

TOWNSHIP COMMITTEE MEETING
October 22, 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, Daniel Mulligan, James Taylor, and Mayor David Cook. Also present were Steven Goodell, Esq., Township Attorney; Denise Marabello, Township Administrator/Director of Finance; and Kathleen Cunningham, Municipal 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.

Resolution

Mayor Cook read the following Resolution honoring the Cranbury Woman's Club. On a motion by Ms. Goetz, seconded by Mr. Johnson, the following Resolution was adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 10-12-130

WHEREAS, the Woman's Club of Cranbury was organized on November 9, 1898; and

WHEREAS, the Woman's Club of Cranbury is celebrating 90 years as a member of the New Jersey State Federation of Woman's Clubs and will have an "afternoon tea" and program to celebrate the anniversary at their meeting on Wednesday, November 7, 2012; and

WHEREAS, the Woman's Club has served its community for more than 100 years with local, state and national projects and programs that make a difference in the lives of others; and

WHEREAS, the Woman's Club of Cranbury welcomes any woman in the Cranbury area to consider joining as its members enjoy cultural, educational, and social activities while having fun and making new friends and welcomes women to participate in monthly general meetings that provide programs on topics of current interest and in seven (7) specialized departments; and

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Cranbury Township Resolution # R 10-12-130
(Continued)

WHEREAS, the Woman's Club of Cranbury provides great community services such as planting and maintaining the barrels along Main Street, sponsoring Cranbury Township Committee "Candidates' Night", sponsoring the Community Tree Lighting in Memorial Park as well as the Community Egg Hunt in Village Park, the Mother's Day plant sale at the Cranbury School, hosts the Golden Age Neighbors Luncheon; and

WHEREAS, the Woman's Club of Cranbury encourages its youth to achieve educational goals by providing eighth grade graduation awards and scholarships to students entering their first year of post-secondary education; and

WHEREAS, the Club reaches out to the needy in our Community by donating food to "Skeet's Pantry", donating needed items to "Women Aware", making blankets for "Project Linus" and filling Christmas stockings for the troops;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby congratulates the Woman's Club of Cranbury on its Anniversary and thanks the Woman's Club for their very important contributions to Cranbury Township's residents.

Regular Township Committee Minutes of October 8, 2012.

On motion by Ms. Goetz, seconded by Mr. Johnson and unanimously carried (with Mr. Mulligan abstaining due to absence), the Regular Township Committee Minutes of October 8, 2012 were adopted.

Closed Session Minutes of October 8, 2012.

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried (with Mr. Mulligan abstaining due to absence), the Closed Session Minutes of October 8, 2012 were adopted.

Reports and Communications

--Mayor

Mayor Cook reported the 315th Anniversary Celebration was well attended, including Senator Linda Greenstein, Assemblyman Wayne DeAngelo and Assemblyman Dan Benson, Hightstown Steven Kirson, East Windsor Mayor Janice Mironov, and letters were received from Plainsboro Mayor Peter Cantu and South Brunswick Mayor Frank Gambatese.

Mayor Cook reported meetings concerning the Route 130 corridor are proceeding, and stated there is interest at the Congressional level concerning how the roadway affects Cranbury, East Windsor and South Brunswick. Mayor Cook stated the goal over the next few years would be to reduce traffic and congestion on the Corridor and also the projected increase of truck traffic from current and future warehouses. He stated Cranbury has about 8 million square feet of warehouse space and South Brunswick has about 20 million square feet. He stated more warehouses are also being built around Exit 7A on the Turnpike.

Mayor Cook reminded the public that Pumpkin Carving Night for Kindergarten through 5th grades will be held on Friday, October 26th.

Reports and Communications

--Members of Committee

Ms. Goetz reported another Downtown Beautification meeting was held. Information received from the public meeting was discussed, and Ms. Goetz stated the participants at the meeting placed a strong emphasis on options for lighting, particularly in the retail portion of Main Street. Ms. Goetz reported the focus for this \$220,000 grant will most likely be from School House

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Reports and Communications

--Members of Committee

(Ms. Goetz cont'd.)

Lane up to the corner of Park Place West. Ms. Goetz stated the thought is not to have Main Street look symmetrical, but rather to have a "lived in" look. She stated safety will be a focus where, particularly on the west side where it is difficult to see driveways. She stated the thought is to somehow mark the driveways differently from the sidewalks. She stated trees are also important to keeping Main Street looking like it does, and the Subcommittee will continue to work closely with the Shade Tree Commission and with the Turnpike Tree Subcommittee to maintain Main Street's "look". She reported one of the discussions was whether the Subcommittee should focus on one side of the street or both sides, and she stated the Subcommittee is still discussing how to spend the money. She stated the Subcommittee wants the project to be able to stand alone in case the Township does not receive additional funding to do additional work, or to be the starting point should additional funds be received.

Mr. Mulligan reported he attended the Recreation Commission meeting last week where the lack of a policy in place for summer camp counselors and counselors-in-training was discussed. The Commission will come up with a more formalized policy creating a "path" for counselors-in-training to progress to junior counselors before becoming full counselors. Mr. Mulligan stated there has never been a written policy, and Mr. Ken Jacobs, Recreation Director is working with Ms. Marabello, Township Administrator to create a policy.

Mr. Mulligan stated he and Mayor Cook sit on the Planning Board and reported preliminary approvals were granted for the Alfieri property on Route 130 and the corner of Station Road. Ms. Goetz asked about the plans for that property, and Mr. Mulligan stated a warehouse will be built pending final approvals and if a tenant can be found for the property.

Mr. Johnson reported last year that college students were seen doing surveys/studies of Township trees. He stated it was thought it would be good if the Township could obtain the data from those studies since the Township does not have the money to conduct its own study. Mr. Johnson reported a few weeks ago Ms. Bonnie Larson found the 10-year study (2002 – 2012), which was tracking leaf scorch. Ms. Larson reported the authors want to put the study in a format that will be helpful to the Township.

Mr. Taylor reported the traffic statistics for the month of September include 241 summonses issued (year-to-date 1,596); 32 speeding summonses were issued. The top summons locations include U.S. Highway Route 130, North Main Street and Old Trenton Road, and top speeding summons locations include North Main Street, Old Trenton Road and Plainsboro Road. Mr. Taylor reported causes for overtime man hours (highest to lowest) were shift coverage, special Details (Cranbury Day) and investigations. There were 237.5 overtime man hours during September (year-to-date 2,373.5), including 170.5 hours for shift coverage for the month (1,681.0 hours shift coverage year-to-date).

For the Traffic Bureau, Mr. Taylor reported there were 31 motor vehicle crashes and one (1) fatal motor vehicle crash on Route 130.

For the Detective Bureau, Mr. Taylor reported there were six (6) new criminal investigations; two (2) closed criminal investigations; 14 active criminal investigations; two (2) new administrative investigations; two (2) close administrative investigations; five (5) patrol assists; and four (4) meetings/training sessions.

Mr. Taylor reported CERT was activated for both the Helene Cody 5K Run as well as for Cranbury Day.

For primary incidents, Mr. Taylor reported there were 12 total arrests; five (5) Driving While Intoxicated Arrests; no CDS (Drug) arrests; four (4) warrant arrests; three (3) assaults; one (1)

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Reports and Communications

--Members of Committee

(Mr. Taylor cont'd.)

burglary; two (2) theft/shoplifting; and three (3) disorderly persons/Township Ordinance complaints.

The Police Department vehicle mileage for the month was 8,577 miles (89,628 year-to-date mileage). Vehicle maintenance expenditures for the month were \$4,565.56 (year-to-date expenditures \$25,084.98) for a replaced electronic trans control module for car #24; a new radiator for car #22 and tires.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

Agenda Additions/Changes

Ms. Cunningham, Municipal Clerk, stated Consent Agenda Resolution # R 10-12-134 for George's Garage and Towing for police and municipal vehicle maintenance is being deleted since there is already an agreement in place and this Resolution would be redundant.

Mayor Cook asked if there was any Public Comment concerning agenda items, and hearing none, proceeded with the agenda.

Resolutions

Consent Agenda

Mayor Cook gave a brief summary of the Resolutions and asked the Township Committee if there were any questions or comments. On a motion by Mr. Mulligan, seconded by Mr. Taylor, the following Consent Agenda Resolutions were adopted by vote:

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

Cranbury Township Resolution # R 10-12-131

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 #10-12-132

A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW

WHEREAS, Dominic DiFlorio has deposited engineering escrow with Cranbury Township

WHEREAS, Dominic DiFlorio has requested the release of the balance of said escrow in the amount of \$1,893.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Cranbury Township Resolution #10-12-132
(Continued)

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (a) Township Attorney
- (b) Township Director of Finance
- (c) Dominic DiFlorio

Cranbury Township Resolution # R 10-12-133

A RESOLUTION AUTHORIZING THE RELEASE
OF A PERFORMANCE GUARANTEE FOR DIFLORIO

WHEREAS, by letter dated September 26, 2012, DiFlorio has requested the release of his performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated October 12, 2012 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash	\$10,000.00
------	-------------

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

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (d) Township Engineer
- (e) Township Director of Finance
- (f) Dominic DiFlorio
- (g) Township Attorney

Cranbury Township Resolution # R 10-12-135

A RESOLUTION AUTHORIZING THE EXECUTION OF A
SHARED SERVICES AGREEMENT WITH THE BOROUGH OF HIGHTSTOWN FOR THE
CONTINUED PROVISION OF EMERGENCY "9-1-1" DISPATCHING SERVICES

WHEREAS, in prior years, the Township of Cranbury and the Borough of Hightstown have executed a Shared Agreement for the Borough's provision of Emergency "9-1-1" Police Dispatch Services on behalf of the Township; and

WHEREAS, the Borough has offered to continue to provide these services to the Township during 2013 as set forth in the attached agreement; and

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Cranbury Township Resolution # R 10-12-135
(Continued)

WHEREAS, the total fee for 2013 will be \$110,000: and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for these services during 2013: and

WHEREAS, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. Seq:

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

1. Said Agreement is hereby continued for a period commencing January 1, 2013 through December 31, 2013.
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

Cranbury Township Resolution # R 10-12-136

WHEREAS, The Tax Collector, Ross E. Maszczak has certified that the following taxpayers overpaid their taxes; and

WHEREAS, the Tax collector is requesting that the overpaid taxes be refunded,

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

<u>Taxpayer</u>	<u>Refund</u>
OWNER: Gu, Hong & Li, Hong 10 Chamberlain Court Cranbury, NJ 08512	\$3,277.48
OWNER: Gu, Hong & Li, Hong	
LOCATION: 10 Chamberlain Court	

BLOCK: 18.07 LOT: 34.01 QUALIFIER: N/A

Total	\$3,277.48
-------	------------

Cranbury Township Resolution # R 10-12-137

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

RESOLUTION AUTHORIZING THE TOWNSHIP TO INCUR COSTS AND
CONDUCT AN INVESTIGATION & VALUATION OF LAND TO BE ACQUIRED

WHEREAS, the Township of Cranbury has an agreement with the County of Middlesex to conduct work on the Brainerd Lake Dam; and

WHEREAS, in order to conduct the necessary repairs the Township needs to acquire a construction easement and a permanent easement over the lands at 1 North Main Street, also known as Block 23, Lot 71 and 71.01 as shown on the Cranbury Township Tax Map; and

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Cranbury Township Resolution # R 10-12-137
(Continued)

WHEREAS, it is necessary for the Township to incur costs to conduct an inspection and valuation of the lands to be acquired;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Township shall conduct an investigation and inspection of the lands to be acquired located at 1 North Main Street, also known as Block 23, Lot 71 and 71.01 as shown on the Cranbury Township Tax Map; and that the Township shall obtain an appraisal report setting forth the value of the land to be acquired.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello reported she and Mr. Bill Tanner, Township Engineer, are in the process of negotiating the Monroe Sewer Maintenance Agreement with Monroe Township. She reported she will present additional information to the Township Committee for discussion in Closed Session once the details are in place.

Ms. Marabello reported she received a letter from Middlesex County giving preliminary approval for the Protinick Farm to apply for the farmland easement program.

--Assistant Administrator's Report

Ms. Cunningham stated she had nothing to report.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions

Work Session

a). Discussion Related to Property Maintenance Code

Mr. Mulligan and Mr. Johnson presented to the public and Township Committee draft property maintenance standards for both residential and commercial properties within the Township. Mr. Mulligan reported the members of the Subcommittee included himself, Mr. Johnson, Ms. Bonnie Larson, Mr. John Kulpa, and Mr. Joe Territo. Mr. Mulligan stated this is the third time this topic is being addressed at a public Township meeting. He gave a background on existing maintenance issues and the problem of addressing the disrepair. He stated this is not big government coming into tell residents how to manage their homes or to micromanage; however, the Code can provide a mechanism to quickly mediate issues. In addition to a couple of residential properties going into foreclosure, Mr. Mulligan stated there were commercial properties that were in disrepair, and there is no Code at the local level which gives the Township jurisdiction to address the problems.

Mr. Mulligan stated the Subcommittee did an analysis to see what could be done. He stated the State Health Code gives the Township some flexibility; however that Code is open to a lot of interpretation and requires a State Health Official to be involved. Mr. Mulligan stated the goal is to have a "stand-alone" Code of minimum standards, which would be easy for residents to access and identify. He stated the focus would be on gaps in health and safety, maintaining the integrity of the Township, and retaining the financial investment each and every resident has in their homes. Mr. Mulligan pointed out maintenance is not an issue until it happens next to your home. Mr. Mulligan stated he had business travel come up and he wanted to acknowledge Mr. Johnson's time and hard work in picking up the slack and pulling the Code together in his absence. Mr. Mulligan stated the Code is not overbearing, and stated he thought residents would think most of these issues would already be addressed in our current Code. However, there are many items that are not enforceable at the local level.

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Work Session

a). Discussion Related to Property Maintenance Code
(Mr. Johnson cont'd.)

Mr. Johnson stated Cranbury Township prides itself on its historical properties and there should be some minimal standards which are easily understood by residents and are easily enforced. Mr. Johnson reported he was shocked when doing research that there is a very detailed set of standards called the BOCA Standards, which are adopted by many communities as their maintenance standards. He stated the book is very thick and detailed, and he is not sure how municipalities can enforce all the codes. The Subcommittee wanted a basic structure to convey the Township's expectations to residents.

Mayor Cook stated the spirit of the Code is essentially to give the Township the ability to have a minimal amount of involvement to address residential and commercial maintenance issues. He inquired if there would be a level of enforcement that would use judgment, and asked if the enforcement would be by Mr. Jeff Graydon, Cranbury Township's Zoning Officer. Mr. Mulligan stated from discussions with Ms. Marabello, Township Administrator that Mr. Graydon's job deals with land use issues, and this Code does not deal with land use. Mr. Mulligan stated the thought is the Head of Public Works or his designee would be the enforcer.

Ms. Goetz stated this exercise was started as a "gap analysis." She asked for clarification if this is new information that does not exist anywhere else in the Township's current Code. Mr. Mulligan clarified the information addresses issues not enforced in the current Code. He stated the Subcommittee listened to previous concerns and tried to come up with compromise.

Mr. Mulligan stated the Code could be reviewed at a high level, and his main concern was obtaining feedback from the public. Mayor Cook suggested addressing specific components first and then opened the meeting to public comment. Mayor Cook informed the public that Township Attorney Steven Goodell, Esq. was present at the meeting to address any legal questions.

Mayor Cook stated he needed additional language concerning the code on fences to allow for certain maintenance conditions. Mr. Mulligan stated the intent with fences is that fences should be upright, and if the fence is lying down, it should be fixed or removed. He stated chain link fences should be intact or be removed; picket fences should have all the pickets or be taken down. Mr. Goodell stated this section is simple and direct; however, he stated the second sentence will probably cause the most controversy in terms of enforcement. He stated the first sentence concerning keeping a fence up and having all pieces intact is very straightforward. Mr. Goodell stated the second sentence concerning "a fence not having all its part and not being maintained will be taken down" is more aggressive. He stated there could be a problem stating a fence will be removed when there is an obligation for some reason to have a fence there. Otherwise, Mr. Goodell stated the wording is very direct.

Mr. Taylor stated he would prefer having the second sentence removed because of how it could be interpreted in the future. He stated he is concerned about how "deterioration" would be interpreted. Mr. Goodell stated the two sentences could be combined to say "Fences shall be maintained in upright position, have all their intended parts and be maintained in good repair." He stated the wording "good repair" has been incorporated, and the more draconian wording of "tear down the fence" has been removed, making it less subject to interpretation. The Township Committee agreed to remove the wording "good repair" because it leaves it too open to interpretation. Mr. Mulligan confirmed the wording to be used would be "Fences shall be maintained in upright position and have all their intended parts." Mr. Goodell agreed, stated that wording is easily enforced.

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Work Session

a). Discussion Related to Property Maintenance Code

(Mr. Taylor cont'd.)

Mr. Taylor stated he had some concerns on wording on exteriors and roofing of buildings. He stated he spoke to a couple of contractors and the Township's building inspectors concerning the exterior roofing being weather resistant and water tight, which cannot be determined without actually going into the structure. Mr. Mulligan stated the spirit of the Code is to take care of problems with homes which are vacant or foreclosed on. Mr. Johnson stated two layers of roofing are allowed; however, there is potentially a problem if you can see a substantial amount of roofing is missing. Mr. Taylor stated the current Code does not impose any financial burden to a resident to re-roof a home; however, he is concerned about roofing being included in the new Code because of the potential financial obligation to residents.

Additional discussion was held concerning roofing. Mr. Goodell stated one issue is the safety concern of roof shingles being blown off or flapping, while the second issue is having a weather-proof structure. Mr. Goodell stated for a minimalist approach, the less restrictive language may be used concerning secured roofing shingles; however, if the Township is interested in having a building be weather tight, the more restrictive language is necessary. Mr. Mulligan stated the spirit of the Code is to address properties that are not being maintained due to neglect or bank foreclosures. He stated the Code would not address the average home in Cranbury; however, the Code is to address rapid degradation of neglected properties.

Ms. Goetz clarified the process, stating the Enforcement Officer would issue a violation notice and the resident would have a certain amount of time to respond to the Township Administrator. If there was not resolution of the problem, the Township could have the work done. Ms. Goetz asked if the resident would be charged for the work through their taxes. Mr. Mulligan stated the process would be to notice a resident and then fines would be levied. Mr. Goodell stated there are two different enforcement mechanisms. The first option would be for violations such as tall grasses, a violation could be issued and if action is not taken, Public Works could cut the grass and it could be billed as a lien against the property. The second option would be to go to Municipal Court where the case would have to be proven beyond a reasonable doubt, which is tougher burden to prove and could be more time consuming to get on the Court docket. The advantage of this option would be the Municipal Court Judge can issue fines and penalties which can grow rapidly and provide a greater incentive for someone to address the violation.

Mr. Taylor raised his concern over the term "weather resistant", and Mr. Mulligan explained the Code would address extreme situations. Mayor Cook asked Mr. Taylor if he would be more comfortable if the terms "weather resistant" and "water tight" were removed. Mr. Taylor stated he was not as concerned with the exterior siding of homes, but with the roofing because of the financial burden to the residents of replacing the roof. There was additional discussion concerning the language, and Mr. Mulligan asked Mr. Goodell if the wording was appropriate. Mr. Goodell stated the wording selected must accomplish the Township's goal, which is a policy decision. Mr. Mulligan stated "water tight" could be removed.

Mr. Taylor asked the reason for securing plywood over broken windows. Mr. Mulligan stated the plywood was a compromise by the Subcommittee to assure safety and deter vandalism.

Mr. Taylor asked about "rock piles" listed under the Grounds section, and asked about residents using gravel on their driveways. Mr. Mulligan stated the Code is to deter a property from becoming a dumping ground. The wording for rocks was changed to include "temporarily-stored landscaping rocks."

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Work Session

a). Discussion Related to Property Maintenance Code

(Mr. Taylor cont'd.)

Mr. Taylor stated he spoke with Ms. Lee Lloyd, Middlesex County Health Officer for Cranbury Township, who offered to come to a Township Committee to discuss her experience working on maintenance codes with other municipalities.

Ms. Goetz reported Ms. Lloyd stated at a Board of Health meeting her hope that the Township Committee could move forward with the Maintenance Code so overgrown grass issues could be addressed. Mr. Mulligan stated the legal review of the Maintenance Code was already done with the Township Attorney, and stated the Code was now being fine-tuned. Mr. Mulligan stated he was now looking for the Township Committee's approval to move forward with the Code. If in agreement, Mr. Mulligan stated he would like to see the Property Maintenance Code ready for First Reading at the November 5th meeting.

Mr. Taylor asked Mr. Goodell why this Maintenance Code could not be incorporated in the existing Code instead of a separate chapter. Mr. Goodell stated it makes sense to be separate as residents can access one chapter concerning maintenance, and it creates a separate chapter for a separate enforcement officer. Mr. Goodell stated this chapter focuses the maintenance issues in one place and provides for a particular officer to enforce the violations, and provides for easy, straight-forward remedies. He stated this is an efficient way to address maintenance issues.

Public Comment

The Mayor then opened the meeting to public questions and comment.

Ms. Jane Elias, Labaw Drive, asked how many homes in the Township are affected by the Code, and Mr. Mulligan stated approximately six homes. Ms. Elias stated she and other Four Seasons residents were present at the meeting to voice their concerns about the Cheney property.

Mayor Cook stated he has spoken to parties interested in purchasing the Cheney property and the hope is the property will be sold. For insurance purposes, the owners will look into whether a fence on the property is necessary. Mayor Cook stated fencing may be necessary to gate off the driveway leading to the back of the property, and the rest of the fencing may not be necessary. If necessary, the fencing will be brought up to Code.

Mr. Taylor asked Mr. Steve Goodell if an Ordinance concerning vacant properties could be written separate from the General Maintenance Ordinance. Mr. Goodell stated if the only issue is ownership of a property (private owner versus bank ownership), a definition of "abandoned" would be necessary; however, he stated the General Maintenance Ordinance should be sufficient to cover vacant properties.

Mr. Hal Rourke, Labaw Drive, asked if the Enforcement Officer will be enforcing the Code on a regular basis or only when a complaint is called in. Mr. Goodell stated the Enforcement Officer will enforce on a regular basis, as well as respond to complaints when received.

Ms. Linda Bowker, Bunker Hill, stated she did not understand the language concerning a "reasonable time" to remedy a violation. She asked who is responsible for the removal of existing tree stumps on Main Street and rocks on Bunker Hill placed by the resident to discourage parking. Ms. Bowker stated there are many tree stumps on Main Street; however, the Ordinance is addressing residents and commercial properties and does not address the Township. Mr. Goodell clarified the tree stumps would be "uprooted" tree stumps. Mayor Cook asked the reason for the two (2) time periods to remedy violations (10 days versus 30 days). Mr.

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Goodell explained the Enforcement Officer will allow "not less than ten (10) days" to remedy a violation, and he has some discretion to determine a reasonable time period to correct an issue. Mayor Cook asked for further clarification between the ten (10) days and 30 days, and Mr. Mulligan asked if the intent was to allow up to a 30-day time period. Mr. Goodell explained the

Public Comment (Continued)

"30 days" listed in the "Building Section" allow for 30 days to repair damage before being faced with an enforcement action.

Mr. Joe Valente, Cranbury Neck Road, asked if residents will be "grandfathered" concerning plantings and bushes being too close to walkways. Ms. Goetz clarified sidewalks must be clear for walking, and tree limbs must be high enough to walk under. Mr. Mulligan stated walkways cannot be blocked.

Mr. Richard Kallan asked why sidewalks are not addressed in the document. He recommended putting a reference to sidewalks in the Ordinance. Mr. Mulligan stated sidewalks are already included in the existing Code. Mr. Kallan suggested extracting the sidewalk language from the Code and include it in the General Maintenance Code. Mr. Mulligan suggested having a reference back to the Code for easier access for residents.

Mr. Kallan stated many residents have gravel driveways and over time the gravel migrates on the sidewalks. He suggested wording be included for residents to maintain gravel driveways.

Mr. Dave Mauger, Griggs Road, stated he has good neighbors; however, he stated he could appreciate the concerns of residents living next door to problem properties. He stated he believed the Township Committee needs additional time to review the Maintenance Ordinance; however, problem properties should be addressed quickly. He stated he could appreciate the frustration of residents living close to properties needing repair and encouraged the Township address those issues quickly. Mr. Mauger stated there would be less concern by the public at large if residents have more time to "weigh in" on the Ordinance.

Mr. Joe Territo, Labaw Drive, asked for clarification on fences. Mr. Mulligan stated the wording "fences shall be removed" will be deleted and a new sentence in 116.4C be inserted, as follows: "fences shall be maintained in an upright position and have all their intended parts." Mr. Goodell stated this wording was a compromise on the verbiage. Mr. Territo asked for clarification on rocks. Mr. Goodell stated the word "uprooted" would be added to tree stumps, and this section shall not apply to "rock gardens or the use of rocks as a focal point in landscape or to rocks temporarily piled for landscaping purposes or for gravel piled for purposes for use in a driveway. Mr. Territo asked how long construction rocks can be left on site. Mr. Goodell stated gravel used for driveways can be piled; however, construction waste material cannot be left. There was further discussion concerning rocks and gravel.

Ms. Connie Bauder, Petty Road, stated there are properties in excess of ten (10) acres and asked if this Maintenance Code would apply to natural woodlands. Mr. Mulligan stated the Ordinance would apply to residential properties where violations would be in plain site; however, the intent is not to go on private properties looking for violations.

Mr. Gerry Metzheiser, Trowbridge Lane, asked if the Ordinance will be published as a public notice and would that not be sufficient notice for residents. Mayor Cook stated the Ordinance was not being voted on at this meeting as it affects a large population in different ways. Ms. Goetz clarified for the public that some changes would be incorporated into the Ordinance which will then be introduced at a First Reading. Public Comment can be made at the Second Reading before the Township Committee votes to adopt the Ordinance.

Mr. John Kulpa, Labaw Drive, stated he feels the Township Committee has a good idea of what needs to be done. He stated there has been discussion on this issue since June 2011. He

TOWNSHIP COMMITTEE MEETING
October 22, 2012

Public Comment (Continued)

stated a document needs to be created and urged the Township Committee to introduce the Ordinance at the next meeting.

Mr. Mulligan, Ms. Goetz and Mr. Johnson supported introducing the General Maintenance Ordinance at the November 5th Township Committee Meeting. Mr. Taylor stated he would like to first have an additional discussion with Mr. Goodell.

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

Mayor's Notes

Mayor Cook stated the draft Ordinance is fluid and stated if a portion of the Ordinance does not work in the future, it can be changed. It does, however, give the Township the ability to address issues. Mayor Cook stressed the Township Committee was appreciative of public input. Mayor Cook then asked for a motion to adjourn.

On a motion by Mr. Johnson, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 8.55 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk