

TOWNSHIP COMMITTEE MEETING
June 27, 2011

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: David Cook, Glenn Johnson, Daniel Mulligan, and Jay Taylor. Mayor Win Cody was absent, and Mr. Taylor led the meeting. Also present were Michael W. Herbert, Esq, Township Attorney; Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Clerk/Assistant Administrator. Mr. Taylor led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 2, 2010 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 2, 2010.
- (3) Was filed on December 2, 2010 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Regular Township Committee Minutes of June 13, 2011

On motion by Mr. Mulligan, seconded by Mr. Cook and unanimously carried (with Mayor Cody being absent), the Regular Township Committee Minutes of June 13, 2011 were adopted.

Closed Session Minutes of June 13, 2011

On motion by Mr. Cook, seconded by Mr. Johnson and unanimously carried (with Mayor Cody being absent), the Closed Session Minutes of June 13, 2011 were adopted.

Reports and Communications

-- Mayor

Mr. Taylor reported there is no Mayor's report since Mayor Cody is absent. Mr. Taylor thanked the public for attending the meeting and introduced Ms. Karen Callahan and Ms. Susan Goetz, the two candidates running for the open Township Committee seat in the November election.

-- Members of Committee

Mr. Mulligan reported the Website Redesign Subcommittee met to discuss ideas for the Township website redesign. Mr. Mulligan, Ms. Cunningham, Municipal Clerk, and the Township's webmaster, Mr. Morris Enyeart of City Connections discussed making the Township's site easier to use and easier to search. Mr. Mulligan reported the Township already has great information on the site, but the key is being to find that information. Timelines for the site makeover include working on the redesign during July to present the new "look" to the Township Committee to preview for feedback for subsequent changes. Mr. Mulligan stated his goal is to be live with the new website sometime in October/November. Mr. Mulligan requested the Township Committee members share their thoughts or comments to him.

On a separate note, Mr. Mulligan reported he attended the wedding of Wendy Daly and George Nikitiades, son of Teddy Nikitiades of Teddy's Restaurant. Mr. Mulligan stated many Cranbury residents were present at the wedding, unfortunately Mr. Nikitiades is in the hospital and was unable to attend his son's wedding.

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Reports and Communications (Continued)

-- Members of Committee

Mr. Cook reported on the RFP for municipal trash pickup. Mr. Cook stated when a municipality releases an RFP for municipal waste carting, the Township must advertise the RFP and give the carters a 60-day window to respond to the RFP. Once the RFPs are received, the Township has 60 days to award the contract, (if by Referendum the residents want to proceed with trash pickup.) Mr. Cook stated Cranbury Township will have an RFP going out in early July so the bids can be returned by September 29th. Mr. Cook stated at that point the bids will be opened to assess the numbers (number of pickups, costs of pickups, dumpsters, etc.).

At the State level, Mr. Cook reported on the changes to the State Pensions and Health Care Plans. He stated he believes COAH has been put on hold because the State had to address Pensions and Health Care Plans first in order for the State budget to be passed. Mr. Cook stated individuals will need to make an additional 1% contribution to the Pension Plan. Mr. Cook reported there are no specifics available for the Health Plans contribution yet; however the Township should hopefully see some relief in the next year or so.

Mr. Johnson reported last Wednesday and Thursday evenings two Subcommittee meetings were held to conduct interviews with four (4) engineering firms to hire an engineer for the Planning and Zoning Boards. Mr. Johnson reported there were two (2) large firms and two (2) small firms. Mr. Johnson reported there was a consensus among the Subcommittee members concerning one of the firms. Mr. Johnson stated the process is moving along well, and a decision should be made within the next couple of months.

Mr. Johnson stated the need for handrails for the front steps of Town Hall was discussed at the last Township Committee meeting. He reported he has been looking at handrails and has been taking photographs of brick school buildings that were built around the same time as Town Hall. Mr. Johnson stated he does not believe he has found what the Township is looking for and stated it is difficult to tell when those handrails were added. He stated some of the railings look too modern for Town Hall.

