

TOWNSHIP COMMITTEE MEETING
July 9, 2012

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: Susan Goetz, Glenn Johnson, Dan Mulligan, James Taylor, and Mayor David Cook. Also present were Steven Goodell, Esq., Township Attorney; Bill Tanner, Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Clerk/Assistant Administrator. Mayor Cook 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 November 29, 2011 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 November 29, 2011.
- (3) Was filed on November 29, 2011 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 25, 2012.

On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the Regular Township Committee Minutes of June 25, 2012 were adopted.

Closed Session Minutes of June 25, 2012

On motion by Mr. Mulligan, seconded by Ms. Goetz, and unanimously carried, the Closed Session Minutes of June 25, 2012 were adopted.

Reports and Communications

--Mayor

Mayor Cook stated he needed to leave by 8:00 p.m., and stated Deputy Mayor Glenn Johnson would continue the meeting in his absence. He reported he recently visited a Cranbury pharmaceutical company, VaxInnate Corporation. He stated Lt. Governor Kim Guadagno was present to generate interest in, and focus on, the New Jersey pharmaceutical industry, especially groundbreaking companies. Mayor Cook reported VaxInnate is working on vaccines for dengue fever and also an influenza vaccine for senior citizens in western or more-established countries. He stated VaxInnate may look to expand in the future to include manufacturing in Cranbury.

Mayor Cook reported the Palagyi Family, Plainsboro Road, sent a letter to the Township Committee and the Cranbury Press concerning the safety of Plainsboro Road. Mayor Cook stated Plainsboro Road has become an "artery" for traffic through Town and there are limited sidewalks. The Palagyi's daughter was struck by a car a few years ago, and the family dog was killed by a car. Mayor Cook stated the safety of Plainsboro Road has been looked at before and will be addressed again and stated he will ask Mr. Bill Tanner, Township Engineer, to seek future grant funding to remedy the safety issues.

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Reports and Communications

--Mayor (cont'd.)

Mayor Cook explained Resolution # 07-12-098 on the agenda addresses the expansion of the Cranbury Township Sewer Service area and stated there will be discussion on this topic later in the meeting.

Reports and Communications

--Members of Committee

Ms. Goetz reported a good amount of vegetation was removed during the Brainerd Lake clean-up and stated the clean-up project was successful. She stated this project was a "catch up" cleaning effort, and a continuing maintenance program for the Lake will be considered for the future.

Ms. Goetz reported the Cranbury Farmers' Market will start on Friday, July 13th through September 21st from 12:00 noon to 4:00 p.m. She stated there are 15 participating vendors selling produce, wine, honey, ice cream, flowers, pickled peppers, natural dog treats, cupcakes, pound cake, cookies, kettle corn, bar-be-cue sauce, and personal trainer services. She stated the Cranbury Public Library will also have a table to provide Library Outreach services. Ms. Goetz urged the public to support the Market.

Mr. Mulligan reported the Township received good feedback on the July 4th fireworks display from residents as well as out-of-towners. He stated there was an increase of activity for the businesses in Town.

Mr. Taylor reported two (2) old trees on Symmes Court were lost as a result of Saturday's storm, and stated Mr. Jerry Thorne, Public Works Manager and his crew were out early Sunday morning removing the trees.

Mr. Johnson stated he had nothing to report this evening.

Mr. Taylor echoed Mr. Mulligan's comments on the success of the fireworks display, and he also wanted to report the feedback from Mr. Thorne concerning the clean condition of Village Park the morning after the fireworks. Mr. Taylor stated he was impressed on how respectful people were with cleaning up after themselves. Mr. Taylor reported the park was packed and stated Public Works retrieved only one bin of trash.

--Subcommittees

There were no reports from Subcommittees.

Agenda Additions/Changes

Ms. Cunningham stated there were no additions or changes to this evening's agenda.

Ordinances

First Reading

Cranbury Township Ordinance # 07-12-11

An Ordinance entitled, Cranbury Township Ordinance # 07-12-11, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, INCREASING THE SEWER CONNECTION FEE," was introduced on first reading. Mr. Taylor stated the sewer connections fees have not been adjusted for a while, and stated the State has a formula for the increase. Ms. Goetz clarified the sewer connection fees are only for new connections to the sewer system. Mr. Steve Goodell, Esq., Township Attorney, stated Statute requires the fees be periodically reviewed and updated. On motion by Mr. Taylor seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

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Cranbury Township Ordinance # 07-12-11
(Continued)

Ayes: (Goetz
(Johnson
(Mulligan
(Taylor
(Cook

Abstain: (None
Absent: (None

Nays: (None Second Reading: August 13, 2012

WHEREAS, Chapter 124 of the Code of the Township of Cranbury ("Code") establishes the connection fees to be charged to the owners of every property making a connection into said sewerage system; and

