

The Minutes of the **Official Meeting** of the Township Committee of the Township of Cranford, County of Union, State of New Jersey on **September 10, 2019** at 7:32 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 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 Patrick F. Giblin  
Deputy Mayor Ann Dooley  
Commissioner Thomas H. Hannen, Jr.  
Commissioner Jean-Albert Maisonneuve  
Commissioner Mary O’Connor

**ABSENT:** None

**INVOCATION AND FLAG SALUTE**

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

**MINUTE APPROVAL**

On motion of Commissioner Maisonneuve, seconded by Commissioner Hannen and passed, the minutes of the Workshop Meetings of June 10, July 8, and August 13, 2019; Conference Meetings of June 11 and July 9, 2019 and Official Meetings of July 9, and August 13, 2019 were approved by indicated vote of the Township Committee:

Recorded vote:

Aye: Mayor Giblin, Deputy Mayor Dooley, Commissioners Maisonneuve, Hannen and O’Connor

Nay: None

Abstained: None

Absent: None

**PAYMENT OF BILLS**

On motion of Commissioner O’Connor, seconded by Deputy Mayor Dooley and passed, the Bill List dated September 10, 2019, totaling \$5,407,163.10 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 Giblin, Deputy Mayor Dooley, Commissioners Hannen, Maisonneuve and O’Connor

Nay: None

Abstained: None

Absent: None

**INFORMAL MEETING**

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

Keith Loughlin, Hill Wallack, LLP Attorneys at Law, represents Hartz Mountain, Inc., spoke in opposition to Resolution No. 2019-314 which accepts the Planning Board’s recommendation to not rezone the property located at 750 Walnut Avenue. Discussed a letter sent to the Township Committee describing reasons for rezoning the property to permit multi-family development. Feels it is hard to believe that the current C3 zoning does not provide viable development options for 750 Walnut Avenue. Requested that the Township Committee reject the Planning Board’s decision to deny Hartz Mountain’s rezoning application. Thanked the Township Committee for their time and consideration.

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

**RESOLUTIONS – By Consent Agenda**

On motion of Commissioner Maisonneuve, seconded by Commissioner O’Connor and passed, the following resolutions were adopted by consent agenda:

**Resolution No. 2019-297:**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS, N.J.S.A. 40A: 5-4** requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS,** the Annual Report of Audit for the year **2018** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS, R.S. 52:27BB-34** authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all

members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS**, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Cranford hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**Resolution No. 2019-298:**

**BE IT RESOLVED**, by the Township Committee of the Township of Cranford on the 10<sup>th</sup> day of September, 2019 that the Tax Collector has been authorized to refund tax payment:

**TAX PAYMENT**

Block 631 Lot 6 (11 Ramapo Rd.)  
Dawn Severini  
11 Ramapo Road  
Cranford, NJ 07016

**Refund \$5,000.00**  
(9-01-55-000-010-025)

**Resolution No. 2019-299:**

**BE IT RESOLVED**, by the Township Committee of the Township of Cranford on the 10<sup>th</sup> day of September, 2019 that the Tax Collector has been authorized to refund tax overpayments for the reason noted:

**State Appeal Judgement**  
**2009**

Block 392 Lot 3.01, 205 Birchwood Ave  
Michael A. Vespiano, Atty Trust Acct  
331 Main Street  
Chatham, NJ 07928

**Refund \$ 67,830.00**  
(9-01-55-000-010-028)

**2010**

Block 392 Lot 3.01, 205 Birchwood Ave  
Michael A. Vespiano, Atty Trust Acct  
331 Main Street  
Chatham, NJ 07928

**Refund \$ 78,514.80**  
(9-01-55-000-010-028)

**Resolution No. 2019-300:**

**BE IT RESOLVED**, that the Township Committee of the Township of Cranford hereby ratifies, approves and affirms the resignation of Mary Ann Hay as an Alternate Number 2 (two) member of the Zoning Board of Adjustment effective immediately.