Mr. Taylor reported he is pleased to announce the Cranbury Police Department is continuing its campaign on the "Cranbury Crawl". The Police Department issued 153 summonses and 44 speeding tickets. Top locations where summonses were issued were Main Street, Route 130, Plainsboro Road and Old Trenton Road. There were 150 overtime man hours this month, bringing the mid-year number to 861 overtime man hours, which will project to the addition of another officer if overtime continues at this rate. Mr. Taylor reported overtime was required for the parade and shift coverage on Memorial Day, and a temporary disability for an officer. Mr. Taylor reported 15 automobile accidents, and the "Slow Down in our Town" campaign has circulated throughout the Township. The Detective Bureau had eight (8) new criminal investigations; one (1) closed criminal investigation; nine (9) administrative investigations; and five (5) closed administrative investigations.

The CERT members participated in the Memorial Day activities, the Drug Free Fair, and will be present at the July fireworks. The bike patrol was on the road for the parade and may be present at the fireworks.

Mr. Taylor reported a juvenile program had been discussed at a previous meeting. This Program would involve non-violent offenders coming to Cranbury to do work with Public Works or the Police Department. Mr. Taylor reported the Township spoke with the Joint Insurance Fund, and the Township is not indemnified with the JIF. Mr. Taylor reported the Township is in the process of speaking with Middlesex County Prosecutor's Office to see how the insurance would work in the event someone was to be injured. Mr. Taylor stated he wanted to stress that these would be non-violent offenders who were assigned community service.

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Reports and Communications (Continued)

-- Members of Committee (Mr. Taylor continued)

Mr. Taylor reported last month there were three (3) arrests; one (1) DWI; one (1) assault; nine (9) warrants; and 48 unfounded burglary alarms. Vehicle mileage for the month was 12,134 miles, and the expenditures for vehicle repairs was \$4,442. Mr. Taylor reported the repair costs are high because of the high mileage on the vehicles.

Mr. Taylor reported for the July 5th fireworks the Police Department will be checking coolers and bags for alcoholic beverages, which will be confiscated. Mr. Taylor requested the assistance of the East Windsor Patch and the Cranbury Press to get that information out.

Mr. Taylor reported the Griggs Road paving was supposed to start today. He stated he had not been out to check it, however Ms. Marabello confirmed the work did start.

Mr. Taylor reported a resident requested the Declaration of Independence be read before the fireworks display. He stated he thought it was a great idea and asked the Township Committee for a volunteer to read it. There were no volunteers so Mr. Taylor suggested coordinating efforts with Ms. Linda Scott of the Historical Society to find a volunteer to do the reading.

-- Subcommittees

Mr. Taylor stated Mr. Johnson already covered one item in his previous report and asked for any additional reports. Mr. Mulligan stated it was brought to his attention the batting cage at Village Park was in disrepair and was not being used. Mr. Mulligan, Ms. Marabello and Ms. Dawn Maisano, Recreation Secretary, researched problem and discovered Cranbury Little League will fund the repair of the batting cage. Mr. Mulligan stated batting cage repairs will start soon.

Mr. Taylor stated he would like to discuss as a future Work Session item the Construction Ordinance which allows outside contracting work to 9:00 p.m. Mr. Taylor reported the standard time in most towns is until 7:00 p.m. Contractors in the Township advised Mr. Taylor they assumed the construction hours were 7:00 a.m. to 7:00 p.m. Mr. Taylor spoke with Mr. Greg Farrington, Construction Official, who recommended the Township amend the Ordinance to 7:00 a.m. to 7:00 p.m. Mr. Taylor reported more residents are outside during the summer and the noise from construction is a quality of life issue for them. Mr. Taylor stated he would like to discuss this further. Mr. Cook asked if this time change would impact only contractors or if it would also apply to lawn mowers and other noise. Mr. Taylor confirmed it would apply only to construction.

Agenda Additions/Changes

Ms. Kathleen Cunningham, Clerk, announced Resolution # R 06-11-086 - Overpayment of Taxes for Block 20.04, Lot 8 is being added to the Consent Agenda.