WHEREAS, N.J.S.A. 40A:26A-11 requires the Township to recalculate its connection fees at the end of each budget year, utilizing the methods set forth in said statute; and

WHEREAS, based on the financial information obtained following the end of the budget year 2011, the Township's Professional Accounting Consultant and Chief Financial Officer have performed the statutorily-required recalculation, and based on said recalculation have recommended that the connection fee be increased;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, as follows:

1. The recitals contained in the foregoing preamble are incorporated herein as if fully restated.
2. Section 124-38 of the Code, entitled "Connection fees," is hereby amended to change the charge for connecting to the Township's sewerage system, and shall read as follows (additions are underlined; deletions are in [brackets]):

124.38. Connection Fees

The owners of every property making connection, either directly or indirectly, to the Cranbury Township sewer system shall pay a connection charge of [\$2,920] \$3,351 per dwelling unit at the time of [connection] permit issuance. The owners of properties other than residential properties shall pay a connection fee of [\$2,920] \$3,351 per equivalent domestic consumption unit. For the purposes of this section, an equivalent domestic consumption unit is any use which has water usage or sewer flows of up to 69,386 gallons per year. Any estimate of flows over 69,386 gallons per year or multiple thereof shall be billed as one full additional dwelling unit.

3. This Ordinance will take effect upon final adoption and publication, as provided for by law.

Cranbury Township Ordinance # 07-12-12

An Ordinance entitled, Cranbury Township Ordinance # 07-12-12, "AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER 150, SECTION 37 ("SIGNS") AND CHAPTER 150, SECTION 7 ("DEFINITIONS") OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY," was

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(Continued)

introduced on first reading. Mr. Taylor stated the Ordinance will allow Township businesses more flexibility with signage. On motion by Mr. Taylor, seconded by Mr. Mulligan, the Ordinance was passed on first reading by vote:

Ayes:	(Goetz Johnson Mulligan Taylor Cook	Abstain: (None Absent: (None
Nays:	(None	

Second Reading: July 23, 2012

WHEREAS, the Township Committee has reviewed the current sign regulations within the Land Development Ordinance of the Township of Cranbury, and desires to supplement the current regulations to permit certain temporary signs, and alternative forms of signs to encourage the vitality of the Township business community and to improve the visibility of certain signage to the general public; and

WHEREAS, the Township Committee has considered recommendations of the sign subcommittee, formed for the purpose of reviewing the signage regulations in the Land Development Ordinance of the Township of Cranbury, and has reviewed recommendations from the Cranbury Township Planning Board regarding amendments to the current signage regulations; and

WHEREAS, the Township Committee desires to amend the Definitional Section of the Land Development Ordinance to include definitions for "temporary event sign", "sandwich board" and "projecting sign", and to amend and supplement the existing Section 37 within Chapter 150 to include new regulations for signage within certain specified zone districts.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, as follows:

SECTION 1. The Cranbury Township Land Development Ordinance is supplemented as follows to add three new definitions within the Definitional Section as follows:

§ 150-7 Definitions.

PROJECTING SIGN- A sign, other than a flat, wall sign, that projects more than twelve (12) inches from the face of the building to which it is attached.

SANDWICH BOARD, OR A-FRAME SIGN BOARD- A sandwich board sign, also called an "A-frame" sign board, is a self-supporting, portable sign, not attached to the ground or other permanent structure, A shaped, constructed with two sides (or planes) joined at the top, with two visible sides, containing commercial speech, situated adjacent to a business, typically on a sidewalk.

TEMPORARY EVENT SIGN- A sign of lightweight fabric or similar material that is mounted on a pole or building by any means, and intended to be displayed for a limited period of time only, including banners, balloons, flags (not including National , State, County, Municipal or corporate flags) and pennants or streamers.

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(Continued)

SECTION 2 . Cranbury Township Ordinance Section 150-37 B (1) (b), which regulates the setback for freestanding signs within the GC, HC, MC and HM zone districts, shall be AMENDED to read as follows:

150-37(B)(1)

(b) A sign shall not be located within a sight triangle, and shall be located at least 15 feet from the street line provided no safety conflict is created as a result of site specific conditions, in which case the sign shall be located further away from the road to allow for safe pedestrian and vehicular traffic.

SECTION 3. Existing Cranbury Township Ordinance Section 150-37 D (3) which regulates "Projecting Signs" within the VC (Village Commercial) Zone shall be deleted in its entirety, and replaced with the following new and amended section :
150-37 D.

