 1 BELOW AND DESIGNATING SAME AS "TIME LIMIT PARKING." (South Avenue)

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

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Final Reading and Public Hearing for Ordinance No. 2015-19 to be held May 19, 2015.

Ordinance No. 2015-20:

The Township Clerk read by title only Ordinance No. 2015-20 entitled, “AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF CRANFORD, NEW JERSEY.

Said ordinance was approved on first reading on motion of Commissioner D’Ambola, seconded by Commissioner Hannen, and passed by the indicated vote of the Township Committee:

Recorded vote:

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

Nay: None

Abstained: Mayor Kalnins

Absent: None

Final Reading and Public Hearing for Ordinance No. 2015-20 to be held May 19, 2015.

RESOLUTION – By Roll Call Vote

On motion of Commissioner D’Ambola, seconded by Deputy Mayor Adubato and passed, the following resolution was adopted by **roll call vote**:

Resolution No. 2015-179:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Downtown District Management Corporation Budget for the year 2015:

BE IT FURTHER RESOLVED, that said Budget be published in the Westfield Leader in the issue of April 30, 2015.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Cranford does hereby approve the following as the Downtown District Management Corporation Budget for the year 2015:

APPROPRIATIONS

Appropriated		
<u>General Appropriations</u>	<u>2015</u>	<u>2014</u>
Operating		
Salaries & Wages	106,422	106,422
Other Expenses	<u>83,406</u>	<u>72,312</u>
Total General Appropriations	189,828	178,734

ANTICIPATED REVENUES

Anticipated		
<u>General Revenue</u>	<u>2015</u>	<u>2014</u>
Surplus		
Miscellaneous Revenue		
Sub-total General Revenue		
Amount to be Raised by Special		
Improvement District Tax	<u>189,828</u>	<u>178,734</u>
Total General Revenues	189,828	178,734

Notice is hereby given that the Downtown District Management Corporation Budget was Approved by the Township Committee of the Township of Cranford, County of Union, on April 21, 2015. A hearing on said Budget will be held at the Cranford Municipal Building on May 19, 2015 at 8:00 p.m. at which time and place objections to said Budget for the year 2015 may be presented by Downtown Special Improvement District taxpayers or other interested persons.

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

Public Hearing for the 2015 Downtown District Management Corporation Budget to be held May 19, 2015

RESOLUTIONS – By Consent Agenda

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

Resolution No. 2015-180:
RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE CARPENTER PLACE DETENSION BASIN PIPE REPAIRS FUNDED BY THE NJDCA, CDBG – DR 2013 GRANT AND THE TOWNSHIP OF CRANFORD, UNION COUNTY, NEW JERSEY
WHEREAS, Thursday, April 2, 2015 at 10:00 am, bids were opened in the presence of the Township Engineer, Carl P. O’Brien, PE, and the Township Clerk, Tara Rowley; and
WHEREAS, the low bid for the project was received from Jo-MED Contracting Corp., 300 South Second Street, Elizabeth, NJ 07206 with a total bid price of \$77,943.00; and
WHEREAS, Maser Consulting P.A. and other appropriate Township Officials have reviewed the bids and recommend award of contract for this project to Jo-MED Contracting Corp.; 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.
WHEREAS, this Project is funded by NJDCA 2013 CDBG – DR Program and the Township of Cranford; and
WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the Township of Cranford.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranford, Union County, New Jersey that the above referenced construction project is awarded to Jo-MED Contracting Corp., 300 South Second Street, Elizabeth, NJ 07206 with a total bid price of \$77,943.00; and
BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2015-181:
REMOVED FROM AGENDA

Resolution No. 2015-182:
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, this 21st day of April 2015 that the contract with Paley Construction Company at 154 Stelton Road, Suite #4, Piscataway, NJ 08854, for Contract entitled “Renovations to the Upper Level of the Municipal Building” be revised as follows:

CHANGE ORDER NO. 2

<u>ITEM NUMBER & DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>ADD THE FOLLOWING NEW ITEMS TO THE CONTRACT:</u>			
Renovations to the Police Department bathrooms	1	\$13,555.95	\$13,555.95
	TOTAL ADDITIONS		\$13,555.95
ORIGINAL CONTRACT SUM.			\$766,708.00
NET CHANGE BY PREVIOUS CHANGE ORDERS			\$ 9,229.00
CONTRACT SUM PRIOR TO THIS CHANGE ORDER.			\$775,937.00
CONTRACT SUM DECREASED BY THIS CHANGE ORDER.			\$0.00
CONTRACT SUM ADDED BY THIS CHANGE ORDER.			\$13,555.95
NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER			\$789,492.95
TOTAL OF THIS CHANGE ORDER (+)			\$13,555.95

Resolution No. 2015-183:
A RESOLUTION REQUESTING AN EXTENSION OF TIME FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NORTH AVENUE STATION PLAZA PEDESTRIAN IMPROVEMENTS PROJECT
WHEREAS, the Township was awarded a grant from the New Jersey Department of Transportation for the project known as the TV- 2011 North Avenue Station Plaza Pedestrian Improvements - NJDOT Major Access Permits Project # S-28-N-0003-2013; and
WHEREAS, an extension of time is needed for said project in order to rebid the project and obtain all required permits from the New Jersey Department of Transportation.
NOW, THEREFORE, BE IT RESOLVED, that the Township of Cranford does hereby officially request an extension of time from the New Jersey Department of Transportation for the grant award for the aforesaid project until July 31st, 2015.

Resolution No. 2015-184:**RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE NORTH AVENUE STATION PLAZA PEDESTRIAN IMPROVEMENTS PROJECT**

WHEREAS, the Township was awarded a grant from the New Jersey Department of Transportation for the project known as the TV- 2011 North Avenue Station Plaza Pedestrian Improvements - NJDOT Major Access Permits Project # S-28-N-0003-2013; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranford hereby authorizes the advertisement for the project entitled North Avenue Train Station Plaza Pedestrian Improvements.

Resolution No. 2015-185:

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 the collection and marketing of recycling materials.

Resolution No. 2015-186:**RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE NJ TRANSIT SECTION 5310 PROGRAM**

WHEREAS, the Federal Transit Administration makes funds available through the Section 5310 Grant Program to improve mobility for seniors and individuals with disabilities; and

WHEREAS, the Township of Cranford desires to submit an application for a new vehicle and operating assistance to sustain and improve the Senior Bus Program that provides transportation services to senior citizens and individuals with disabilities; and

WHEREAS, in the event that a local match is required, the Township will make available the necessary funds up to twenty percent (20%) for the vehicle request and up to fifty percent (50%) for the operating assistance request; and

NOW, THEREFORE, BE IT RESOLVED that Stephen Robertazzi, Director of Recreation, is designated as the contact person for the above stated application; and

BE IT FURTHER RESOLVED that the Township Committee formally approves this grant application; and

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

Resolution No. 2015-187:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 21st day of April 2015 that the following checks will be refunded by the Tax Collector to the lien holder according to statutory requirements:

Redemption of Certificate# 14-00007

Block 184 Lot 16

Refund: \$ 9,872.46

Township of Cranford

8 Springfield Ave.

Cranford, N.J. 07016

Redemption of Certificate# 14-00030

Block 487 Lot 1

Refund: \$ 33,614.64

US Bank Custodian for BV001 Trust

Premium: \$ 70,100.00

50 South 16th St. Suite 2050

Philadelphia, Pa. 19102-2513

Resolution No. 2015-188:

BE IT RESOLVED by the Township Committee of the Township of Cranford on the 21st day of April 2015 that the Tax Collector be and hereby is authorized to refund the following payments of 2015 real estate taxes for reasons noted:

Overpayment of 2015 Taxes Due to Homestead Rebate:

Block 624 Lot 12

Refund: \$ 582.69

Linda Rispoli

7 Oraton Drive

Cranford, N.J. 07016-3321

Resolution No. 2015-189:

MOVED TO ROLL CALL VOTE (see below)

Resolution No. 2015-190:

WHEREAS, the Township of Cranford is in need of an expert to provide engineering services related to audio visual upgrades in Council Chambers of the Cranford Municipal Building; and

WHEREAS, Tele-Measurements, Inc., 145 Main Avenue, Clifton, New Jersey 07014 submitted a proposal dated March 24, 2015 to provide a fully designed engineering drawing package and bid documents in connection with the aforementioned project at a cost not to exceed \$8,904.00.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranford be and hereby authorizes an award of contract to Tele-Measurements, Inc. for engineering services in connection with audio visual upgrades for Council Chambers; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified as to the availability of funds,

which is on file in the Office of the Township Clerk.

Recorded vote:

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

Nay: None

Abstained: None

Absent: None

RESOLUTIONS – By Roll Call Vote

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

Resolution No. 2015-189:

BE IT RESOLVED that the Township Committee of the Township of Cranford be and hereby authorizes the closure of a portion of Municipal Lot No. 4, the upper portion of the lot and the South Avenue entrance, every Sunday from June 7, 2015 to October 9, 2015 in connection with the "Farmers Market" event sponsored by Cranford Community Connection.

Commissioner Hannen announced that he would be opposing the adoption of Resolution No. 2015-189 because he feels the farmer's market creates unfair competition for businesses that are required to pay the Special Improvement District (SID) tax and other taxes to the Township of Cranford.

Recorded vote:

Aye: Mayor Kalnins, Deputy Mayor Adubato, Commissioners D'Ambola and O'Connor

Nay: Commissioner Hannen

Abstained: None

Absent: None

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

Resolution No. 2015-191:

BE IT RESOLVED by the Township Committee of the Township of Cranford at a meeting held April 21, 2015 that Robert Colaneri be, and hereby is, appointed as a per diem Special Law Enforcement Officer within the Cranford Police Department, effective April 22, 2015.

Recorded vote:

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

Nay: None

Abstained: Commissioner D'Ambola

Absent: None

PUBLIC COMMENTS

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

Edward Helmstetter, 70 Burnside Avenue, Tree Advisory Board, discussed his disappointment with the removal of the Pepperidge tree. Also expressed concern with the presentation of an Arbor Day proclamation on the day the Pepperidge Tree was removed. Feels many residents were taken by surprise by the removal of the tree today and also expressed disappointment that it was removed unceremoniously.

Tina Helmstetter, 70 Burnside Avenue, discussed the historical significance of the Pepperidge tree to Cranford. Stated that in 1977 the Township removed a home in close proximity to the Pepperidge tree in order for the tree to remain. Also discussed historic preservation efforts by the Township and stated that Lincoln Park was designated as one of those historic sites. Discussed various reports by tree experts recommending the preservation of the Pepperidge tree. Stated that she is mourning "Cranford's oldest resident" and expressed concern that she is scheduled to speak at Cranford Schools concerning tree preservation. Also expressed concern that notice to remove the tree was not made public. Stated that she is disappointed with the Township Committee and feels many people did not attend the meeting tonight because they are also disappointed with the Township Committee. Presented photographs she took of the Pepperidge tree as it was being removed. Feels residents were not made aware that the tree was being removed and hope residents that were made aware express their disappointment with its removal to the Township Committee.

Barbara Krause, 20 Pittsfield Street, Tree Advisory Board member, stated that she agrees with the comments made by both Ed and Tina Helmstetter. Feels the Township is unaware of how fortunate it is to have Tina Helmstetter as a member of the Tree Advisory Board because of the knowledge she possesses. Discussed a unanimous vote taken by the Tree Advisory Board in 2012 to take the steps necessary to restore the Pepperidge

tree and questioned why that vote was disregarded for three (3) years. Explained that the most recent vote in 2015 to remove the tree was done via email by a Township Committee member and questioned why the vote in 2015 was considered while the vote in 2012 was ignored. Discussed various reports conducted on the health of the Pepperidge Tree. Feels minimal measures could have sustained the tree for a period of time. Discussed the likelihood of failure of the tree by expert Neil Hendrickson of Bartlett Tree Research Laboratories. Also discussed the report prepared by Maser Consulting and Neil Hendrickson's statement that Maser Consulting did not use industry standards when conducting its risk assessment of the tree. Mr. Hendrickson feels the reports could not be compared because the same standards were not used. Discussed other contradictions between the reports prepared by Maser Consulting and Bartlett Tree Research Laboratories.

Mrs. Krause also discussed the recreational area at Lincoln Park and questioned why it was moved closer to the tree. Feels the decision to move the recreational area should be reassessed. Also referred to comments made by Jim Nichnadowicz at a previous Township Committee meeting and Mr. Nichnadowicz's support for preservation of the Pepperidge tree. Feels Maser Consulting's tree expert's credentials are questionable and expressed concern with the presentation by Maser Consulting's tree expert during the last Township Committee meeting. Feels he did not address the Township Committee but lectured the residents in the audience. Feels the Pepperidge tree did not show any signs of weakness while it was being taken down.

Mrs. Krause also stated that the Tree Advisory Board's vote to remove the tree was not unanimous and stated that she and Tina Helmstetter did not support its removal.

Joseph Colangelo, 28 Grove Street, stated that he brought his children to Lincoln Park to witness the removal of the Pepperidge tree. Stated that he understands that many people might feel it is "just a tree" but he feels it was a symbol of Cranford. Feels the Pepperidge tree had a lot of value and feels many residents would be interested in having chips for mulch and other pieces that were once part of the Pepperidge tree. Discussed his involvement with the boy scouts and how this involvement taught him about the democratic process. Stated that while he was unaware of the debate to remove the Pepperidge tree, he does not have an issue with process and the vote to remove the tree, but feels a ceremony should have been held.

Frank Krause, 20 Pittsfield Street, stated that he agrees with the comments made concerning the removal of the Pepperidge tree. Discussed a recent walk he took through the Township in which he noticed that all of the roads are tree-lined and subject to danger. Questioned why the Pepperidge tree was singled out and removed because of a safety issue when other potentially hazard situations exist. Discussed two conflicting reports prepared by tree experts regarding the safety of the tree. Presented photographs of the tree as it was being removed and feels it showed no evidence of rot. Feels the Township might have made a mistake with its removal and the matter should be investigated. Feels residents would like evidence of the tree's condition before all remnants of it are removed.

Monica Shimkus, 104 Miln Street, expressed regret that she arrived late and was unable to save the Pepperidge tree. Feels the Township made a mistake with its removal. Feels people were grieving and horrified as they watched the removal of the tree. Stated that she agrees with Dr. Krause's statement that a sample of the remnants should be examined by an expert to determine the actual condition of the tree. Feels removing the tree without letting people know was underhanded and cowardly, and feels a ceremony should have been held to celebrate the life of the tree. Stated that a community is more than the just the sum of the people who live and work in it. Feels architecture also distinguishes a community.

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

PROFESSIONAL COMMENTS

Township Administrator Wall

- Congratulated the Cranford Fire Department on its heritage and its bright future. Acknowledged former Chief Dolan and his years of service to the Township. Also thanked Acting Fire Chief Russamano for his service and congratulated newly appointed Fire Chief Czeh. Stated that he is proud of the Fire Department's success in the past and is looking forward to the future;
- Thanked the Township Committee and all the departments involved for their support regarding the budget process. Assured the Township Committee that the budget would be continuously monitored to ensure the Township stays on track financially.

COMMISSIONER REPORTS/COMMENTS

Commissioner Thomas H. Hannen, Jr.

- Congratulated newly appointed Fire Chief Daniel Czeh and stated that the Township Committee stands ready to assist him in keeping the department successful;
- Discussed an Eagle Scout project which involves the hosting of an emergency preparedness seminar at the Community Center. Provided information for those interested in attending. Explained that the project also involves the distribution of emergency preparedness leaflets throughout the Township in an effort to provide information to residents that would assist them in preparing for an emergency;

- Discussed a recent newspaper article entitled “Redevelopment creates a neighborhood in downtown Cranford”. Stated that he took issue with some comments within the article. Feels neighborhoods are good when the Township has the opportunity to plan and develop them with input from citizens to ensure that they fit within the existing community. Feels development that is forced upon a municipality from outside entities does not make for good neighborhoods;
- Referenced the book the “Giving Tree” and read an excerpt from it. Discussed Cranford residents who sat beneath the Pepperidge tree as boys who are now adult men. Stated that those men were in attendance today as the tree was being removed. Feels the tree did not need to be removed and believes photos taken of the tree during its removal are evidence of that. Discussed the way in which the tree was removed and explained that it involved the entire removal of one side of the tree’s crown and then the other side. Discussed concerns expressed with the safety of the tree and its potential for overturning. Feels if this were accurate the tree would have overturned when the first side of the crown was removed. Discussed ideas to commemorate the tree and discussed an idea suggested by TV 35 Station Manager, Edward Davenport. Mr. Davenport’s suggestion involves cutting the tree on an angle exposing its rings and marking a historical event that occurred next to the corresponding ring. The markers could reference a historical event that occurred in Cranford and/or within the nation. Feels Mr. Davenport’s idea would be the most fitting memorial for the Pepperidge tree.

Commissioner Robert D’Ambola

- Congratulated newly appointed Fire Chief Daniel Czeh on his promotion and stated that he was proud to be part of the selection process. Feels Fire Chief Czeh will be a great leader and also feels he has a great bench of officers to support him. Feels the Township will continue to provide a high level of emergency services for Cranford residents;
- Discussed various events being hosted by the Friends of the Public Library and provided contact information for those interested in attending;
- Provided an update of road resurfacing projects. Discussed the paving schedule for Springfield Avenue and asked drivers to use caution when driving in work zones. Mentioned that the 2014 Road Resurfacing Project is continuing and listed the various streets that would be affected. Also announced that the notification time has been increased to forty-eight (48) hours to provide additional time for residents to remove vehicles from the street when roadwork is scheduled;
- Discussed efforts to complete the 2015 Capital Budget. Once the process is complete, the Township would be able to move forward with the 2015 Road Resurfacing Program. Explained that the Department of Public Works has been prioritizing roads to create a paving schedule;
- Discussed a grant the Township was awarded from the New Jersey Department of Transportation for various roadway improvements;
- Announced that a notice to bidders would be advertised next month for the North Avenue Station Pedestrian Improvement Project;
- Extended his apologies to those in attendance for not notifying them of the removal of the Pepperidge tree. Discussed the various reports conducted that indicated that the tree was going to fail and hopes this is substantiated when the tree is examined. Informed residents that he was not looking forward to having the Pepperidge tree removed and explained that the Township did not have a set date concerning its removal. Assured residents that the decision was not made hastily and has been a topic of discussion for approximately six (6) years. Explained that the Township Committee had to move forward with its best information, which was to remove the hazard. Stated that he agrees with Commissioner Hannen regarding the book the “Giving Tree” and all that the Pepperidge tree has given to Cranford. Extended his apologies once again for not notifying residents and explained that it was the intention of the Township Committee to hold a ceremony once it is determined how the tree would be memorialized, rather than holding a ceremony during the tree’s removal. Discussed possible ideas for commemorating the Pepperidge tree.

Commissioner Mary O’Connor

- Discussed the Pedal Paddle Fun event. Thanked all involved and extended a special thanks to Chairperson Martha Garcia.
- Announced that the Cranford Community Connection would be partnering with the Municipal Alliance to plan a Cranford Family Day in Downtown Cranford;
- Announced that the Environmental Commission is hosting an Earth Day Celebration and discussed various events planned. Provided details for those interested in participating;
- Discussed the removal of the Pepperidge tree and stated that while she is sad about the loss of the Pepperidge tree, she believes its removal was necessary. Read an excerpt from a report by Dr. Neil Hendrickson regarding the Pepperidge tree as follows, “because of the large limb failure, there has been substantial strength loss, meaning that less load than the tree previously endured could cause failure”. In addition, “the potential loading from wind has changed because the large loss of crown has changed the crown’s shape and its ability to damp the force of wind”. Also stated that Dr. Hendrickson’s risk assessment indicated that failure of the tree was possible to probable within a three (3) year period and while remediation options were available, that remediation would have fundamentally altered the tree with no guarantee of success. Discussed a tragic incident that occurred in Westfield involving a tree accident. Stated that she visited the Pepperidge tree with Mr. Helmstetter last week and would like to see

the Pepperidge tree memorialized with care and not remembered for injuring or killing someone, especially a child in a playground;

- Congratulated Fire Chief Czeh on his promotion. Feels a new era for the Cranford Fire Department would begin under his leadership and with the solid team of officers, exceptional firefighters, call members and EMTs. Stated that she looks forward to working with everyone.

Deputy Mayor Lisa M. Adubato

- Discussed the responsibilities of the Township Committee such as appointing a new Fire Chief, adopting the budget, and “unpopular choices” such as removal of the Pepperidge tree. Explained that governing should not be a “popularity contest”. Further explained that the Township Committee is charged with weighing the interest of all residents and balancing those interests. Stated that removal of the Pepperidge tree was not an easy decision, but believes it was the right choice because she would always air on the side of protecting residents. Explained that the Township Committee was presented with compelling evidence from experts indicating that failure of the tree was probable and the consequences of such failure were severe. Assured residents that the vote to remove the tree does not mean that she did not respect the opinions or the heartfelt emotions of people who were so clearly vested in this issue and had genuine feelings for it. All opinions were taken into account when making this decision. Stated that while she is sorry that the tree is gone, she would continue to take her obligation seriously knowing she would not be able to please everyone.

Mayor Andis Kalnins

- Discussed the removal of the Pepperidge tree and explained that this was an issue that could have had dire consequences. Discussed the reports conducted by tree experts, which all indicated that the tree would eventually fail. Also explained that healthy limbs were above the damaged area and could have broken off causing serious consequences. Stated that he has been a proponent for many historical projects in Cranford. Feels that the removal of the tree was the best solution rather than de-beautifying it;
- Congratulated newly appointed Fire Chief Daniel Czeh and wished him good luck with his future in the Fire Department;
- Extended his thanks to Acting Fire Chief Dean Russamano for his leadership and for providing the Township with a sense of security during the search process for the new Fire Chief;
- Thanked former Fire Chief Lenard Dolan for his thirty-seven (37) years of service to Cranford;
- Discussed the 2015 Municipal Budget and mentioned that funds were included for two (2) additional firefighters as part of the budget process;
- Referred to comments Commissioner Hannen made regarding redevelopment in the downtown. Explained that the adoption of the new Land Use Ordinance in 2014 provides developers with a guide that would help maintain the Township’s character and is hopeful that the stability provided through the new Land Use Ordinance would encourage new development;
- Thanked Chief Financial Officer Patterson and Township Administrator Wall for their efforts with the 2015 Municipal budget. Informed residents that the State of New Jersey provided its approval with minimal comments. Also thanked all Department Managers for their involvement with the budget;
- Thanked the Jaycees for their continued effort and support of different organizations in Cranford;
- Discussed the Day of Remembrance celebration that is being held and announced that Cranford has been selected as the State site for the ceremony. Provided information for those interested in attending;
- Thanked all those in attendance at tonight’s meeting.

On motion of Commissioner D’Ambola, seconded by Commissioner Hannen and passed, the Township Committee adjourned at 10:00 PM.

Respectfully submitted,

Tara Rowley, RMC
Township Clerk

Date: April 21, 2015