

TOWNSHIP COMMITTEE MEETING
October 23, 2017

The Township Committee Meeting 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, Jay Taylor and Mayor Dave Cook. Mr. Dan Mulligan was absent. Also present were Michael Herbert, 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 December 5, 2016 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 5, 2016.
- (3) Filed on December 5, 2016 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.
- (4) Sent to those individuals who have requested personal notice.

Presentation of Letters of Recognition to Benjamin Cier and Hunter Pormilli for obtaining their Eagle Scout Awards

Mayor Cook presented Letters of Recognition to two (2) Boy Scouts for obtaining their Eagle Scout Awards. Mayor Cook stated Mr. Cier's project was to build a trash enclosure with a gate behind the Presbyterian Church Office. He also removed mulch, plantings and shrubs in front of the Church Office and improved the landscaping with brick edging for the flower beds. The Project benefitted the Church in both safety and beautification. Mayor Cook gave some background on Ben's time in scouting. Mayor Cook then acknowledged Mr. Pormilli's project, which was a 1-1/2 mile trail blazed and constructed to give the community a recreational trail for public access along Old Cranbury Road. The trail was cleared by the river and through the woods. Garbage was cleared; underbrush and dead branches and large vines were also cleared. Fallen branches were used to outline the cleared trail and the trail was blazed with yellow squares to identify the route of the trail, now called the Pin Oaks Loop Trail. Mayor Cook stated Mr. Pormilli worked with the Environmental Commission to plan the trail, bought the supplies and led the work of constructing the trail. Mayor Cook presented the Letters of Recognition to both Scouts and congratulated them on their Projects.

Township Committee Minutes of October 9, 2017.

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the Township Committee Minutes of October 9, 2017 were adopted.

Closed Session Minutes of October 9, 2017

On motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the Closed Session Minutes of October 9, 2017 were adopted.

Reports and Communications

--Mayor

Mayor Cook appointed Ms. Courtney Kohut as a regular member on the Board of Recreation Commissioners with a term expiration date of December 31, 2020.

Mayor Cook reported to the public that the Township Committee has worked over the last few years with the Department of Transportation. He reported the Township is trying to have the Route 130 Circle addressed as well as a reclassification of Route 130 to allow for additional businesses that have

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Reports and Communications

--Mayor

approved for that corridor. In addition, Mayor Cook reported the Township is submitting for RFPs for monies that will be made available by the DOT through a grant program (a disbursement of the \$0.23/gallon gas tax monies). The first grant is for \$30 million, and Cranbury Township is submitting an RFP for funds to repair Brickyard Road, a "freight zone" and warehouse area, which is what the grant addresses. The RFPs must be submitted by December 17th. Mayor Cook reported a meeting was held with the Township's consultants and engineer to discuss the grant. He reported a meeting with the DOT was also held earlier today to discuss the Route 130 Circle and the reclassification of Route 130. Mayor Cook stated Cranbury is on DOT's radar for projects.

Reports and Communications

--Members of Committee

Mr. Taylor – Mr. Taylor reported he had no updates this evening.

Ms. Goetz – Ms. Goetz reported she also had no updates.

Mr. Johnson – Mr. Johnson reported he attended Candidates' Night, which was sponsored by the Cranbury Woman's Club. He stated the forum was held in the School's Large Group Room, instead of the School Cafeteria, which was much more comfortable. He stated the turnout was much larger than it had been in recent years and he hopes that trend continues.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

--Department Heads

Mr. Michael Kervan, Chief of the Cranbury Volunteer Fire Company, gave his report, as follows: 342 total calls for the year and 2,438.5 volunteer hours. Since the end of July, Chief Kervan reported there were two (2) structure fires in East Windsor; one (1) in Plainsboro; one (1) in Hightstown; four (4) vehicle fires and one (1) elevator rescue. Chief Kervan reported the Fire Company held an Open House, which was very well attended. He reported they did fire prevention for both the Cranbury Presbyterian Nursery School and the Cranbury Elementary School. He reported this week their annual fund drive will begin. As compared to last year, the number of calls has decreased and will probably be less than last year due to a reduction in the mutual aid responses. Chief Kervan reported there was a call at Applewood Court earlier in the day. Ms. Goetz inquired if there was a problem accessing the site. Chief Kervan stated initially there was a problem due to an island being placed in the middle of the entrance, making it impossible for the fire trucks to make the turn. He stated he had not been back out to the site; however, he understands the island has been made "mountable" so the trucks can drive over it. Ms. Marabello confirmed that the paving will need to be raised up even more to make the island mountable. She advised in the future that more detailed site plans with dimensions be obtained to be sure the trucks have access to a site. Chief Kervan stated the Fire Company gives the sizes of their trucks and relies on feedback from the engineer that the trucks can access the site. Chief Kervan stated center islands will either need to be painted or flush with the roadway. Chief Kervan stated the Fire Company has worked with the Planning Board and Shade Tree concerning construction and trees allowing truck access to a site. Chief Kervan stated he believes in the future the Fire Company will be recommending islands not be included in site plans.

Follow-Up Items

"McMansion Ordinance"

Mr. Taylor reported the Committee is still waiting on the Planner and requested the item be carried over to the next meeting.

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Agenda Additions/Changes

Ms. Cunningham reported an item was added to the Closed Session Resolution # R 10-17-119, "N.J.S.A. 10:4-12B (7)/Discussion of Possible Contract Negotiations. Ms. Cunningham reported the Agenda posted on the website and the copies on the chair reflect the addition.

Public Comment (For Items on Agenda)

Mayor Cook opened the meeting to public comment for items on the Agenda, and hearing none, closed the public portion of the meeting.

Ordinances

Second Reading

Cranbury Township Ordinance # 10-17-15

A motion to enter an Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 10-17-15, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 84 ENTITLED "FIRE PREVENTION" was presented for second reading and final adoption. The Ordinance was published in the Trenton Times, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. The Mayor explained this Ordinance will allow the Township to raise its fees to keep in line with the State's raised fees. Mayor Cook opened the public hearing on the Ordinance. No one further wished to speak, so the hearing was declared closed. On motion by Mr. Taylor, seconded by Mr. Goetz, the Ordinance was adopted by a vote:

Ayes: (Goetz
(Johnson
(Taylor
(Cook

Abstain: (None
Absent: (Mulligan

Nays: (None

Cranbury Township Ordinance # 10-17-16

A motion to enter an Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 10-17-16, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 143 ENTITLED "VEHICLES AND TRAFFIC," was presented for second reading and final adoption. The Ordinance was published in the Trenton Times, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. Mayor Cook explained this Ordinance pertains to "no parking" on Old Trenton Road near the new construction site. The Mayor opened the public hearing on the Ordinance. No one further wished to speak, so the hearing was declared closed. On motion by Mr. Taylor, seconded by Mr. Johnson, the Ordinance was adopted by a vote:

Ayes: (Goetz
(Johnson
(Taylor
(Cook

Abstain: (None
Absent: (Mulligan

Nays: (None

Resolutions

Consent Agenda

Mayor Cook asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, he asked for a motion to approve the Consent Agenda. On a motion by Mr. Taylor, seconded by Mr. Johnson, the following Resolutions were adopted by vote:

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Resolutions
Consent Agenda (cont'd.)

Ayes: (Goetz
(Johnson
(Taylor
(Cook

Abstain: (None
Absent: (Mulligan

Nays: (None

Cranbury Township Resolution # R 10-17-109

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

**TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX**

Cranbury Township Resolution # 10-17-110

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A BID WITH
EVOQUA WATER TECHNOLOGIES, LLC. FOR BIOXIDE OR APPROVED EQUAL**

WHEREAS, one (1) bid was received on October 12, 2017 for a contract for the supply of Bioxide or Approved Equal; and;

WHEREAS, one bid was received from Evoqua Water Technology LLC of Sarasota Florida with a bid of \$2.49/gallon, \$211,650.00 total for two (2) years; and

WHEREAS, the Township wishes to enter into an agreement with Evoqua Water Technologies, LLC, Sarasota, FL and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A; 11-4.1 et seq., authorizes the award for purposes for which a competitive bid may be used by local units; and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for this contract;

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

1. The Mayor and Clerk are hereby authorized and directed to execute a contract with Evoqua Water Technology LLC of Sarasota, Florida for the supply of Bioxide or approved equal and
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 10-17-111

WHEREAS, a Tax Sale was held in the Township of Cranbury on October 09, 2017; and,

WHEREAS, US Bank as Custodian for Roy Reinhardt paid \$24,000.00 as a premium to obtain Tax Sale Certificate #17-00004 on Block 32 Lot 17 and,

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Cranbury Township Resolution # R 10-17-111
(Continued)

WHEREAS, the Tax Sale certificates have been redeemed, the holder is entitled to a refund of the premium paid to obtain said certificate,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that a refund in the amount of \$24,000.00 be paid to Roy Reinhardt.

Cranbury Township Resolution # R 10-17-112

Resolution to Rescind Cranbury Township Resolution # R 10-17-106

WHEREAS, on October 9, 2017, the Cranbury Township Committee adopted Resolution # R 10-17-106; and

WHEREAS, it has since been determined this resolution had been erroneously listed on the agenda and passed;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee that this resolution be rescinded.

Cranbury Township Resolution # R 10-17-113

A RESOLUTION APPROVING A CHANGE ORDER TO THE
TOWNSHIP'S CONTRACT WITH GARDEN STATE SEALING, INC.

WHEREAS, a contract was awarded to Garden State Sealing, Inc. for a not-to-exceed amount of \$71,194.50 on August 9, 2017; and

WHEREAS, the Township Engineer has recommended a change order for additional items which would increase the agreement by \$10,450.00;

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

1. The Change Order for Garden State Sealing, Inc. is hereby approved.
2. This Resolution shall serve as an amendment to the original contract and will increase the agreement amount by \$10,450.00.

Cranbury Township Resolution # R 10-17-114

A RESOLUTION AWARDED A PROFESSIONAL SERVICES AGREEMENT
FOR AFFORDABLE HOUSING REHABILITATION

WHEREAS, there exists a need for affordable housing rehabilitation administration services in the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, CGP&H LLC, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512 has submitted a proposal to perform said services; and

WHEREAS, the Chief Financial Officer has certified funds are available; and

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Cranbury Township Resolution # R 10-17-114
(Continued)

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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

1. CGP&H is hereby retained to provide affordable housing rehabilitation services to the Township for the period commencing October 25, 2017 through October 24, 2018; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with CGP&H LLC subject to approval of the Township Committee.
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper with ten (10) days of said contract as required by law.

CRANBURY TOWNSHIP RESOLUTION # R 10-17-115

WHEREAS, SciSafe, Inc. erroneously overpaid for a permit; and

WHEREAS, the Construction Official has recommended that the following Permit be refunded:

| <u>Name</u> | <u>Permit #</u> | <u>Address</u> | <u>Refund Amount</u> |
|---------------|-----------------|-------------------|----------------------|
| Sci Safe, Inc | 17-348 | 7 Corporate Drive | \$169.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the above permit payment be refunded.

Resolutions

Mayor Cook explained Resolution # R 10-17-116 opposes the proposed legislation for the Open Public Meetings Act and the Open Public Records Act. Mr. Michael Herbert, Esq., Township Attorney stated he represents the Clerks' Association on this matter and stated this is a Resolution his office drafted. Mr. Herbert stated the current legislation being proposed will make it more difficult for Clerks and municipalities to respond to OPRA and will require Clerks to keep track of records for subcommittees. He stated it is an unfunded mandate upon the municipalities. It exempts the Legislature from the law and also has other requirements that increase the workload of the Clerks and towns. He stated it is a law that is subject to abuse. He stated tomorrow he is meeting with Senator Loretta Weinberg, who is trying to push this legislation through. Mr. Herbert stated more Resolutions like this sent to the Senator will decrease the chance this legislation will be pushed through. Ms. Goetz asked what this legislation gives the public. Mr. Herbert explained it gives the public the ability to review minutes of subcommittees. It can give the public protection of having an injunction motion placed upon them by the Township for filing serial requests. Mr. Herbert stated this legislation would increase frivolous requests. Mr. Herbert stated the Clerks are not opposed to turning over documents; however, the work load that would be placed upon their office would be

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Resolution # 10-17-116
(Continued)

unreasonable. On a motion by Mr. Johnson, seconded by Mr. Taylor, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 10-17-116

RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING
THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Cranbury Township Resolution # R 10-17-116
(Continued)

changes for the benefit of the public;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

On a motion by Ms. Goetz, seconded by Mr. Taylor, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 10-17-117

WHEREAS, the U.S. House of Representatives' Ways and Means Committee on September 25, 2017 released Tax Reform legislation; and

WHEREAS, part of the Tax Reform package is a proposal to eliminate the deductibility of state and local property, income and sales taxes; and

WHEREAS, if this remains in the tax reform package, taxpayers will lose the federal deduction for their state and local income, property and sales taxes and will face "double taxation."; and

WHEREAS, this proposal to eliminate deductibility will have a drastic impact on homeownership, and the value of current homes and is a tax hike for homeowners; and

WHEREAS, this deduction has existed for over 100 years since the federal tax code was established; and

WHEREAS, States and local governments deploy revenues from property, sales and income taxes to help finance long-term infrastructure projects, local law enforcement, emergency services, education and many other services;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury it hereby opposes this proposal;

BE IT FURTHER RESOLVED, a copy of this Resolution be sent to Cranbury Township's State and Federal representatives.

On a motion by Mr. Taylor, seconded by Mr. Johnson, the following Resolution was adopted by vote:

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Cranbury Township Resolution # R 10-17-117
(Continued)

Ayes: (Goetz
(Johnson
(Taylor
(Cook

Abstain: (None
Absent: (Mulligan

Nays: (None

Cranbury Township Resolution # R 10-17-118

A RESOLUTION SUPPORTING PUBLIC QUESTION 1 "NEW JERSEY
LIBRARY CONSTRUCTION BOND ACT" ON THE NOVEMBER 7th STATE
GENERAL ELECTION BALLOT AND URGING VOTERS TO APPROVE SAME

WHEREAS, Public Question 1, the New Jersey Library Construction Bond Act, authorizes the issuance of \$125,000,000.00 in general obligations bonds to finance capital projects and;

WHEREAS, it has been over fifteen years since a library construction bond program has been developed by the State of New Jersey; and

WHEREAS, numerous public library facilities, including Cranbury's library need capital funding to provide physical and technological improvements to meet the growing needs of their communities, and

WHEREAS, many public library facilities in New Jersey are not ADA compliant and therefore limit access to library services to thousands of New Jersey residents; and

WHEREAS, Cranbury Township supports this financing for capital projects at public libraries around the State of New Jersey,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of Cranbury that it does express and hereby affirm its support of Public Question 1 and urges its passage.

Work Session

a) Discussion of Proposed Noise Ordinance Amendment

Township Committeeman Glenn Johnson led a discussion on proposed amendments to the Township's current Noise Ordinance. He reported the current Noise Ordinance does not provide a means to file a complaint about a noise that originates from a residential property, only from commercial properties. There was discussion about the Model Noise Ordinance, issued by Rutgers and the DEP, which has pre-approved language for the State of New Jersey. Mr. Herbert further explained the Township's Code Chapter 110: "Peace and Good Order," and Chapter 160: "Noise Control" and described the noises prohibited between restricted hours. He reported there are exemptions for farm equipment. He stated the current Noise Ordinance would be replaced with the Model Ordinance and the positions of a Noise Control Officer (NCO) and Noise Control Investigator would have to be created. The new Ordinance would not only apply to industrial and commercial properties, it would also apply to residential properties and multiuse buildings. The Enforcement Officer would have the authority to measure noise by the use of an instrument that the Township would have to purchase. Mr. Herbert stated there is currently the ability to file an action in Municipal Court to enforce what is on the books now. He stated the action typically goes to mediation where the two (2) parties can come to an agreement to abate

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Work Session

- a) Discussion of Proposed Noise Ordinance Amendment (cont'd)
the nuisance. Mr. Herbert stated the Model Ordinance gives the Judge more science to work with. There was additional discussion about decibel levels and noise nuisances. Mr. Herbert stress the NCO would have to be trained on the equipment. Mr. Herbert stated it is an "all or nothing Ordinance" which would have to be adopted as written. If parts are taken from the Model Ordinance and inserted into the Cranbury Ordinance, the new modified Ordinance would have to get DEP approval before being adopted by the Township. Currently the Health Officer is the Enforcing Officer in Cranbury; however, Ms. Marabello stated the Health Officer is from the County, is not trained on the equipment and is not always available to the Township. Mayor Cook suggested looking at other municipalities to determine how their noise ordinances are worded. Ms. Marabello stated there is perhaps one (1) noise complaint a year in the Township. Ms. Goetz inquired if Cranbury can amend its Ordinance, and Mr. Herbert stated the Township would have to get it approved by the DEP. The item will be revisited as a follow up item.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--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.

Public Comment

Mayor Cook opened the meeting to public comment.

Mr. and Mrs. Zuczek, Wyckoffs Mills Road, addressed the problems they are still having with the Rodeo. Mr. Herbert explained the "Right to Farm Act" which was passed several years ago stated certain farm activities, such as a rodeo, are exempt from local regulations. Mr. Herbert explained a rodeo is a way to show off cattle, horses, etc., or a way to sell equipment. Mrs. Zuczek stated there are no horses on the farm and the rodeo is just a series of concerts, which does not relate at all to agriculture. The Zuczek's sent an e-mail to the Township about Sunday's rodeo, which had close to 1,000 people with cars parking all over the roads. Ms. Marabello stated Cranbury Police ticketed and towed cars. She stated as far as safety is concerned, there were no fights or altercations. Mr. Herbert stated Mr. Steve Goodell is an expert and he will discuss the rodeo with him. Mrs. Zuczek stated there were cars parked on both sides of a narrow street and families were walking down the middle of the street in the dark. Mayor Cook stated the Township will have to look into the "grey areas" of the Ordinance as it applies to the rodeo. He stated before next year's rodeos start, conversations will be held with the Police concerning safety. Mr. Herbert explained the website states the farm rescues horses and the rodeo is an event to raise money for the rescue. Mrs. Zuczek stated they do not rescue horses. Mayor Cook stated the issue will be revisited before next year. Ms. Zuczek stated some of the information on the application is incorrect, such as number of people attending. There was additional discussion about the rodeo not needing a permit from the Township, and that the ABC issued the permit for liquor to be served at a social affairs event. Ms. Cunningham stated the Zoning Officer, Jeff Graydon, approved the rodeo as a valid use at the farm. Mr. Zuczek stated the gentleman who runs the horse auction stopped at their home and confirmed he no longer conducts the horse auction at the farm and is not part of the rodeo. Mayor Cook stated the issue will be revisited

Mr. Scott Collins, Plainsboro Road, requested assistance from the Township Committee concerning noise from the neighbor's house. He stated he and his family are submitted to a noise from a radon fan, which is above 60 decibels. He stated his family can hear the noise, which is multiple pitches, from inside their home as well as from every part of their property. He stated he first tried to work with the neighbor in 2014 and

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Public Comment (cont'd.)

also offered to pay for the repair. The neighbor stated it is a design fault in the system which causes it to be loud. Mr. Collins stated he had a company come out to do a study. He stated the noise never stops and he stated he does not need an Ordinance to know it is rude to have that noise. Mr. Herbert asked if he had considered filing a nuisance complaint in Court, and Mr. Collins replied he had not. Mr. Herbert recommended going to Court so the matter can be remediated. Mr. Collins stated he would be amenable to it. He stated he came to the meeting because he saw Noise Ordinance was on the Agenda to be discussed. Mr. Herbert stated the current Noise Ordinance would not help Mr. Collins and the quicker route would be to go to Court.

Ms. Elizabeth Silverman & Mr. Steve Silverman, North Main Street, discussed with the Township Committee the "Christmas Spectacular" already being set up on Main Street. Ms. Silverman stated she finds it hard to believe that the Township cannot address the light show and the crowds it brings to the Township. She stated all of North Main Street looks trashy with cones, fencing, tarp-covered bales of hay and people walking on the lawns for a two-month period. Ms. Silverman passed around photos of North Main Street that were taken last November 2nd and how the area looks for over two (2) months. She stated today there was a cherry picker parked on the sidewalk and the strobe lights and lights on the roof are already installed. Ms. Marabello stated we cannot stop when the resident installs the lights as it is private property. There was discussion about how restrictions could be placed on the amount of time fencing can be left up. Mr. Taylor stated fencing for construction sometimes must be left up for a long period of time for safety reasons. Ms. Silverman stated the lights have to stop at 10 p.m.; however, it is what the neighborhood looks like even before the show starts. She stated there are parking issues, and while the neighborhood is grateful to Cranbury Police for putting up "no parking" signs and the cones, the area looks awful. Mr. Taylor stated the scale of the show has also grown significantly since the light show went before the Zoning Board.

Mr. Silverman stated he likes the lights; however, he feels it is not a very neighborly thing to do. He stated they live down the street, and people cannot park in front of their home because of the cones. However, the flashing light show directly impacts the neighbors directly across the street. He stated if the purpose of the display is to bring joy to people and raise money for charity, it is at the same time ruining the neighbors' lives for a few months. Mr. Reinhardt, a life-long resident, offered his farm for the light show, and Mr. Shaw declined. Mr. Silverman made the offer that if the show is moved to the farm; he will match whatever monies Mr. Shaw collects, up to \$15,000, with the monies going to the Trenton Soup Kitchen or Cranbury Food Pantry. He stated this is an opportunity for Mr. Shaw to double his donations. Mayor Cook stated he would have the Zoning Officer, Jeff Graydon, go back out to look at the scale of the light show, and if too big, look at reducing the size of it. Ms. Silverman inquired about the definition of "temporary." Mr. Silverman stated Cranbury is a neighborly town where people treat each other right. He requested that something be done to help the neighbors. Mayor Cook stated it really does impact more than the neighbors.

Mr. Richard Kallan, Wynnewood Drive, stated the Township has an Ordinance for noise pollution and inquired about something for light pollution. Mr. Herbert stated there regulations about light leaving a property and that it should be contained, which is something addressed in Planning Board applications.

The Silverman's thanked the Township Committee for their attention to the matter.

There being no further comments, Mayor Cook closed the public comment portion of the meeting.

Mayor's Notes

Mayor Cook stated she had nothing further to report

Township Committee Members' Notes

There were no additional Committee comments.

TOWNSHIP COMMITTEE MEETING
October 23, 2017

Resolution

At 8:40, Mayor Cook requested a motion to go into Closed Session. On motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 10-17-119

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

- "N.J.S.A. 10:4-12b (5) Land Acquisition" – Discussion of Possible Land Acquisition;
- "N.J.S.A. 10:4-12b(7)/Contract Negotiations" – Discussion of possible contract negotiations.

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

At 9:08 p.m., the Committee returned to Open Session.

Mayor Cook requested a motion to adjourn. On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 9:09 p.m.

Kathleen R. Cunningham
Municipal Clerk