**Resolution No. 2019-301:**

**A RESOLUTION APPROVING SALARY STEP PROGRESSION FOR EMPLOYEES PURSUANT TO THE TOWNSHIP’S SALARY ORDINANCE**

**WHEREAS**, the Township Committee adopted Ordinance No. 2016-06 which established ranges with minimum and maximum salaries and progressive salary steps for certain job titles within the Township of Cranford; and

**WHEREAS**, pursuant to Ordinance No. 2016-06, the Township Committee reserves the right and discretion to make salary adjustments at any time as it deems it to be in the public interest and in the interests of good management.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee be and hereby approves the progression in steps and salary increases for the following employees in the following job titles:

Name	Title	Range #	Step #	Base Salary	Effective
Peter Barnett	Tax Assessor	6	COLA	\$112,404.00	June 1, 2019
Richard Belluscio	Construction Code Official	5	COLA	\$130,540.72	June 1, 2019
Erik M. Hastrup	Assistant DPW Superintendent	9	COLA	\$86,594.94	June 1, 2019
Steven Wardell	Superintendent of Public Works	6	COLA	\$130,321.70	June 1, 2019

**Resolution No. 2019-302:**

**BE IT RESOLVED**, by the Township Committee of the Township of Cranford, that Karyn King be, and hereby is, appointed as Tax Collector for a three (3) year term ending September 10, 2022.

**Resolution No. 2019-303:**

**BE IT RESOLVED**, by the Township Committee of the Township of Cranford that Christopher Houghton be, and hereby is, appointed as the Deputy Tax Collector, effective September 11, 2019.

**Resolution No. 2019-304:**

**BE IT RESOLVED**, by the Township Committee of the Township of Cranford, at a meeting held September 10, 2019 that Sarah Ritter be, and hereby is, appointed as permanent part-time Office Assistant within the Building Department, effective September 11, 2019.

**Resolution No. 2019-305:**

**WHEREAS**, the Township of Cranford wishes to purchase certain goods and services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J. S. A. 40A:11-12; and

**WHEREAS, Tele-Measurements, Inc. 145 Main Avenue, Clifton, New Jersey 07014** has been awarded New Jersey State Contract # T1466 for technology upgrades to Township Building Room 108; and

**WHEREAS**, Tele-Measurements, Inc., will provide said equipment to the Township of Cranford at a cost not to exceed \$15,208.25; and

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

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Cranford be and hereby approves an award of contract to **Tele-Measurements, Inc.** for the purchase of technology upgrades for Township Building Room 108 at a cost not to exceed \$15,208.25, under New Jersey State Contract #T1466; and

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

**BE IT FURTHER RESOLVED** that said contract amount shall be charged to Account No. x-xx-xx-xxx-xxx-xxx.

**Resolution No. 2019-306:**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford and hereby authorizes the closure of Eastman Street from North Avenue West to South Union from 12:30PM to 4:30PM for events on the following dates:

September 22, 2019 – Music at the Clock

September 29, 2019 – Music at the Clock (rain date)

**Resolution No. 2019-307:**

**REMOVED FROM AGENDA**

**Resolution No. 2019-308:**

**WHEREAS**, on August 15, 2017, the Township of Cranford authorized an award of contract with Aquatic Services, Inc. for the winterizing and startup of the Centennial Avenue Outdoor Pools and Orange Avenue Outdoor Pool for the 2017-2018 and 2018-2019 seasons; and

**WHEREAS**, the Township of Cranford has exercised the initial two (2) year contract term and based on the bid specifications there is an option of two (2) additional one (1) year extensions of the term of the contract pursuant to N.J.S.A. 40A: 11-15; and

**WHEREAS**, approval of an additional one-year extension of said contract would be for a third year (2019-2020); and

**WHEREAS**, pursuant to this statute any price change included as part of an extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed; and

**WHEREAS**, the Township finds that the work Aquatic Services, Inc. has performed has been done in an effective and efficient manner; and

**WHEREAS**, Charles E. Meade, Jr., President of Aquatic Service, Inc. wishes to extend the contract for one (1) additional year; and

**WHEREAS**, the Chief Financial Officer and Director of Finance have certified as to the availability of funds which is on file in the Office of the Township Clerk;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Committee of the Township of Cranford:

1. That the aforementioned contract between the Township of Cranford and Aquatic Services, Inc. be, and hereby is, extended to include the 2019-2020 season; and
2. That the sum to be paid to the Contractor for the 2019-2020 season is \$77,422.20, an increase of \$1,888.34, or 2.5% above the 2018-2019 contract price.
3. That the terms and conditions of the contract remain substantially the same; and
4. That the Mayor and Township Clerk be, and hereby are, authorized to sign a contract renewing it for one (1) year for with Aquatic Services, Inc. for the winterizing and startup of the Centennial Avenue Outdoor Pools and Orange Avenue Outdoor Pool.

**Resolution No. 2019-309:**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford that the annual salary for Ruth Nicholas as the Zoning Office Assistant, be and hereby is set at \$43,570 effective September 11, 2019.

**Resolution No. 2019-310:**

**BE IT RESOLVED** that the Township Committee of the Township of Cranford hereby authorizes the closure of Eastman Street from North Avenue West to Miln Street, and the closure of Miln Street from North Avenue West to Eastman Street for the Scarecrow Stroll Weekend as follows:

Friday, October 18, 2019 – 5:00PM – 9:00PM

Saturday, October 19, 2019 – 12:00PM to 8:00PM

Sunday, October 20, 2019 – 10:00AM to 4:00PM

**Resolution No. 2019-311:**

**BE IT RESOLVED** by the Township Committee of the Township of Cranford, that the Cranford Veterans of Foreign Wars (VFW) be, and hereby is, authorized the retroactive utilization of Post Office Plaza for a flag retirement ceremony on September 7, 2019; and

**BE IT FURTHER RESOLVED** that the Township Committee hereby authorizes the retroactive closure of Eastman Street from North Avenue to Miln Street and the retroactive closure of Miln Street from North Avenue to Eastman Street on September 7, 2019 from 12:00 PM to 3:00 PM in connection with said ceremony.

**Resolution No. 2019-312:**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PERSONNEL POLICY AND PROCEDURES MANUAL**

**WHEREAS**, on the 9<sup>th</sup> day of September 2014, the Township Committee of the Township of Cranford (the “Township”), in recognition of the efficiency of setting forth the terms, conditions and emoluments of employment in a central Manual, adopted Resolution No. 2014-341, Approving the Township of Cranford Personnel Policies and Procedures Manual; and

**WHEREAS**, on the 2<sup>nd</sup> day of January 2019, the Township Committee adopted Resolution 2019-28, Implementing a formal policy regarding travel and expenses reimbursement; and

**WHEREAS**, the Township and its Administration, on a regular basis, reviews its Personnel Policy and Procedures Manual; and

**WHEREAS**, the Administration recommends that its formal policy regarding travel and expenses reimbursement should be revised to maintain a high standard of employment conduct; and

**WHEREAS**, the Administration has drafted the amendments to the Personnel Policy and Procedures Manual relating to these topics and desires that these changes be adopted by the governing body and incorporated as part of the Township's Personnel Policy and Procedures Manual.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey as follows:

Section Four entitled, “Compensation & Employee Benefits Policies” is hereby amended to include the attached supplement which will be on file with the Township Clerk.

**BE IT FURTHER RESOLVED**, that the Administrator is hereby authorized to take the necessary steps to incorporate these amendments as part of the Personnel Policy and Procedures Manual effective immediately.

**Resolution No. 2019-313:**

**REMOVED FROM AGENDA**

**Resolution No. 2019-314:**

**RESOLUTION ACCEPTING PLANNING BOARD’S RECOMMENDATION TO NOT REZONE PROPERTY LOCATED IN THE C-3 ZONE**

**WHEREAS**, H-Cranford Credit Limited Partnership is the owner of the property located at 750 Walnut Avenue in the Township of Cranford the same designated on the Tax Map of the Township of Cranford as Block 541, Lot 1 (the “Property” or the “Site”), which; and

**WHEREAS**, Hartz Mountain Industries, Inc., (“The Applicant”) an affiliate of H-Cranford Credit Limited Partnership owning 99% of H-Cranford Credit Limited Partnership is itself owned by Hartz Mountain Industries – NJ LLC, which is owned by The Hartz Group Inc., which is owned by the Leonard H. Stern Trust, by way of application before the Planning Board of the Township of Cranford requested a recommendation to re-zone the Property to eliminate the current office and warehouse use in favor of inclusionary multi-family residential use (“Proposed Rezoning”); and

**WHEREAS**, the Planning Board, pursuant to Cranford Township Land Development Ordinance, Article VIII (the “Application for Rezoning”) Section 136-59 et seq., had subject matter jurisdiction over the Application for the Proposed Rezoning; and

**WHEREAS**, the Planning Board held 15 duly noticed public hearings to consider the Application, at which the Applicant was represented by counsel, and at which the Board received fact and expert testimony, numerous exhibits, and public comment; and

**WHEREAS**, on September 4, 2019, the Planning Board memorialized its factual findings and legal conclusions in a report and recommendation to deny the Applicant’s Proposed Rezoning (the “Report and Recommendation”); and

**WHEREAS**, the Report and Recommendation and Applicant’s application for Proposed Rezoning have been transmitted to the Township Committee;

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Cranford, in the County of Union, New Jersey that the Planning Board’s Report and Recommendation are accepted;

**BE IT FURTHER RESOLVED** that, the Township Committee denies the Applicant’s Proposed Rezoning for the reasons set forth in the Report and Recommendation.

**Resolution No. 2019-315:**

**REMOVED FROM AGENDA**Recorded vote:

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

Nay: None

Abstained: None

Absent: None

**PUBLIC COMMENTS**

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

Jason Stevens, 9 Richmond Avenue, stated that his property is located off of Riverside Drive. Thanked the Township Committee for their extensive work towards flood mitigation projects in town. Discussed various flood mitigation efforts made in Cranford. Thanked the Township Committee for their weather updates regarding inclement weather on social media. Mentioned the flash flooding on his street and the negative financial impact it has had on his family and well-being. Discussed the elevation of his home and requirements that need to be met. Explained that impervious surface is needed in order to meet setback requirements. Asked for the Township Committee to review the town's current zoning laws to address the issue. Discussed an issue with the Engineering Department and the timeline for reviewing plans. Recommended that the Township Committee bring back a full-time Engineer. Would like to have his home elevated this year. Thanked Zoning Officer Bottcher for returning his phone calls and helping move the project forward. Asked the Township Committee to please help in get the appropriate permits for the elevation of his home in a timely manner.

Commissioner Hannen informed Mr. Stevens that his property has been approved as part of the FEMA elevation grant last week. Explained that the Township Committee agreed at the Workshop Meeting to move forward. Feels this grant will be very helpful to Mr. Stevens.

Rita LaBrutto, 104 Arlington Road, thanked Mayor Giblin for organizing a meeting regarding concrete curbing at 27 South Avenue. Stated that the curbing was not approved by the Planning Board and there was no variance or relief granted. Mentioned that she looked at the Planning Board minutes which specifically state that the applicant would comply by putting down Belgium block. Understands that concrete and Belgium block were both listed on the site plan and questioned how the Township Engineer did not question that two different materials were listed. Stated that every curb in the SID (Special Improvement District) district is Belgium block. Feels whoever is responsible for this misunderstanding should be held accountable and replace the concrete with the Belgium block. Also mentioned that the 109 Walnut Avenue project does not have Belgium block curbing. Feels if employees are not doing their job there should be consequences.

Ms. LaBrutto also discussed an OPRA she submitted for SID violations. Was told there were no SID violations, but feels there should be some on file. Feels there needs to be accountability and that the employees should be doing their personal best for the town.

Mayor Giblin mentioned that all curbing aside, 27 South Avenue is a beautiful building with a great medical practice in it. Assured Ms. LaBrutto that the Township Committee will look into the curbing issue. Also spoke about issues with employing a full-time Engineer. The job has been listed three times and the Township has received no responses. Addressed Ms. LaBrutto's comments regarding signage in the SID. Stated that he has spoken with the Zoning Officer a few times and explained that it is a lengthy time-consuming process. Assured her that the DMC and Zoning Officer are currently dealing with this issue. Also mentioned that Cranford does have a thriving downtown.

Ms. LaBrutto feels violations should be issued when a business owner blatantly violates the ordinance. Feels like there seems to be a hole in the process.

Discussion held regarding vacancies in the downtown.

Commissioner Maisonneuve stated that there is a group that is currently perfecting the zoning ordinance to add clarity in terms of the steps that need to be taken so the Township can work with the businesses during the entire process so compliance will be met.

Ms. LaBrutto appreciates all the efforts that are being taken. Hopeful that the Township Committee is serious about this matter. Does not want to see vacant store fronts, but feels all business owners need to follow the same process so compliance is met.

Tage Haun, 219 Central Avenue, discussed his sewer bill fee and the sprinkler system schedule. Explained why the schedule should be skewed from October through March to November to April.

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

**PROFESSIONAL COMMENTS****Township Administrator James Cryan**

- Announced that the 2019 Fall Newsletter has been mailed out.

**COMMISSIONER REPORTS/COMMENTS**

**Commissioner Mary O'Connor**

- Announced that Project Help is holding a comedy fundraiser to benefit Dr. Arthur Bilenker. Provided information for those interested in attending;
- Stated that she met with some business owners regarding the plastics ordinance. Will be recommending changes be made to the ordinance to provide a more business friendly transition. Feels the intent of the ordinance is good but the cost and effect on the small business owners is very weighty. It is important that the Township supports its small business owners because they are the foundation of the downtown;
- Congratulated and thanked the Finance Department on the annual audit. The result was only one minor comment which was a procedural matter. This shows the incredible hard work and professionalism of the finance staff under Chief Financial Officer Patterson;
- Announced that Music Fest will be held this weekend. Provided information to those interested in attending;
- Announced that she attended the Flag Retirement Ceremony at Post Office Plaza. Thanked the Cranford VFW heroes, Cranford Fire and Police Departments, Boy Scouts, Girl Scouts and Saint Michael's Church choir;
- Announced that Cranford's annual 9/11 Memorial Service will be held tomorrow night. Provided information for those interested.

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

- Discussed emails he received early in the day from Port Authority outlining the process for public comments on the Port Authority bus terminal review. Would like to post it on the Township's webpage for Cranford residents.

**Commissioner Jean-Albert Maisonneuve**

- Discussed 9/11 and reflected on the events that took place. Misses the America of September 12<sup>th</sup> after the tragic events that took place. Everyone came together. Feels today America has lost its way and wonders what happened to civility. Asked for everyone to remember what America was like the days and weeks after 9/11 and how it came together with support of most of the world with love and respect for each other.

**Deputy Mayor Ann Dooley**

- Discussed lotteries for affordable housing. Provided information for interested residents. Will post the information to the Township website;
- Announced that the Third Annual Pooch Plunge will be held on September 22, 2019. Provided information for anyone interested. Encourage dog owners to participate.

**Mayor Patrick Giblin**

- Discussed the resignation of Mary Ann Hay from the Zoning Board. Thanked her for her service. Announced that her resignation provides an opening for an Alternate Member. Will post the opening on the Township's website and Facebook. The Township is looking for people who are committed, will bring a different perspective and that will complement the existing board;
- Discussed the closing of the Cranford Movie Theatre. The Township Committee discussed this at last night's Workshop Meeting. The Township Committee is committed to working with the property owner to keep the historical significance of the theatre. Stated that Commissioners O'Connor and Maisonneuve have a sub-committee of the DMC to collect residential feedback;
- Discussed the 9/11 Ceremony that will be taking place tomorrow evening at Memorial Park. Asked all residents to join

On motion of Deputy Mayor Dooley, seconded by Commissioner O'Connor and passed, the Township Committee returned to Room 108 to continue with the Workshop Meeting at 8:12 PM.

Respectfully submitted,

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Heather Capone, RMC  
Deputy Township Clerk

Date: September 10, 2019