Ordinance

First Reading

Cranbury Township Ordinance # 06-11-15

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING CHAPTERS § 82.1 "MISCELLANEOUS FEES"

An Ordinance entitled, Cranbury Township Ordinance # 06-11-15, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTERS § 82.1 'Miscellaneous Fees'" was introduced on first reading. Ms. Cunningham explained this Ordinance is amending the Outdoor Dining License Ordinance by eliminating the \$50.00 annual outdoor dining license fee. Ms. Cunningham stated the Township Committee has discussed and is in agreement there should be no fee. Mr. Johnson asked if this

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Cranbury Township Ordinance # 06-11-15
(Continued)

Ordinance would eliminate the fee for the second and subsequent years only, or would the initial fee be eliminated as well. Ms. Cunningham stated the fee is a \$50 yearly fee, which runs from January to December, and she confirmed this Ordinance would completely eliminate the fee. Ms. Cunningham further explained this Ordinance pertains to outdoor dining in the Village district only. Ms. Cunningham explained the original Ordinance required businesses appear before the Planning and Zoning Boards to submit a plan showing the placement of outside tables and chairs, and the sketch must be displayed inside the restaurant. The purpose of the original Ordinance was to monitor the outside tables to prevent hazardous conditions for pedestrian safety. Mr. Taylor stated the Ordinance will still require plans, but will no longer require any fees. On motion by Mr. Mulligan, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

Ayes: (Cook
(Johnson
(Mulligan
(Taylor

Abstain: (None
Absent: Cody

Nays: (None

Public Hearing: July 25, 2011 at 7:00 p.m.

BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, State of New Jersey, that the "Code of the Township of Cranbury ("Code") be amended as follows:

§ 82.1 "Miscellaneous Fees".

C. Outdoor dining license: [No Fee Required]

This Ordinance shall be come effective after public hearing and final adoption and upon publication of same

Ordinance
Second Reading

Cranbury Township Ordinance # 05-11-13

AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR
LAND USE REGULATIONS TO PROTECT STREAMS, LAKES AND
OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 05-11-13, "AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR LAND USE REGULATIONS TO PROTECT STREAMS, LAKES AND OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP," was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public.

Ms. Cunningham, Municipal Clerk, announced this Ordinance is listed on the Agenda; however, it will be carried over until the Township Committee receives a recommendation from the Planning Board. Ms. Cunningham explained the Planning Board is still reviewing this proposed Ordinance so it will not be considered this evening. It was reported Ms. Valerie Kimson, Planning Board Attorney, stated the language of the Ordinance is being clarified. This Ordinance will be heard on Second Reading and Public Hearing on Monday, September 12, 2011 at 7:00 p.m.

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Ordinance
Second Reading

Cranbury Township Ordinance # 06-11-14

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY,
NEW JERSEY, INCREASING THE SEWER CONNECTION FEE

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 06-11-14, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, INCREASING THE SEWER CONNECTION FEE," was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public.

Mr. Taylor reported the Township is statutorily required by the State of New Jersey to recalculate the sewer connection fees according to a State-driven formula. Mr. Taylor explained this year's formula dictates the sewer connection fee will increase by \$601 and will apply only to new businesses and homeowners. Anyone currently connected to sewer today will not be impacted by this increase. Mr. Taylor asked if there were any questions or comments from the Township Committee, and hearing none, Mr. Taylor opened the public hearing on the Ordinance. There were no public comments on the Ordinance. On motion by Mr. Mulligan, seconded by Mr. Cook, the Ordinance was adopted by a vote:

Ayes:	(Cook	Abstain:	(None
	(Johnson	Absent:	(Cody
	(Mulligan		
	(Taylor		

Nays: (None

Resolutions
Consent Agenda

Mr. Taylor read the Resolutions on the Consent Agenda and asked if the Township Committee wished to address any of the Resolutions separately, and hearing no comments, asked for a motion to adopt the Consent Agenda. On a motion by Mr. Mulligan, seconded by Mr. Cook, the following Consent Agenda Resolutions were adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Johnson	Absent:	(Cody
	(Mulligan		
	(Taylor		

Nays: (None

Cranbury Township Resolution # 06-11-080

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

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Cranbury Township Resolution # R 06-11-081

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the Township Committee of the Township of Cranbury has received an application from The Cranbury Inn for the renewal of Alcoholic Beverage License No. 1202-32-002-004; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of The Cranbury Inn for the renewal of Alcoholic Beverage License No. 1202-32-002-004 be and is hereby approved.

Cranbury Township Resolution # R 06-11-082

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the Township Committee of the Township of Cranbury has received an application from Riya Cranbury, L.L.C. (Trading as "Staybridge Suites") for the renewal of Alcoholic Beverage License No. 1202-36-004-001; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of Riya Cranbury, L.L.C. (Staybridge Suites) for the renewal of Alcoholic Beverage License No. 1202-36-004-001 be and is hereby approved.

Cranbury Township Resolution # R 06-11-083

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the Township Committee of the Township of Cranbury has received an application from JK Mart, Inc. (Trading as "Buy-Rite Liquors") for the renewal of Alcoholic Beverage License No. 1202-32-001-010; and

WHEREAS, the applicant has complied with all of the statutory requirements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the application of JK Mart, Inc. (Buy-Rite Liquors) for the renewal of Alcoholic Beverage License No. 1202-32-001-010 be and is hereby approved.

Cranbury Township Resolution # R 06-11-084

A RESOLUTION AUTHORIZING THE RELEASE OF A
PERFORMANCE GUARANTEE FOR SHAH – HOLLAND HOUSE

WHEREAS, by letter dated April 18, 2011, Kamlesh Shah has requested the release of his performance guarantee previously posted with the Township in accordance with Planning Board approval and

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Cranbury Township Resolution # R 06-11-086
Continued

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded.

Block	Lot	Name	Amount
20.04	8	Gregory Sarafin	\$5,481.63

Reports from Township Staff and Professionals

-- Township Administrator

Ms. Marabello reported work is being done on various bid specs, including municipal trash collection, installation of storm windows in Town Hall, and planting of trees. The Township has a grant to replace the storm windows; however, there were no responses to the first storm window bid. Ms. Marabello reported a second bid for storm window installation is out and advertising was placed in different newspapers to target other contractors. Advertising was also placed on a website used by the Board of Education to solicit other trades. The bid for the trees will be advertised in Friday's newspaper. The bids will be opened in August, and the contract will be awarded at the August 22nd Township Committee meeting so the planting can be done in the fall.

Ms. Marabello reported she will be on vacation the week of July 25th and will not be at the next meeting.

-- Municipal Clerk/Assistant Administrator

Ms. Kathleen Cunningham reported she was updating the Township Committee on additional research done concerning moving the Township's archives from the outside private vendor to the Middlesex County archival/storage facility. Ms. Cunningham reported Middlesex County does not have a brochure with additional information for the Township Committee to review. However, more importantly, Ms. Cunningham stated our current vendor quoted \$10,529.49 to move the Township's 897 boxes currently in storage. Ms. Cunningham requested the Township Committee table this item to be further discussed during the budget meetings next year as the funds are not allocated for this year. Ms. Marabello reported it would take the Township approximately eight (8) years to recoup the money. Ms. Cunningham stated Middlesex County's fees are substantially lower than the private vendor's fees. Ms. Marabello stated the Township can approach the current vendor concerning a reduction in rates. Ms. Cunningham stated the vendor is aware the Township is looking at other options since the Township requested this information from them. Mr. Cook inquired about the costs. Ms. Cunningham stated the cost to move one box is \$17.50 delivery cost plus \$4.50 fuel cost per box. Ms. Cunningham recommended tabling the discussion until budget time.

Reports from Township Board and Commissions

--There are no reports from Township Boards and Commissions.

Work Session

a). Discussion by the Township Committee to consider a Township snow removal ordinance.

Mr. Taylor gave a brief summary of the previous discussion on the snow removal ordinance, which would require residents to shovel snow from walkways in front of their houses. Mr. Taylor asked the Township Committee for comments. Mr. Mulligan stated Cranbury is one of the few municipalities without a snow removal ordinance. He stated this has been debated previously in Cranbury, and stated there are a lot of pros and cons concerning an ordinance. He stated depending on the attorney you speak with, a homeowner could have more or less responsibility as a result of an ordinance. Mr. Mulligan reported one resident from the initial discussion stated snow removal is the neighborly thing to do, and Mr. Mulligan agreed stating Cranbury is a walking community. Mr. Mulligan stated he was not in favor of introducing an ordinance because there are issues in many areas of the Township where it is difficult for residents to keep sidewalks

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Work Session

- a). Discussion by the Township Committee to consider a Township snow removal ordinance.
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clear. Mr. Mulligan stated he is in favor of the Township listing guidelines for residents to clear sidewalks. He stated East Windsor Township has a great list of guidelines, including not throwing snow in the street when contractors clear the driveway, and putting shoveled snow to the left side of driveway so the snow plow doesn't plow it back when plowing the roadway. Mr. Mulligan stated he felt this was a good common sense way of handling snow removal. Mr. Cook agreed with Mr. Mulligan and stated he felt a set of guidelines would be a good approach. Mr. Cook stated a formal ordinance would affect the entire Township, and he stated Cranbury Neck Road is only one of many roads which would be negatively impacted by a formal ordinance. Mr. Cook stated at the very least guidelines would be beneficial for law enforcement. Mr. Cook stated he is in favor of a formal ordinance a stipulation of three

violations before the penalty is issued. Mr. Cook stated if an ordinance is adopted, there would need to be a level of interpretation concerning snow plows pushing snow back on sidewalks adjacent to roadways. Without any guidelines in place, Mr. Cook stated he is in favor of an ordinance.

Mr. Johnson stated he is in favor of a snow removal ordinance because guidelines will not be sufficient. He stated for years residents have been forced to walk in the road because homeowners do not shovel their walkways. Mr. Johnson stated he felt 48 hours to clear sidewalks is more lenient than need be, and having three (3) warnings before a penalty is excessive considering there may not be three (3) snows requiring shoveling in a season. Mr. Johnson stated he is sympathetic to residents on Cranbury Neck Road and similar roadways which have a close proximity to the curb. He recommended as much of the Township be covered by a snow removal ordinance as soon as possible.

Mr. Taylor stated at he last meeting he was asked by Mayor Cody to draft a proposed ordinance. Mr. Taylor stated a copy of the draft has been given to each Township Committee member. In consultation with Mayor Cody, there were a number of issues to consider including, what areas of the Township should the ordinance cover; how soon after the snowfall should the shoveling occur; and what is the penalty and course of action? Mr. Taylor suggested for discussion purposes, the ordinance would apply to all areas of the Township, with 48 hours being the time limit, (which is consistent with the brush ordinance), and three warnings before a \$500 fine is imposed. Applying the ordinance to the entire Township would prevent any type of favoritism being shown. Mr. Taylor stated there would be no provision for Public Works removing snow. However, Mr. Taylor stated in 1999 Governor Christine Todd Whitman signed a snow removal ordinance which requires cutouts in the street to be cleared for handicap access to sidewalks. Mr. Taylor reported there is some discussion if this would apply to Cranbury and suggested it may be something Public Works would need to do. Ms. Marabello stated Mr. Jerry Thorne, Public Works Manager, stated he would be willing to clear the corners on Main Street from Plainsboro Road to Old Trenton, but Public Works' first priority would be to clear the streets. Ms. Marabello further stated the problem would remain if the cutouts were cleared but the sidewalks were not shoveled. Ms. Marabello stated Public Works could not do every cutout because it would be time consuming and suggested a contractor may need to be hired. Mr. Taylor stated he understood clearing the cutouts would apply only to the business district. Ms. Marabello stated Public Works' response to clearing cutouts would depend on the amount of snowfall.

Mr. Taylor stated, with the exception of Mr. Mulligan and depending on how the ordinance is structured, there are members in favor of an ordinance. Mr. Taylor stated in conferring with Mr. Herbert, Township Attorney, guidelines could be incorporated as an ordinance

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without a penalty. Mr. Taylor stated before the Township Committee continues a formal discussion he would open the discussion on the ordinance to the public.

Mrs. Beverly Luck, South Main Street, stated she wrote a letter to the Township Committee in favor of a snow removal ordinance, and further stated she would appreciate an ordinance being adopted. Mr. Sam Parker, Woodview Drive, stated he has lived in Cranbury for over 30 years through many snow storms. He stated the idea of an ordinance is nice, but there are many neighborhoods in the Township with a "lot of sidewalk." Mr. Parker stated even if he shovels his sidewalk, the Township plows push the snow back on the sidewalk. He acknowledged the Township does a wonderful job clearing the roads, but for large snow storms, the snow is pushed back over the curbs. Mr. Parker stated clearing the sidewalks will be a hardship for many residents. He further cited Cranbury Neck Road after being plowed by the County could have three (3) to five (5) feet of snow which turns to ice. It would be impossible for residents to clear the snow. Mr. Parker stated he felt the Township would experience conflict and suggested the Township Committee consider the impact of guidelines upon the residents.

Mr. Stephen Root, 2 Wynnewood Drive, stated his property is surrounded on three (3) sides by sidewalk (about 570 feet). He stated he has mixed feelings about the ordinance. Behind his house on Cranbury Neck Road, he does try to shovel a pathway as other residents need the sidewalk to get into town and students use it to walk to the bus; however inside the development it is more difficult to clear the sidewalks as snow is piled up. Mr. Root stated the roadway in Wynnewood is wide and residents do walk in the road as much as on sidewalks whether there is snow or not.

Mr. Michael Dulin, Wynnewood Drive, stated he has approximately 400 feet of sidewalk. He stated in the Wynnewood neighborhood, residents very rarely use the sidewalks. Mr. Dulin stated for his neighborhood, the residents would incur a significant expense to clear sidewalks. He stated it is not practical in his neighborhood or Shadow Oaks. He understands and appreciates clear sidewalks on Main Street, a "one size fits all" approach is not a good idea.

Mr. Richard Kallan, Wynnewood Drive, stated he is a resident of Cranbury for 42 years, stated clears his driveway and also clears approximately 30 feet to the left of his driveway so if the plows return his driveway is not plowed back in. Mr. Kallan stated if he cleared his sidewalk and the plows come again, he will not clear his sidewalk again. Mr. Kallan also pointed out if the ordinance is adopted, the Township will need to clear 800 feet of sidewalk by Unami Woods. Mr. Kallan asked what "cleared" means? He stated a narrow path could be shoveled not down to the concrete and still be passable. Mr. Kallan agreed where there is pedestrian traffic an ordinance would be beneficial. He suggested the ordinance must be selective. Mr. Kallan used the brush ordinance as an example of rules which are still not followed. He suggested the Township Committee not pass so many ordinances and having less rules because residents are being hassled.

Mr. Stephen Banks, Woodview Drive, stated there would be no equity in passing this ordinance. In the time he has lived in Cranbury, he stated he never sees people walk on the sidewalks. He stated the ordinance would be a burden on residents in neighborhoods and in rural parts of the Township. He cautioned the Township Committee of the dramatic impact to neighborhoods as compared to Main Street residents which is where the ordinance should be intended for.

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Ms. Bonnie Larson, Cranbury Neck Road, stated most of her sidewalk is adjacent to the street. Whenever the County plows, mounds of snow are piled on the sidewalk. She stated she would have to throw the snow back on the street because there is no other place to put it. Ms. Larson stated she would have to wait to have her service shovel until after the County is completely finished plowing on Cranbury Neck Road because she would not want to pay twice to clear the sidewalks

Mr. Taylor asked if there were any further comments on the snow removal ordinance from the public, and hearing none, asked the Township Committee for additional comments. Mr. Mulligan stated he is still against a formal ordinance, but is in favor of friendly guidelines.

Mr. Cook stated there are parts of the Township where the ordinance would be important, such as downtown. Mr. Cook suggested friendly guidelines prior to adopting an enforceable ordinance.

Mr. Johnson stated after hearing the public comments, he would agree with the 48-hour time frame so residents would only have to clear one time after the plows were completely finished.

Mr. Taylor stated he believes historically Cranbury is very focused on being a civil community and doing what is right with their neighbors. However, Mr. Taylor stated his concern about children walking in the snow-covered streets in Shadow Oaks and the possibility of someone being hurt while in the street. Mr. Taylor stated he does hear the concerns of the Wynnewood residents. He also stated historically the homes on Main Street shoveled their walkways, but now the Township has evolved and some walkways are not being cleared. Mr. Taylor stated he supports doing an ordinance with 48 hours to clear the sidewalks, and without any monetary penalties in the ordinance. He stated he believes if a Cranbury Police officer knocks on the door and stated the Township has a snow removal ordinance on the books, the resident will clear the walkway. Patrolman Galla, Cranbury Police Department, stated the Police will not give tickets for not shoveling. Mr. Taylor clarified the 48 hours would begin at daybreak the day after the snow stopped. Mr. Taylor stated the Township Administrator and Police Chief could possibly have the right to suspend the monetary penalty in the event there was a snowstorm on a holiday and residents were away.

Mr. Cook stated no monetary impact or the Administrator/Police Chief being able to suspend the penalty would be appropriate. He stated that would be a reasonable interpretation of what the Township Committee is hoping to accomplish.

Mr. Mulligan stated he is still against an ordinance, but is in favor of guidelines. He stated raising awareness of the issue where it matters is the key and stated there is no value in adopting an ordinance.

Mr. Johnson stated he thought several meetings ago it was established that clearing the sidewalks is a safety issue. He stated if it is not a safety issue, the Township should not adopt an ordinance. If it is a safety issue, the ordinance must be done.

Mr. Michael Herbert, Esq., Township Attorney, stated from a legal standpoint if there are no sidewalks, there is no legal obligation to maintain sidewalks. If a resident has a sidewalk, there is a legal obligation to maintain it. Mr. Herbert stated if someone is hurt in the street.

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because the sidewalk is not shoveled, the homeowner could be liable because it is possible the person would have used the sidewalk if it had been cleared.

Mr. Cook stated it is clear there are parts of the Township that need the ordinance. There is a larger population in the Township, and he stated the hope is the sidewalks in Town would be shoveled. Mr. Cook stated it is obvious in certain areas of the Township, if snow is not removed, it does make a difference and does impact safety. He stated a non-monetary ordinance should be tried first

Mr. Mulligan stated this past winter was unusually bad. Mr. Taylor agreed and stated for that reason the Administrator or Police Chief would have the ability to suspend fines if it was an unusually bad winter and there was no place to put snow.

Mr. Janovitz, Washington Drive, asked Mr. Herbert, Township Attorney, if the sidewalk is shoved and someone slips, is the homeowner more liable than if the sidewalk was not shoveled at all. Mr. Herbert replied that is a falsehood. Mr. Herbert stated he did research today and it all comes down to reasonability. He stated if someone is walking in the street because the sidewalk is not shoveled, the homeowner could be liable. Mr. Herbert stated it weighs heavier on the homeowner if an attempt was not made to clear the sidewalk. If the homeowner did try to remedy the situation, that attempt weighs in the homeowner's favor. Mr. Herbert further stated if a sidewalk is shoveled and then the snow melts causing someone to fall, it weighs better on the homeowner's side that an attempt was made. Mr. Herbert stated anybody can sue anyone for anything. Mr. Herbert stated if there is a sidewalk, the homeowner is better off legally having cleared that sidewalk. Mr. Herbert stated it all comes down to how reasonable it is for a homeowner to clear the sidewalk. If a sidewalk is easy to clear, it should be done.

Mr. Mulligan acknowledged Mr. Herbert is an excellent attorney. However, Mr. Mulligan stated Mr. Herbert is stating his opinion on the subject, and Mr. Mulligan stated there are many attorneys with differing opinions on liability.

Mr. Taylor canvassed the Township Committee. Mr. Mulligan repeated he is not in favor of the ordinance. Mr. Cook stated he is in favor of the ordinance with no monetary penalty and the Township Administrator and Police Chief having the right to suspend the ordinance. Mr. Johnson stated he is in favor of the ordinance. Mr. Taylor agreed with Mr. Cooke and stated the ordinance will allow police officers to request homeowners to shovel the sidewalks. Mr. Taylor stated he hoped the ordinance would encourage residents to keep their sidewalks clear.

Mr. Taylor asked if a motion was needed. Mr. Herbert asked if the ordinance was a draft, and stated it could be introduced by title only. Ms. Marabello suggested the ordinance be introduced at the next meeting, and it was agreed ordinance will be introduced at the July 25th meeting.

Public Comment

Mr. Taylor opened the meeting to public questions and comment.

Mr. Alan Danser, Petty Road, questioned the date of the Second Reading of the Riparian Ordinance (Cranbury Township Ordinance # 05-11-13). Mr. Herbert explained that Ordinance is being carried over. Mr. Danser stated in the past the Township Committee would have to announce a "date certain" to the public, even if the date was three (3) months away. Ms. Cunningham stated the date for Second Reading for that ordinance is not known at this point. Mr. Taylor suggested selecting a date. Mr. Herbert agreed a date

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Public Comment (continued)
should be picked. The Ordinance is being reviewed by the Planning Board, and the Second Reading cannot be until after recommendation is received by the Planning Board. Since there is only one (1) Township Committee in August, the Township Committee decided to carry the Riparian Ordinance until the September 12th meeting.

There being no further public comments, Mr. Taylor closed the public part of the meeting.

On motion by Mr. Cook, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 8:25 p.m.

Jean Golisano, Deputy Clerk