(3) Projecting Sign

1. Projecting signs shall be permitted in the VC (Village Commercial) zone district, only, subject to the following requirements.
2. A zoning permit is required for the installation of a projecting sign (unless same has already been approved in conjunction with a site plan approval.)
3. One projecting sign shall be permitted per street frontage for each business. In the event of a multi business tenant building, one projecting sign shall be permitted for each business tenant.
4. The projecting sign shall provide a vertical clearance of no less than eight feet from the bottom of the sign to the finished grade or sidewalk below, but shall not project above the top of the vertical wall to which it is affixed, or above the first story of a multi-story building.
5. A projecting sign shall not extend more than 48" from the face of the building to which it is attached.
6. The total area of the projecting sign shall not exceed seven (7) square feet.
7. A projecting sign shall be fabricated from natural materials, such as wrought iron or wrought aluminum, or natural looking materials and compatible with the historic nature of downtown Cranbury, and shall not utilize any garish, neon or Day-Glo colors.
8. Projecting signs shall not contain nor have any lights affixed to it, but may be naturally lit from a light source affixed to the building which meets the requirements of the Ordinance or has been approved in conjunction with a site plan approval.
9. Only one sign affixed to the wall shall be permitted for each business, either a projecting sign or a wall sign shall be permitted.
10. Projecting signs which are located within the Historic District remain subject to Historic Preservation review pursuant to Township Ordinance Section 93-5.

SECTION 4. Cranbury Township Ordinance Section 150-37 D shall be supplemented to add a NEW subsection (7) to permit sandwich board signs in the VC Zone District as follows:
150-37 D.

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(7) SANDWICH BOARDS IN THE VC ZONE DISTRICT

Sandwich Board signs shall be permitted in the VC (Village Commercial) zone, only, subject to the following requirements:

1. A zoning permit is required for the display of a Sandwich Board. Sandwich Boards are permitted in the VC Zone, only, and are permitted to be displayed outdoors. The permit shall be an annual permit, and shall be valid for one calendar year after the date of issuance.
2. Only one Sandwich Board is permitted for any one business. In a multi business tenant building, only one Sandwich Board shall be permitted per tenant.
3. Sandwich Boards shall be no longer than thirty (30) inches in width and not taller than fifty (50) inches in height when extended. The height of any such sign may not be artificially increased above the maximum allowable height by placing materials beneath the base of the sign. The signs shall be placed upon the ground or grade.
4. Sandwich Boards may be displayed only during hours when the business is open to the public, and must be brought inside the building when the business is closed to the public.
5. The location of the Sandwich Board shall be only in front of the business establishment that it advertises.
6. No Sandwich Board shall be placed in a driveway, the cart way of a public street, within a sight triangle, within any public parking space, or impede the exiting of passengers from parked cars or pedestrian movement on a public sidewalk.
7. Sandwich Boards may not be permanently fixed, but must be secured to withstand winds to prevent a roadway or sidewalk hazard.
8. Sandwich Boards shall be constructed of weather resistant material, and no plastic or magnetic lettering shall be permitted. Information in the form of words, or images, may be provided in either chalk or dry erase, in which case they shall be changed frequently.
9. No Sandwich Board shall contain foil, mirrors, or base metal or reflective material which could create a hazardous condition to a motorist, bicyclist, or pedestrian, nor contain a light of any kind.
10. Sandwich Boards shall utilize natural or natural looking materials suitable and compatible with the historic nature of downtown Cranbury, and shall not utilize any neon, Day-Glo or garish colors.
11. Sandwich Boards shall be exempt from review by the Township Historic Preservation Commission (and exempt from review under Township Ordinance Chapter 93).

SECTION 5. Cranbury Township Ordinance Section 150-37 (Signs) shall be supplemented with the addition of a new subsection 157-37 E " Temporary Event Signs in the HC, PO/R and GC Zones":
157-37

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E. TEMPORARY EVENT SIGNS IN THE HC, PO/R AND GC ZONES

Temporary Event signs shall be permitted in the HC (Highway Commercial), PO/R (Professional Office/Residential), and GC (General Commercial) zones, only, subject to the following requirements:

1. All non-residential uses, shall be required to obtain a temporary event signage permit approved by the Cranbury Township zoning officer prior to displaying any temporary event signs. A permit shall be required for each sign.
2. Temporary event signage for any one business, shall be permitted for a period not to exceed a total of one hundred and twenty (120) calendar days within a calendar year, with a maximum of six (6) temporary event sign permit issued to each business in a calendar year. Each temporary event sign permit will have a maximum duration of sixty (60) days, after which the permit will automatically expire. A thirty (30) day separation period shall be required between the end of one permitted period of time, and the start of another, such that no temporary signs shall be permitted to that business within the 30 day separation period.
3. Only one (1) temporary event sign shall be permitted per frontage.
4. No temporary event signs shall be placed in a location where the height of the sign exceeds twelve (12) feet in height above grade.
5. Temporary event signs shall not be located within a public right of way, driveway, parking space, or within sight triangles. Temporary event signs shall not block or impede any vehicular, pedestrian or bicycle traffic in any way.
6. The following types and sizes of temporary event signs shall be permitted:
 - a. Banners. A banner is any sign of fabric or similar material that is mounted on a pole and/or building by any means. A banner is not defined by shape, and it may be square, rectangular, round, triangular or pennant shaped. National flags, State, County and Municipal flags or the official flag of any institution or business shall not be considered a banner. A temporary event banner hung from a single pole or light stanchion shall not exceed twenty (20) square feet in area. A temporary event banner strung between a wall and poles, or between poles or light stanchions, shall not exceed one hundred (100) square feet in area.
 - b. Balloons. A balloon is defined as a spherical, flexible, non porous bag inflated with air, or gas lighter than air such as helium, and which is intended to float in the air. Up to twenty (20) balloons of any color in one single bunch may be placed on an existing permanent sign or may be placed in conjunction with a banner for which a temporary event sign permit has been issued.
 - c. Flags, streamers and pennants. A flag is a piece of cloth or plastic, supported by a staff, which is intended to flutter in the wind. National, State, County, Municipal and corporate flags are exempt. A streamer or pennant is an individual object or series of small objects made of a lightweight plastic or fabric or other material, which may not contain text and which is suspended from or twined around a rope, wire or string. Up to two (2) lines of flags, streamers or pennants, totaling not more than thirty (30) feet, may be placed upon or attached to an existing permanent sign, or to a banner for which a temporary event sign has been granted.

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- d. Balloons, flags, pennants and streamers shall require a temporary event sign permit, and the duration of display shall be in accordance with this subsection.
- 7. Temporary event signs shall not be lit by any illumination device, or light source which has not already been approved by site plan approval.

SECTION 6.

Cranbury Township Ordinance 150-37 shall be supplemented to ADD the following subsection H to permit wall signs in the LI (Light Industrial), I-LI (Light Impact Industrial District); RO (Research Office and Light Industrial); and I-LIS (Industrial – Light Impact Sewered) zone districts as follows:

156-37

H. WALL SIGNS IN THE LI, I-LI, RO-LI AND I-LIS ZONE DISTRICTS

The following regulations shall apply to wall signs located within the LI (Light Industrial); I-LI (Light Impact Industrial), RO (Research Office and Light Industrial) and I-LIS (Industrial-Light Impact Sewered) Zone Districts. Wall signs shall be permitted subject to the following requirements:

- 1. Number of signs.
 - a. One (1) wall sign shall be permitted for each street frontage for a single tenant building.
 - b. In the case of a multi-tenant building, one wall sign shall be permitted for each tenant having a public entrance to the building when the entrance is dedicated exclusively to that tenant. Tenants that occupy a corner space in a multi-tenant building shall be permitted to have one (1) sign on each side of the building up to a maximum of two signs. Where several tenants share a common entrance in a multi-tenant building, only one wall sign shall be permitted, however the space on the wall sign may be allocated among the several tenants.
 - c. Building numbering or identification signs for the purpose of directing emergency personnel shall not be included as a "wall sign" for purposes of compliance with this section.
- 2. Size and Dimension of Sign.
 - a. In a single tenant building, the total area of the wall sign shall not exceed twelve (12) square feet, and the height shall not exceed two and one half (2.5') feet and the width shall not exceed six (6) feet.
 - b. For wall signs identifying a single tenant in a multi-tenant building, the total area of the sign shall not exceed six (6) square feet, the height shall not exceed one and one half (1.5') feet, and the width shall not exceed four (4) feet.
 - c. For wall signs identifying multiple tenants in a multi-tenant building, the sign area shall not exceed an area of twelve (12) square feet, the height shall not exceed three (3) feet, and the width shall not exceed four (4) feet.
 - d. Wall Limit. In all cases, notwithstanding the number of tenants, the total area of wall signs on any one wall of the building shall not exceed twenty four (24) square feet.
- 3. Height
 - a. In a single tenant building, wall signs shall either be placed over the main entrance of the building or shall be placed towards a top wall corner, within three (3) feet of the top of the vertical wall to which it is attached and within four (4) feet of the side of the wall to which it is attached.

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- b. No wall sign shall be located less than twelve (12) feet above finished grade, nor shall such wall sign project above or to the side of any wall to which it is attached.
- 4. Projection.
A wall sign shall not project more than twelve (12) inches from the face of the wall.
- 5. Lighting. Wall signs shall not be internally lit. External sources of lighting shall be in accordance with this Chapter.
- 6. Colors. No wall sign shall provide more than three colors, including the colors of black and white and opaque, and shall be compatible with the colors and materials of the wall to which it is attached.
- 7. Identification. Wall signs shall be utilized for the identification of the tenants within the building only, and no advertising, phone numbers, websites or other information shall be permitted . Corporate or business identification logos shall be permitted.

SECTION 7. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 8. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Cranbury Township Ordinance # 07-12-13

An Ordinance entitled, Cranbury Township Ordinance # 07-12-13, "CRANBURY TOWNSHIP ORDINANCE 07-12-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF CRANBURY BY AUTHORIZING THE CRANBURY TOWNSHIP COMMITTEE TO ESTABLISH RECREATION FEES BY RESOLUTION," was introduced on first reading. On motion by Mr. Mulligan, seconded by Mr. Johnson, the Ordinance was passed on first reading by vote:

Ayes:	(Goetz (Johnson (Mulligan (Taylor (Cook	Abstain: (None Absent: (None
Nays:	(None	

Second Reading: August 13, 2012

WHEREAS, Cranbury Township must determine adequate fees for the public use of parks and athletic fields; and

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WHEREAS Cranbury Township must also determine adequate fees for public participation in Township recreation programs, lessons, trips, camps, leagues, games and other Township-sponsored activities; and

WHEREAS, the Cranbury Township Recreation Commission and the Cranbury Township Parks Commission can provide useful information and advice about the fees to be charged; and

WHEREAS, any such fees should be set forth in a Resolution of the governing body and maintained for public inspection in the office of the Township Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1.

Chapter 108, Parks and Recreation, of the Code of the Township of Cranbury is hereby amended and supplemented as follows (additions underlined, deletions ~~struck through~~):

§ 108-1. Hours of operation.

Municipally owned parks shall be open to the public every day of the year from dawn to dusk, except as set forth herein or as said hours may be amended from time to time by the Recreation Department or Township Committee for a specific activity, event or use.

§ 108-2. Reservation of facilities; issuance of permits; activities requiring special permit.

A. Generally.

(1) Certain park areas and facilities may be reserved through the Recreation Department as provided for herein. When a reservation application is approved, the Recreation Department shall issue a permit granting the individual, organization or group exclusive use of the park area and/or facility.

(2) Activities designated as requiring a special permit may only take place in the Township's parks if the interested individual, group or organization applies for and receives from the Recreation Department a special permit therefor.

(3) The Recreation and Police Departments and office of the Township Clerk shall maintain copies of the reservations schedule and all park permits.

(4) All conditions of a permit must be adhered to and any violation of the terms and conditions, rules or regulations, or any falsifications shall constitute grounds for its revocation by the Recreation Department.

B. Reservation of park areas and facilities and athletic fields.

(1) Generally.

(a) Reservation of park areas and facilities must be made in advance through the Recreation Department and in accordance with the requirements set forth hereinbelow.

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(b) All individuals and groups are permitted to use reserved facilities until those who have reservations arrive.

(c) No one individual, group or organization other than the Township may reserve any Township park in its entirety.

(2) Park facilities that may be reserved.

(a) Picnic grove. Up to three tables may be reserved in the picnic grove by a group of 10 or more persons.

(b) Tennis courts. Tennis courts may be reserved only as set forth in § 108-3 below.

(c) Gazebo(s). A gazebo may be reserved by any individual, organization or group.

(3) Park facilities that must be reserved.

(a) Athletic fields. No individual, organization or group may use the Township's athletic fields without first securing a permit and paying the applicable fee, ~~as set forth in §§ 108-3.1 and 108-6 below.~~

(b) Pavilion. Groups of 10 or more persons may not use the pavilion without first securing a permit and paying the applicable fee.

C. Designated activities requiring special permit. Individuals, organizations and groups must obtain special permits in advance through the Recreation Department to:

(1) Camp and/or build campfires.

(2) (Reserved)

§ 108-3. Tennis courts.

A. The use of the Township's tennis courts for any activity other than the playing of tennis is prohibited. Prohibited activities shall be deemed to include, without limitation, rollerblading, rollerskating, riding bicycles, playing hockey and skateboarding.

B. Any person using the tennis courts shall wear tennis shoes or rubber-soled athletic shoes only. No other footwear shall be permitted.

C. No more than one hour of playing time is permitted if there are other persons waiting to use the tennis court, except as otherwise provided below.

D. Tennis courts are not available for reservation except:

(1) During tournament play or lessons sponsored by the Cranbury Recreation Department or Cranbury School District; and

(2) To allow groups of 10 or more persons to reserve one tennis court up to two times per thirty-day period.

§ 108-3.1. Athletic fields.

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A. No individual, organization or group may use the Township's athletic fields for any purpose, including games and practices, without first obtaining a permit in accordance with the provisions hereof and of § 108-6 below and paying the applicable fee.

B. For the purposes of this chapter, the term "athletic field" shall refer to the following:

- (1) Small-sided game field, Millstone Park.
- (2) Small-sided practice fields, Millstone Park.
- (3) Large-sided soccer/lacrosse/field hockey fields, West property.
- (4) Little League field: C1, Village Park.
- (5) Baseball field: C2, Village Park.
- (6) Baseball field, Millstone Park.
- (7) Softball field, Village Park.
- (8) Such other playing fields, including baseball fields, softball fields, soccer fields, lacrosse fields and/or field hockey fields, as may be hereafter owned or controlled by the Township.

C. The specific usage regulations ~~and fee structure~~ applicable to each of the Township's athletic fields shall be as adopted from time to time by resolution of the Township Committee acting in consultation with the Cranbury Township Recreation Commission and/or Parks Commission.

D. In addition to the penalties set forth in § 108-7 below, any person, organization or group who violates or fails to comply with the provisions of this section or the usage rules promulgated hereunder shall be subject to the following:

- (1) First offense: written or verbal warning.
- (2) Second offense: loss of use of practice and game fields for one week.
- (3) Third offense: loss of use of all practice and game fields for the remainder of the season, based upon a majority vote by the Cranbury Township Board of Recreation Commission.

E. All field usage fees collected shall be used exclusively for the improvement, maintenance and operation of the Township's athletic fields and other recreational facilities.

§ 108-4. Regulations applicable to parks and other public lands.

A. As used in this section, the word "person" shall be deemed to mean any individual(s), group(s) or organization(s).

B. The following activities and conduct shall be prohibited within any park belonging to or leased or operated by the Township:

- (1) Unless authorized by law or for municipal, law enforcement or other government purposes, no person shall cause or permit any animal owned by him or in his custody or control to go or be at large. Editor's Note: See Ch. 162, Animals.

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(a) All persons bringing animals, including but not limited to dogs, to open space and recreation areas shall be responsible for removal and disposal of all feces or droppings deposited by said animal.

(b) All animals shall be restrained by a leash, except that horses shall be restrained by reins.

(c) No person shall permit a horse to be unbridled or left unattended in any unenclosed area without being securely fastened.

(d) Horseback riding is prohibited on playing fields, on playgrounds and in picnic areas.

(2) No person shall hunt, molest, harm, frighten, kill, trap, pursue, chase, shoot or throw objects at any animal, wildlife, reptile or bird nor shall any person remove or have in his possession any animal, reptile or bird. No person shall engage in target practice of any kind using any weapon, including but not limited to a rifle, shotgun, handgun or bow and arrow.

(3) No person shall consume or possess any alcoholic beverage(s). Editor's Note: See Ch. 48, Alcoholic Beverages.

(4) No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to cause a breach of the public peace. No person shall use amplified sound equipment, or make any other noise, that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. Editor's Note: See Ch. 110, Peace and Good Order.

(5) No person shall engage in any littering. Trash, refuse, recyclables and litter must be placed in containers provided for that use. Groups of 10 or more are responsible for removing from the park their own trash, refuse, recyclables and litter. Editor's Note: See Ch. 100, Littering.

(6) No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park.

(7) Camping.

(a) No person shall engage in any camping except:

[1] In those areas specifically designated for camping; and

[2] When specifically authorized to do so by special permit obtained as set forth in § 108-2 above.

(b) Use of camping vehicles is strictly prohibited.

(8) No person shall grill or otherwise cook any food items except in those areas specifically designated for same. Editor's Note: Please refer to Cranbury Township Board of Health Ordinance No. HO 2004-1, regulating food preparation in Township parks (Ch. 166, Food Preparation in Township Parks).

(9) Fire.

(a) No person shall kindle, build, maintain or use a fire except:

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Cranbury Township Ordinance # 07-12-13
(Continued)

[1] In those areas specifically designated for grilling; or

[2] When specifically authorized to do so by special permit obtained as set forth in section 108-2 above.

(b) All fires permitted herein shall be continuously under the care and direction of a competent adult and shall be completely extinguished before persons responsible therefor leave the park area.

(10) No person shall use any park or area therein other than for recreation and conservation purposes, as set forth in the Green Acres Program regulations, N.J.A.C. 7:36-1.1 et seq.

(11) No person shall chip, drive or hit a golf ball(s).

(12) No person shall discard or cause to be discarded in the waters or streams any substance, matter or thing.

(13) No person shall affix, glue, tack or otherwise post any sign, placard, advertisement or inscription.

(14) No person shall throw stones or other missiles so as to annoy other persons.

(15) No person shall climb or stand upon tables, seats, fences surrounding tennis courts and playing fields, tennis and basketball equipment, gazebos, pavilions and/or building(s).

(16) No person shall have in his possession or bring into any park, or set or otherwise cause to explode or discharge or burn any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives or flammable material or discharge them or throw them into such area from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compounds may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them to produce rapid flaming, combustion, or administer a destructive blow to surrounding objects.

(17) No person shall operate any motorized vehicle other than on roadways or parking areas specifically provided for such purpose, except that no person shall operate a minibike, moped, snowmobile or all-terrain vehicle anywhere within the boundaries of any park.

(18) No person shall park or cause to be parked any motorized vehicle except in those areas specifically established or designated by signs for such purposes. No motorized vehicle shall be parked, whether or not the operator is in attendance, after the closing hours of any park.

(19) No person shall injure any trees, shrubs or grass, or destroy, cut, break, deface, mutilate, disturb, sever or remove from the ground any plant, flower, growing thing, stem, branch or leaf thereof. In addition, no person shall pile debris of any kind against such vegetation, attach any rope or cable or other conveyance thereto, or set fire or assist in setting a fire to any of the same. This prohibition shall not preclude persons from pitching tents during camping authorized by special permit.

(20) No person shall dig or remove any soil, rock, sand, clay or earth or make any excavation of any kind by any means or agency.

(21) No person shall use metal detectors or similar devices.

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(Continued)

(22) No person shall enter any area designated as "restricted."

(23) No person shall ride or walk a bicycle on any ballfield, tennis or basketball court or ice rink.

(24) No person shall engage in skateboarding or in-line skating except in those areas specifically designated for such activities.

C. Members of the Police Department shall have the authority to eject from parks any person acting in violation of this chapter.

D. Any person who violates any park rule or regulation may be denied the future use of these facilities.

§ 108-5. Speed limits.

The following speed limit is hereby established for all vehicles within all open space and recreational area of the Township: 15 mph.

§ 108-6. Permits.

Permit applications may be obtained at the Cranbury Township Office, 23-A North Main Street, Cranbury, New Jersey 08512. For any organized group or organization to reserve a recreational area, facility or field, a Certificate of Insurance as proof of current liability coverage must be provided as set forth hereinafter. Individual users shall not be required to provide a Certificate of Insurance, provided they execute a "Waiver of Liability to the Township" in lieu of such certificate. Certificates of Insurance shall include the following:

A. Liability limits of \$1,000,000 for each occurrence for personal injury and bodily injury/property damage.

B. The Certificate must indicate that athletic participation liability coverage is included for use of the Township facilities.

C. Cranbury Township must be specifically named as an additional insured.

D. The Certificate must indicate that the user's policies will be primary for the additional insured.

§ 108-7. Fees.

A. The Township Committee shall determine the fees charged for the use of any Township park or athletic field, and the fees charged for participation in any Township recreation program, lesson, trip, camp, league, game or other Township-sponsored recreation activity.

B. Any fee charged under subparagraph (a) must be set forth in a recreation fee resolution adopted by the Township Committee.

C. The Township Committee may consult the Cranbury Township Recreation Commission and/or the Cranbury Township Parks Commission before adopting a recreation fee resolution.

D. The recreation fee resolution shall be maintained in the office of the Township Clerk.

§ 108-78. Violations and penalties; liability for property damage.

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(Continued)

A. Any person, organization or group who violates or neglects to comply with any provision of this chapter or any regulation promulgated hereunder shall, upon conviction thereof, be punished by a fine of at least \$50 but not to exceed the maximum permitted by § 1-14 of this Code and such other penalties as may be imposed under § 1-14. Each and every day that such a violation continues shall be considered a separate violation of this chapter.

B. Parents and guardians shall be liable for any property damage that is caused by any minor in their charge. Groups and organizations reserving park facilities or other recreational facilities shall be liable for the fines of any of their members using the facilities and shall also be responsible for reimbursing the Township for any property damage caused by any of their members.

SECTION 2. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Resolution

Mayor Cook reported the business district east of Route 130 is an area designed to handle ratables for the Township. Mayor Cook explained the more area Cranbury preserves, the less area is developed, which results in less ratables. He stated the ability to develop the area east of Route 130 is hinged on, not so much the availability of water or electricity, but on the lack of sewer capability. Mayor Cook stated this Resolution will look expanding the sewer system in a tiered fashion, addressing the area east of Route 130 immediately, and then proceeding to the west side of Route 130. All members of the Township Committee provided their support for the Resolution. On a motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the following Resolution was adopted by vote:

Ayes: (Goetz
(Johnson
(Mulligan
(Taylor
(Cook

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 07-12-098

TOWNSHIP OF CRANBURY

RESOLUTION RECOMMENDING THE EXPANSION OF THE
CRANBURY TOWNSHIP SEWER SERVICE AREA

WHEREAS, in 2008, New Jersey's Water Quality Management Planning Rules (NJAC 7:15) were readopted with amendments that designated counties as the responsible Wastewater Management Planning agencies; and

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Cranbury Township Resolution # R 07-12-098
(Continued)

WHEREAS, Middlesex County is the designated planning agency for the Lower Raritan-Middlesex Area-Wide Water Quality Management Plan; and

WHEREAS, owners of several properties that are not currently in Cranbury Township's sewer service area have asked that they be given the opportunity to obtain sewer service; and

WHEREAS, providing sewer service to these and adjoining properties is consistent with the zoning of the properties; and

WHEREAS, sufficient treatment capacity exists through the Middlesex County Utilities Authority to provide sewer service to the properties.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury in the County of Middlesex that Middlesex County expand the 208 Sewer Service Area to Cranbury Township to include the properties located at: Block 10 Lot 12.01, 12.02, 12.03 and 18; Block 16 Lot 1, 2, 3, 7, 8, 9, 10 and 11; Block 17 Lot 1, Block 18.07 Lot 43, 44, 45 and 46; and Block 19 Lot 13.01 and 13.02.

Resolutions

Consent Agenda

Mayor Cook summarized the Consent Agenda Resolutions and asked the Township Committee if there were any questions or comments, or if anyone wished to have an item considered separately. On a motion by Mr. Mulligan, seconded by Ms. Goetz and unanimously carried, the following Consent Agenda Resolutions were adopted by vote:

Ayes: (Goetz
(Johnson
(Mulligan
(Taylor
(Cook

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 07-12-099

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

Cranbury Township Resolution # R 07-12-100

A RESOLUTION AWARDED PROFESSIONAL SERVICE AGREEMENT
FOR COMMERCIAL TAX APPEAL LEGAL SERVICES

WHEREAS, the Township wishes to hire the following firm ("Professional") to provide professional services to the Township during the calendar year 2012 as follows:

- a). Harry Haushalter, Esquire, Commercial Tax Appeal Legal Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in his/her respective proposal submitted to the Township, which is incorporated herein as if fully restated; and

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Cranbury Township Resolution # R 07-12-100
(Continued)

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professional has completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that he/she has not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of this contract without public bidding on the basis that he/she is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of said Agreement will exceed \$17,500.00;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, as follows:

1. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2012:
 - a). Harry Haushalter, Esquire – Commercial Tax Appeal Legal Services
2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreement with the aforementioned professional pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution, the pay-to-play forms, and the executed Agreement and insurance certificate shall be placed on file in the Office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 07-12-101

Resolution Rescinding Cranbury Township Resolution # R 06-12-094

WHEREAS, on June 25, 2012 Cranbury Township Committee adopted Resolution # R 06-12-094 for a Change Order for R&B Builders for the project known as "Griggs Tract I"; and

WHEREAS, it has been determined by the Township's Chief Financial Officer a resolution (Cranbury Township Resolution # R 12-09-178) had previously been adopted and therefore the resolution adopted on June 25, 2012 was not necessary;

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Cranbury Township Resolution # R 07-12-101
(Continued)

NOW, THEREFORE BE IT RESOLVED, Cranbury Township Resolution # R 06-12-094 is hereby rescinded.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello reported she met with the Sewer Subcommittee concerning the sewer connection fee. She reported the Subcommittee also discussed the Sewer Code may have to be tightened as there are items addressed in developers' agreements that the Subcommittee feels should now be in the Code. Ms. Marabello reported an Ordinance to update the Code may be introduced in the Fall.

Reports from Township Staff and Professionals

--Assistant Administrator's Report

Ms. Cunningham stated that Cranbury Day will be held on September 8th, and reminded the Township Committee to think about what information they would like available at the Township Committee table.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Public Comment

The Mayor opened the meeting to public questions and comment.

Ms. Kaitlyn Kanzler asked for the location of the Farmers' Market. Mayor Cook stated it was at the end of Park Place West, and Mayor Cook stated the location is the grassy area at the end of Park Place. There were no further public comments, and the Mayor closed the public portion of the meeting

Mayor's Notes

Mayor Cook reported one of the letters concerning the fireworks display stated it was the favorite display out of the five (5) shows the person saw. He then requested a motion to adjourn.

On a motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 7:30 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk