

## CINNAMINSON TOWNSHIP COMMITTEE

February 27, 2017

The Regular Meeting of the Township Committee is being held at 6:30 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ 08077. This meeting is being held in accordance with the "Open Public Meetings Act," P.L. 1975 c.231, having been noticed to the Burlington County Times and Courier Post on January 6, 2017.

In Attendance: Mr. Brauckmann, Mr. Evans, Mr. McCarthy, Mr. Young, Mayor Minniti, Also present: Michael P. King, Administrator, John Gillespie, Solicitor

Mayor Minniti opens the meeting with the Pledge of Allegiance

**Motion to approve Resolution 2017-42** naming Reverend John Doll as Police Chaplain made by Mr. McCarthy, seconded by Mr. Evans. Voice vote. All aye, no opposed. Resolution is approved.

Mayor Minniti swears Reverend Doll in as Police Chaplain.

### **Liaison Reports**

Health/Senior Services and Veterans Affairs – Mr. Evans

I had a program identification meeting with Mr. King, Mr. Brauckmann and Officer Mike on 2/4/17. Mickey I appreciate your candor and your help with this in identifying what programs we will have for seniors and veterans going forward. We are working on the senior dinner and whether it will be moved to the middle school, senior dance and veteran's programs, specifically Veteran's Day and 9/11. I have contacted several organizations. I was going to not comment on Reverend Doll but as a 13-year law enforcement officer and a 30-year veteran, sir I thank you not for what you do, what you have done but what you may have to do in the future. It never hurts to have a little bit of extra effort from an outside person, someone to talk to, someone to maybe hold up your head when you're having a very day. These officers hopefully will never have to have but I thank you for what you will do in the future if the need arises.

Over the past month, I've managed to contact several organizations for Veteran's affairs and discussed several opportunities. I contacted Burlington County last week. I'm happy to say that we were able to assist a veteran with closing on a new home in Cinnaminson Harbour with very little effort. Burlington County Freeholder Peters spearheaded that and helped me out with an individual that was having a difficult time with a title search. That's the end of my report.

Parks and Recreation– Mr. Brauckmann

Parks and Recreation Director's report for the month of February: The advisory board met one week late to allow for the sports commissioners to receive a presentation on comprehensive parks ordinance 2017-2 prior to this group meeting. When we met on 2/9, all permit applications for our sports fields were reviewed and the advisory board has provided this committee with our recommendations for approval that it contained on our consent agenda. These permit applications are all in compliance with, and also with the full understanding of the applicants under the new 2017-2.

Although we were able to accommodate all of our groups mostly through the great relationships that each sports group have for each other as well as our advisory board, the demand for field space and in particular lighted field space is a growing concern. In several of our parks, and in particular at Wood Park, there are times we have three sports groups competing for lighted field space I in one small area. The need to additional sports lighting at Wood Park as well as other township parks is a concern and is something that the advisory board would like township committee to consider for future capital budgets and grants.

Also during this meeting, I gave a full explanation of comprehensive parks ordinance 2017-2. The groups reviewed and also expressed that they understood the need for this ordinance. They also provided a couple of recommendations for clarifications that I in turn brought back to our sub-committee which I will talk about later during the public hearing on this ordinance. These changes, as well as changes from recommendations from our sports commissioners that they made during a presentation on 2/2/ are incorporated in the finished product you have before you this evening for final approval.

At the direction of township committee, I also met with a sub-committee to discuss the various programs that parks and recreation has oversight of. This meeting was held on 2/14 and the sub-committee was comprised of Committeeman Evans, Administrator King, and our police community policing Officer Mike Czarasty. The meeting was productive but on-going so we are not ready to bring a report back to the entire governing body. Mr. Mayor, this concludes my report

#### Public Works – Mr. Young

Thank you, Mr. Mayor, and good evening to you all. We've been fortunate with the weather this past month and because of the better weather we've been able to catch up on some items that have been hanging around. We've had a crew on pothole repairs due to the milder winter but we're only using cold patch because hot materials are not yet available. We have purchased a piece of equipment called a hot box that is used to keep asphalt hot so that we can do repairs with permanent asphalt. Unfortunately, the warehouse that we purchased it from had a fire and it didn't arrive. It will probably arrive in the summer when we don't need it. Catch basins and headwall work is ongoing again in accordance with DEP Stormwater management regulations. We've been cleaning and inspecting the various catch basins and drainage headwalls throughout the town. We also need to inspect the various retention and detention basins. We need to address these issues since we are required to file an annual report with the State. This is the same report that monitors our brush and leaf collections. With weather permitting we've had our bucket truck and support equipment continuing to address the dead trees in various locations in town. From this activity, we have collected a great amount of material at our brush yard. Our grinder is under repair but is due back in operation by late this week. Our brush program which is new for this year will begin again on March 6<sup>th</sup>, which is the first full week of the month.

Lastly, we've been doing building renovations in our community center. We've completely refurbished the main corridor and the bathrooms. We've also painted the main part of the building along with stripping and waxing the floors. We've purchased some new equipment and furnishings in addition to that. Performing the work at this time of year helps us control our costs and keep our crews being very productive even in very bad weather.

As most of you are aware we've had a problem with disposal of electronic wastes, particularly TV's and CRT computer screens. There has been a bill now passed in the legislature and while the details have not been finalized we are again taking electronics at the DPW yard. Mr. Mayor this concludes my report

#### Administration/Finance and Public Safety – Mr. McCarthy

I'd like to take this opportunity at this time instead of making a report, to address an issue that was brought up at the reorganization meeting in January. At the meeting, Committeeman Brauckmann addressed the status of the position of the Director of Public Safety. As we know, I am the liaison for this department and have been for four years. However, prior to making his public comments Mr. Brauckmann never spoke to me once regarding his concern or his stance regarding this position yet in the public televised meeting he addressed this concern. As we all know the director of public safety position is held by Mickey King who in my opinion has done nothing less than an outstanding job. Mr. Brauckmann suggested that the township committee set a timeline or plan to be laid out as to when the police department should switch back to a Chief of Police position, dropping the position held by Mr. King, even though Mr. Brauckmann stated at our reorg that our police department is functioning at such a high level under the direction of Mr. King right now. It is my opinion, out of respect for all of us on committee, that no individual committee person should make public statements or suggestions about a

department change without first talking to the person who is liaison to that department and then discussing the matter with all other committee people. Mr. Brauckmann comments would be akin to making a suggestion, as an example, that the secretary of Parks and Rec be replaced even though that person was doing an excellent job. Of course, that's something I would never recommend or suggest as I am not the liaison to that department. We all know that person is doing a great job so why would anyone make such a suggestion. Mr. King is doing a tremendous job as both the Director of Administration and the Director of Public Safety. It should be noted here that since Mr. King became both the Director of Public Safety and the Director of Administration, which was October of 2013, this township has realized a savings of almost \$720,000 in salary and benefits. If you add in the time that he's also overseeing the department of public works which has been since June of 2014 that savings is almost \$1,030,000 to this township. I have those numbers provided to me by our CFO, Julia Edmondson. During my four years as liaison to public safety Mr. King and I have had several conversations about whether or not the police department should drop the director of public safety position and return to chief of police position. This position, the director of public safety, was created before I was on this committee. It was Mr. King who kept me informed about the thought process of going back. I'd like to make a special note at this time that Mr. King has been recognized in New Jersey Superior Court as an expert in police administration. As such he can give an expert opinion in court on police administration matters. So why wouldn't this committee or any committee person not trust his opinion in matters of police administration and in this particular case, not trust Mr. King to make the determination when it's a good time to make the switch back to chief of police. When the time comes and if I'm still in this position and Mr. King and I feel comfortable that it's a good time to make that switch we will discuss the matter first with the rest of committee and then if necessary we'll require to have a public discussion. In my opinion this is the correct and respectful order that something like this should be done, both out of respect for committee as a whole, for each committee person individually and for Mr. King. I want to reiterate that I have a 100% confidence in Mr. King as both the Director of Public Safety and the Director of Administration for reasons that can easily be seen in the success of the police department, the township administration employees and the department of public works employees in their day to day work efforts over the last few years. Finally, it's my wish that Mr. King continues to hold both of these very important positions until such time that it is determined that the Cinnaminson Police Department is ready to make the smooth transition back to the chief of police position. If and when that happens I would then sincerely hope that Mr. King would continue on as our Township administrator. Because I know that he'll continue to do the professional, efficient, effective and expert job that he is currently doing. And the Cinnaminson Police Department, the Department of Public Works and the Township Administration department will continue to have success and show positive improvement and this town will continue to benefit from his leadership because we all work for this, we all want the best scenarios for Cinnaminson and its residents. Mr. Mayor I've been asked by the Cinnaminson Police Association president, Mike Czarasty if he can make a presentation at this time.

Office Michael Czarasty introduces himself and makes brief statement: When the idea of having the director run the police department was first announced I can honestly say we were against the idea. We soon learned that the purpose of having the director was to get the police department to the place where a chief could be appointed from within the police department. We at the police department were very skeptical of this. However, since the Director's appointment, the department has seen hiring of qualified officers and the promotion of several deserving sergeants. The productivity of the officers has never been higher and the relationship with the community has never been stronger. Needless to say, we are behind the Director and his future plans for the Cinnaminson Police Department. To thwart his efforts at this time would be a detriment to the department and most importantly the town.

Mayor Minniti comments on Director King's job performance and that he has done a stellar job. He has been here 15 years and in all these years he doesn't believe that we've had three individuals as qualified as Mr. King let alone three individuals. The savings to Cinnaminson taxpayers is 1.8 million dollars. When we talk about doing more with less, so much of what makes that possible is picking the right person. And that's money that didn't come out of our taxpayers' pockets. Mayor Minniti thanks Director King for what he has done for the township.

Economic Development – Mr. Minniti - None

## **New Business**

**Introduction of Ordinance 2017-4** Amending Chapter 2 “Vehicles and Traffic” and establishing “No Left Turn” for exit driveway onto Church Road from Wawa at Block 2015, Lots 1.01 and p/o 1.02 and Block 2101, Lots 1 and 2 within the Township. Public Hearing to be March 20, 2017.

Mr. Young explains that this is the driveway that currently comes out of the old Lukoil site and will be part of the Wawa development. The goal is to make sure that this is corrected with the Wawa development. Public hearing to be March 20, 2017 and published in the Burlington County Times. Motion to introduce Ordinance 2017-4 made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. Ordinance is introduced.

Recommendation for 4 Way Stop New Albany Road/Parry Road

Mr. McCarthy comments that the traffic sergeant and engineer investigated this intersection and everyone is in agreement that the intersection should be a 4 way stop. Ordinance to be introduced at the March 20, 2017 meeting.

Polling location East Riverton – Committee discusses a polling location at Cinnaminson Harbour. Current location is the East Riverton Civic Center. Committee agrees that the Clerk is to request from Board of Elections whether this could be an additional polling location and not move the existing polling location.

## **Old Business**

**Public Hearing on Ordinance 2017-2** An Ordinance to repeal and replace Chapter 381 of the General Code of the Township of Cinnaminson entitled “Parks” with a new chapter aimed at proper permitting and maintenance for recreation facilities

Mr. Brauckmann comments on the historical background. This is a repeal of Ordinance 2015-16. At that time, there was a public hearing and there were no questions asked. When it was presented it was a hundred percent work product of our attorneys. The attorneys went around and checked with various townships in our area, Mt. Laurel, Pennsauken, Evesham, Palmyra, Moorestown and they compiled what they felt was a good work product. After its passage by committee red flags started popping up and there were concerns from our sports organizations. Credit to this committee we immediately started talking about it and decided to establish a subcommittee to look into what we passed. We all knew what we passed but to look into it. At that time, I took my share of responsibility for passing something without getting the feedback of our sports groups. All of our commissioners and all of our sports organizations have heard me say this and I'll say it again, I really relied heavily on the work product of the attorney figuring it was a good work product. Hearing no questions this was passed. A responsive committee did establish a subcommittee including myself, Mr. Young, Director King and our attorney George Morris from Parker McCay. Eighteen months later and about thirty changes later you see the work product you have in front of you now which is 2017-2. Prior to this ordinance getting to where it's at now we did have a presentation with our sports commissioners on Feb 2<sup>nd</sup> where this was fully explained to them. They were given the opportunity for feedback and comment. They made multiple recommendations that came back to the subcommittee. There were some adjustments and modifications made after that. This ordinance was then presented to the Parks and Rec Advisory Committee, fully explained. They understood what it was for and they also made several recommendations which were brought back to the subcommittee which were incorporated into the product we have in front of us now. So, there was a proper, this time around, process that was followed. The reasons for this comprehensive park ordinance were varied. We've made multiple improvements over the years. Many of our ordinances

previous from this were out of date with our Green Acres standards. The product before you is the product of the subcommittee with the vetting of the sports groups. A lot of the things in here are things that the sports groups are already doing. The sticker shock wasn't as bad as rumor had it. I thank everyone for giving their input. Hopefully we have a great product and that it doesn't have to be revisited. I'm hopeful that that won't happen.

Mr. Young comments that he also spent a lot of time working on it with the other subcommittee members. It has been reduced and reduced to accommodate the various organizations. The real issues are to start looking at the costs of running the parks. Of the six million that has been invested, probably half a million or more is for utilities on an annual basis. Today everything is done for the teams and sports organizations. Some organizations put something back and I congratulate them on that. There are other organizations that have not participated and costs keep going up. There has to be participation. We had a presentation to all of the sports organizations and I think everyone came out feeling that it was a pretty good deal.

Mr. McCarthy thanks the subcommittee for all of their hard work on this ordinance.

Mayor Minniti comments that he does not believe that it is a fair statement that this ordinance was a one hundred percent work product of the attorneys. This was a collaborative process. There was full coordination between a subcommittee and many comments. There was no participation when we introduced and passed the original ordinance but to say that this was a boiler plate assemblage is not true. Almost \$12,000 was spent developing the 2015 ordinance. This is a significant issue for him.

Over the years, we've seen these sports programs become very successful. There has been a significant investment made in the parks. These improved facilities have generated a tremendous amount of outside interest. Without this ordinance, we have no bar by which to set what is to be charged to outside groups. Our priority has been and remains that Cinnaminson residents should be the primary beneficiaries. We want to maximize our residents' ability to use and enjoy the facilities in their hometown.

No further comment from Committee.

Mayor Minniti opens it to Public Comment. Seeing none, Mayor Minniti closes the public comment portion.

Motion to adopt Ordinance 2017-2 made by Mr. Brauckmann, seconded by Mr. Young. Voice vote. All aye, no opposed. Ordinance is adopted.

## **TOWNSHIP OF CINNAMINSON ORDINANCE 2017- 2**

### **AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 381 OF THE GENERAL CODE OF THE TOWNSHIP OF CINNAMINSON ENTITLED "PARKS" WITH A NEW CHAPTER AIMED AT PROPER PERMITTING AND MAINTENANCE FOR RECREATION FACILITIES**

**WHEREAS**, Cinnaminson Township has expanded its parks system and made significant facility improvements to parks and recreation areas; and

**WHEREAS**, a review of Chapter 381 of the Code confirms that the rules and regulations governing the permitting, use and maintenance of parkland is also in need of renovation as the same is outdated and will not lend itself to the proper care and maintenance necessary to sustain

the improvements offered to our residents and visitors; and

**WHEREAS**, the Township determines to repeal and replace the existing ordinance to meet these needs.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey that Chapter 381 of the Township Code be and is hereby repealed in its entirety and replaced with a new Chapter 381 entitled “Parks and Recreation” to read as follows:

**“Parks and Recreation.**

**§381-1 Purpose.**

The Township of Cinnaminson hereby determines that the establishment of regulations concerning permissible activities, proper permitting, facility maintenance and the establishment of hours of use for Township-owned parks and property is necessary to further the public health, safety, morals and general welfare of the Township and to preserve and protect Township-owned parks and property.

**§381-2 Legislative Findings.**

The Cinnaminson Township Committee recognizes that:

- A. Municipal facilities are public property and, as such, should be made available for public use, when it is determined that such use would not subject facilities or participants to any harm or injury; and
- B. Use of municipal facilities should be programmed and regulated for the convenience of their users in order to ensure availability and safety; and
- C. Proper maintenance and care is required in order to maintain these facilities and keep them in proper condition for their users; and
- D. Certain activities such as community events, fundraising activities and sports tournaments require significant lead time, planning and escrows to ensure that organizers of such activities are responsible for any municipal costs that may be generated based on the logistics of the activity.
- E. As such, the Township creates the following Chapter as a means of improving the accessibility of Cinnaminson’s municipal facilities and, at the same time, providing for their safe, constructive and prolonged use.

**§ 381-3 Definitions.**

As used in this chapter, the following words shall have the following meanings:

501(c)3 Organizations - Section 501(c)(3) is the portion of the US Internal Revenue Code that allows for federal tax exemption of nonprofit organizations, specifically those that are considered public charities. It is regulated and administered by the US Department of Treasury through the

Internal Revenue Service. A 501(c)3 organization has been recognized by the IRS after the filing and acceptance of a form 1023.

Form 990 – Annual filing form by a 501(c)3 agency with the Internal Revenue Service.

LOW SPEED VEHICLES - a three or four-wheeled vehicle with an attainable speed of more than 20 miles per hour but no more than 25 miles per hour on a paved surface.

MASTER SCHEDULE – an annual schedule created by the Township showing all parks and recreation facilities and fields and facilities within those locations and further identifying dates and times when the fields are permitted and by whom as well as identifying parks, fields and facilities which are closed for maintenance (including resting) and repair.

RECOGNIZED CINNAMINSON SPORTS ORGANIZATION - A Cinnaminson-based, non-profit organization with the primary mission of providing sports and recreation opportunities for Cinnaminson youth 18 years of age or under. At least seventy-five percent (75%) of the participants in the organization shall be residents of Cinnaminson or enrolled as a student in the Cinnaminson School District, at St. Charles Borromeo School and/or Westfield Friends School in Cinnaminson. If there is more than one organization providing services for a particular sport, the Township shall identify which organization in the primary organization depending upon but not limited to, the following characteristics: length of service to the municipality, number of participants, volunteer services provided toward maintenance and upkeep of the facilities and participation by the organization in other Township sponsored events. The decision as to primary designation is exclusive to the Township. It is the Township intent to announce and approve primary organizations as the Township's reorganization meeting. The Township Committee in its sole discretion may grant RCSO status to a local sports organization that does not meet the above qualifications when (1) that organization serves Cinnaminson youth and (2) the sport demonstrates a continuing effort to attract Cinnaminson residents and (3) without youth from outside communities, the league would not be able to actively function.

SEASON – a period of 120 calendar days (practices and games combined.)

SPORTS ACTIVITY – actions by teams limited to games, scrimmages and practices involving the full team. The terms shall not include clinics, individual training or tournaments which create different issues for the parks facilities including improper wear and tear on fields, traffic, and facility maintenance.

TOWNSHIP ADMINISTRATOR – The Township Administrator of the Township of Cinnaminson or his designee. When the position of Township Administrator is vacant, the duties shall be conducted by the Township Committee Liaison to the Department of Park and Recreation or his designee.

#### **§ 381-4 Park Hours.**

- A. Unless secured by a locked gate, all parks and parking areas shall open daily at dawn.
- B. Where a park or a portion thereof, is secured by a gate, the park or portion of the park so secured, shall be opened to the public by a Township employee with the authority to unlock and open the gate upon a call to the number listed on the gate to the facility.

- C. Except for athletic fields and designated parking areas specifically designed for and illuminated for night activity, it shall be unlawful for any individual to be in, or upon, any Township-owned park or property after dusk or before dawn on any given day. This prohibition shall not be in effect during or within a ½ hour after cessation of Township-sponsored events or other special events when permission for said events has been granted by the Township Committee.
- D. Where a field and/or parking area is illuminated, no individual shall remain in the park or designated parking area more than a ½ hour after the cessation of the use of the parks and/or parking area.
- E. Without prior written consent and permit for a specific date, the lights in Township parks shall be completely turned off by 9:30 p.m. each night. Sports organizations and those authorized to use sports fields shall conclude their events with enough time to allow for the end of game field maintenance, securing of all equipment and the safe and orderly departure of all participants and guests prior to the 9:30 p.m. termination time.

#### **§ 381-5 Priority of Use of Facilities; Application**

- A. In general, unless specific areas are closed for maintenance or inclement weather or require a permit as established herein, the facilities within Cinnaminson's parks are available on a first-come, first serve basis without charge to the user.
- B. Applications are not required for the unreserved use of parks, playgrounds and open space areas. However, a party or group that has reserved a particular facility and is in possession of an approved Township issued permit will receive priority over a group lacking such a permit.
- C. Any event, activity or gathering proposed, not including general or informal pickup sports games, which shall include fifteen (15) or more participants, including the organizer, shall require a permit issued by the Township Committee.
- D. A sports activity permit for a field or facility may be obtained by submitting an application, including all requested materials and the associated fee and/or escrow, for said use prior to the permit date nor less than (30) days prior to the date requested. Sports activity permits shall not permit the use of assigned fields for clinics, training sessions or tournaments. All permits shall be conditionally approved and made formal upon the payment of escrow and the submission of the insurance certificate. Escrow payments and insurance certificates shall be due no later than thirty (30) days prior to the event. All season long sports requests shall be made prior to February 1<sup>st</sup> of each year so that the Master Schedule can be completed and approved by the Township Committee.
- E. A permit application for a special event, community event or sports tournament that is expected to draw more than one hundred (100) participants shall be made not less than sixty (60) days prior to the requested date to allow for ample review and, if approved, preparation and scheduling of municipal resources.
- F. Permits to conduct sports clinics or group or individualized training sessions shall be made to and, if reasonable, granted by the Township Committee after review of the



impact of such activity on the park. Because of the Township vast knowledge and experience with designated primary organizations, only those organizations designated as a primary organization shall be entitled to seek, hold or use a permit for clinics and training.

- G. When more than one complete application is received for the same date(s), the following priority order will apply. In all instances, priority is given to Cinnaminson Township residents over non-residents.
- (1) Meetings or events, directly sponsored by the Township Committee for municipal purposes.
  - (2) Meetings of Municipal Advisory Boards and Committees for municipal purposes.
  - (3) Meetings or events directly sponsored by Township Departments and/or employees for municipal purposes.
  - (4) Meetings held for the discussion of municipal issues.
  - (5) Recognized Cinnaminson Sports Organizations with priority to Primary organizations as described in Section 381-3.
  - (6) Cinnaminson Township Public Schools.
  - (7) Cinnaminson Senior Citizen Organizations.
  - (8) Cinnaminson adult sports organizations
  - (9) Other youth recreational activities or service organizations.
  - (10) Other adult member sports organizations.
  - (11) Private functions or gatherings.
  - (12) Other.
- H. The permit shall include the following information on a form prepared by the municipality:
- (1) Organization Name
  - (2) Contact Name and Information
  - (3) Dates requested
  - (4) Locations requested
  - (5) Purpose of the activity
  - (6) Expected number of participants
  - (7) If participants are minor, demonstrate the ratio of supervisors/chaperones to be present.
  - (8) Expected number of vehicles
  - (9) Request for special features (concession stands, lights, electric, cooking, etc).
  - (10) Demonstration of Insurance (See 381-15)
  - (11) All applicable fees, security deposit and escrows
  - (12) If seeking to be a recognized Cinnaminson Sports Organization, provide a full roster of participants including last name, age and home address. This list will be reviewed the Township and returned upon approval or denial of request and, as such, shall not be made, kept or maintained by the municipality.
  - (13) All Cinnaminson Sports Organizations, which by definition are required to be organized as 501(c)(3) non-profit organizations must submit their most recent Tax Form 990 at the time of application and update the Form from time to time to ensure the Township maintains the most current form. There shall be a six month grace period in 2017 only.

**§ 381-6 Application review.**

- A. Once received, the permit shall be reviewed by the Parks Committee and shall consider, but not be limited to, the availability of the requested use based upon the Master Schedule, the impact on the remainder of the park system, and the need for additional municipal personnel.
- B. The Parks Committee shall recommend to the Township Administrator acceptance or denial of the application providing written reasons for denial. The Township Administrator shall evaluate the staff recommendation and make recommendation to the Township Committee to accept or deny the permit application.
- C. If denial is recommended, the Township shall notify the applicant by writing, facsimile or electronic communication as to the reason why rejection is recommended and the date for consideration by the Township Committee. The applicant shall have the right to be heard at the public meeting before a final determination is made by the Township Committee.

**§ 381-7 Time Length for Permits.**

- A. Permits may be issued for individual day activities/events or for season long sports activities.
- B. Single day permits shall only be valid for the date identified in the permit and any rain date that may be provided in the permit.
- C. All permits shall include an expiration date which shall be no longer than one hundred and twenty (120) days after issuance.
- D. The Township reserves the right to suspend a permit, close a park or close a specific area of a park, based upon actual or the threat of inclement weather or unforeseen events within the Township or County that cause the utilization of municipal resources to be unavailable to safely conduct the permitted event. The Township will make every effort to notify the permit holder but, as a condition of issuing the permit, shall not be liable for any cost, loss or damage associated with a weather or unforeseen event suspension or permit or park closure.

**§ 381-8 Fees; Security Deposit; Escrow**

- A. Unless a permit is required or requested, facilities within Cinnaminson’s parks are available without charge to the user.
- B. The fees for single use of parks and recreation improvements for a two hour permit are as follows:

Facility	Residential Fee	Non-Residential Fee
UNLIT		
Grass Sports Field	\$30	\$60
Tennis Court	\$20	\$40
Basketball Court	\$20	\$40

LIGHTED		
Grass Sports Field	\$45	\$90
Basketball Court	\$25	\$50

C. The fees for season long sports events shall be as follows:

The fee for a season long permit shall be as follows:

Facility	Recognized Sports Organization	Other Organizations
Unlit Field Permit		
1 or 2 Fields Permit	\$300	\$600
3 or More Fields Permit	\$500	\$1,000
If any of the Fields contain Lights		
1 or 2 Fields Permit	\$500	\$1,000
3 or More Fields Permit	\$750	\$1500

In addition to the above Permit Fee, each organization shall pay a non-refundable \$250 Application Filing Fee.

In addition to the above Permit and Filing Fee, each organization shall make an annual in-kind contribution of goods equal to the permit fee. The in kind goods or materials provided by the organization must be preapproved by the Township Administrator. The Permit Fee for Recognized Sports Organizations may be waived upon the demonstration of the annual purchase of good and material twice the amount of the fee. For example, an organization with a \$300 seasonal fee would need to demonstrate the purchase of \$600 of pre-approved good and materials for the facilities in order to avoid the payment of a Permit Fee. Any request to bundle purchases from year to year, must be made to the Township Administrator and approved in advance by the Township Committee. The recognized sports organization shall submit a plan for improvements at the time of filing to permits and shall demonstrate the results of the plan at the next application for a permit whether that be at the annual permit period or for a mid year year or special permit.

Regardless of the existence of a permit, the Township may shut down a field for a portion or an entire season where maintenance or safety reasons are justified.

D. Fees for Special Events/Community Events shall be as follows:

*Special Event permitting pricing will be considered on a case-by-case based upon the fees above and the in Section F & G below.*

- E. Fees for Sports Tournaments shall be as follow:  
Tournament fees permitting pricing will be considered on a case-by-case based upon the fees above and the in Section F & G below and Section 381-11.
- F. Security Deposit: A minimum \$200 returnable security deposit is required with all applications. This deposit will be used to cover damage to Township property or cleaning required due to the use of the site. If damage is greater than \$200, the permit holder and/or organization, joint and severally, shall be responsible for all repair costs. Users will be notified in writing by the Department of Public Works if any such charge will be assessed and if the cost is greater than the initial deposit required.
- G. Escrow for special events, community events and sports tournaments will be required to pay for additional public work employees and/or police officers at the following rates:
  - 1. Public Works Employees                      \$45 per hour
  - 2. Police Officers                                      \$65 per hour

**§ 381-9 Duties of Permit Holders.**

- A. Supervision
  - 1. Applicants granted facilities use are responsible for the proper supervision of all participants and spectators. Those participants under the age of 18 years are not to be left unattended at any time.
  - 2. Applicants granted use of facilities will be held responsible for any personal injury or property damage resulting from the lack of supervision or poor supervision of participants or spectators.
- B. Security
  - 1. The permit holder shall be responsible for ensuring the proper security levels are established to control crowd and conduct orderly parks and recreation activities. When it is determined that security may be an issue due to the nature of the event or the volume of expected attendees, the permit holder shall be responsible for coordinating the use of off-duty police officers for special assignment work as permitted by Township policy. The permit holder shall be responsible for the cost of the off duties officers.
- C. Maintenance and Use of Facilities
  - 1. Permittee shall perform a pre-inspection and post-inspection of the facility.
    - a. If during the pre-inspection, the permit holder identifies a safety or maintenance issue, he shall determine if the issue can be resolved to ensure the safety of participants and the protection of fields or facilities. If the

same cannot be resolved, the permit holder shall postpone or cancel the event until the condition is resolved.

2. In the use of athletic fields, the permit holder shall suspend play when
  - a. inclement weather has left standing water on the playing surface or fields;  
or
  - b. inclement weather is occurring during the event which threatens the safety of the participants or the overall condition of the field.
3. Permittee must report any problems encountered with the facility, including but not limited to, safety issues, broken equipment or general maintenance issues to the Township within 24 hours of the conclusion of the activity.
4. Proper use of facilities is of the utmost importance. The permit holder shall ensure that unauthorized uses are not occurring during the permit access to the fields.
5. Organizations or groups failing to abide by the provisions of this policy will be asked to curtail their event(s) and may be denied future use of Township facilities as provided in this Chapter.
6. Facilities must be left clean and orderly.

#### D. Damage

1. Users of facilities automatically assume responsibility and liability for all damages and loss to Township property that occurs while using said facilities.

#### E. Parking

1. Parking is limited to designated parking areas.
2. No vehicles are permitted on any park, playground or open space, except for emergency situations only or when directed by a municipal agent and authorized by the Township Committee at a special event.
3. Violation of the parking policy will result in revocation of the applicant's privilege to continue utilizing the facility.

### **§ 381-10 Revocation or Suspension of Permit.**

- A. If during the course of performing activities under a valid permit, the Township Administrator, his designee, any elected official, any Township parks employee or uniformed law enforcement officer shall have the authority to stop or suspend any activity that the official believes is a potential threat to the safety of participants or to the maintenance of the field or facility.
- B. The Township's representatives shall have the authority to recommend to the Township Administrator suspension or revocation of a permit if the applicant or any person acting on his behalf shall violate any of the provisions of this policy or any rule or regulation of the Township or any of the restrictions, terms or conditions under which the permit was issued or fails to take corrective action when so directed by the Township representative.

- C. In the event of such recommendation, the Township Administrator shall perform whatever investigation is necessary and proper to fully understand the events which led to the recommendation and determine to revoke, suspend, warn or take no action against the permit holder. In the event of a revocation or suspension, the applicant shall have the right to request an appeal to the Township Committee within five (5) days of receiving written notice.
- D. Any individual or organizations whose permit is revoked shall be barred from applying for a new permit for two (2) calendar years unless good cause can be shown by the organization the series of steps taken to correct the action(s) or omission(s) which led to the revocation.
- E. Any individual or organization that attempts to use a municipal park or facility after a permit has been revoked or suspended shall be guilty of trespass and, in addition to being issued a code violation under this ordinance, shall be issued a summons under the New Jersey Criminal Code. In addition, the length of time to reapply for a permit shall be extended an additional two (2) years for each violation of this provision.

### **§ 381-11 Use of Municipal Parks for Profit Making Ventures**

- A. The Township shall not permit any person or entity use of municipal parks or facilities or portions thereof, to operate a profit making venture whether the same is a class, sports clinic, lessons, advertising or concession of any kind. For the purposes of this Chapter, fundraising on municipal property is a profit making activity.
- B. Exceptions.
  - 1. Concession Stands. Recognized Cinnaminson Sports Organizations may utilize available concession stands, under their properly issued and valid season long permits for the use of adjacent sports fields. A special permit for use of the concession stand is required beyond the field permit.
    - a. As a condition of utilization of the concession stand, the permitted organization must demonstrate that twenty-fifty percent (25%) of the profit generated from the sales are reinvested into the facility through the purchase of goods and materials to maintain or improve the field(s).
    - b. As a condition of use, and as a pre-requisite for the issuance of any future permit for the organization, the permitted organization shall produce a writing within thirty (30) days of the conclusion of each permit demonstrating the sales generated from the use of the concession stand and a demonstration of the organization's efforts to re-invest those funds into the field.
    - c. Concession stand usage will require the annual approval of the Burlington County Health Department and the Cinnaminson Fire Inspector. Both approvals must be hung in the facility at all times or a writing by the Health Department and Fire Inspector must be obtained confirming that the facility is exempt from approvals.
    - d. The Township shall inspect the concession stand each Monday and after special events, or as soon thereafter as practical to ensure the facilities are

being properly maintained.

2. Field Sponsorship Signs. Recognized Cinnaminson Sports Organizations may solicit and install field sponsorship signs under the same financial conditions identified in B(1) above. In addition, all sponsorship signs must conform with the requirements of §381-12. The organization must demonstrate that twenty five percent (25%) of the funds generated are reinvested in the facilities through the purchase of goods or improvements for all park visitors.
3. Sports Trainers. As a means of producing more competitive athletes and improving the safety of play, Recognized Cinnaminson Sports Organizations may engage the services of sports trainers, hitting instructors and specialists to work with teams as long as the payment for such services is made from the participant through the Recognized Cinnaminson Sports Organization. The trainer may only be paid through the Recognized Cinnaminson Sports Organization.
  - a. As a condition of use, and as a pre-requisite for the issuance of any future permit for the organization, the permitted organization shall produce a writing within thirty (30) days of the conclusion of each permit demonstrating the income generated from the use of contracting with trainers, the cost of contracting with said trainers and a demonstration of the organization's efforts to re-invest twenty-five percent (25%) of the funds generated into the field.

C. Specialized Classes.

1. Any individual or entity interested in taking or offering a class or activity in a public park shall contact the Township Administrator in writing to propose that such a class be offered.
2. If the Township Administrator, in consultation with the Recreation Advisory Board, determines that a class, lesson, or instruction, will provide a worthy benefit to the residents of the community, he shall seek permission from the Township Committee to either hire an individual on a part time basis to conduct the class or solicit requests for proposals from the qualified vendors to offer the class pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
  - a. The Township shall only engage in classes, lessons or instructions where it is demonstrated that the class will not become a drain on fiscal resources of the Township or the maintenance and upkeep of the park or park facility or unnecessarily interfere with the peace and enjoyment of the park.

**§ 381-12 Standards for Field Signs.**

- A. In an effort for uniformity and to ensure the safety of park visitors, the following sign sponsorship regulations are enacted.
  1. Only Recognized Cinnaminson Sports Organizations are permitted to hang signs. The signs shall be hung on the batting cages only.
  2. Signs shall be made of vinyl or corrugated plastic with grommets in each corner and

with at least one additional grommet in the middle of each side.

3. Signs shall be rectangular in shape and be limited in size to no greater than 3 foot by 3 foot in size. Permanent signs existing in parks are grandfathered from this requirement.
4. Corner and edges should be smooth and not contain sharp edges to prevent opportunity for injury.
5. Signs shall be secured to existing sports fencing using zip ties. Where no fencing exists, signs may be installed using standard steel stakes ensuring that the stake is at least two inches (2") lower than the top of the sign to prevent protruding objects.
6. No sign shall be installed to interfere with the regular conduct of the sport nor to create a danger for the athletes using the field or a visual barrier for spectators.
7. Signs shall be removed at the end of the playing season.
8. The Recognized Cinnaminson Sports Organization shall provide a plan with the placement of sign

### **§ 381-13 Special Events; Community Events; Sports Tournaments**

In addition to the general permitting requirements established herein, special event, community events or sports tournaments that are expected to draw one hundred or more participants or run over more than one (1) day, will require the following additional information and be subject to more detailed review.

A. The application shall contain the following information:

1. The name and address of the applicant.
2. Proof that the organization is organized as a 501(c)(3), not-for-profit organization.
3. Sports Tournament applications shall only be made by Recognized Cinnaminson Sports Organizations for their organizations.
4. The name and address of the person, persons, corporation, association or organization; the name and address of the president and secretary of said organization and relationship of applicant to said organization.
5. The date and time for which permit is desired.
6. The park or portion thereof for which such permit is desired.
7. The activity to be undertaken or reason for the application.
8. The number of persons anticipated to participate.
9. Site sketch of all areas including any temporary tents, vendor stations etc.
10. Parking measures in place including location and logistics for ensuring the safety of motorist and pedestrians.
11. Security measure in place, including a request for Cinnaminson Police Officers
12. Custodial measures in place, including trash removal and restroom maintenance, including a request for Cinnaminson Public Works Department labor
13. Any other information which the Township shall find reasonably necessary to make a fair determination as to whether a permit should be issued.



B. Standards for issuance of a use permit by the Township.

Standards may include the following findings:

1. That the proposed activity or use of the park or recreational area will not unreasonably interfere with or detract from the general public enjoyment of the park.
2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion and maintenance of public health, welfare, safety and recreation.
3. That the proposed activity or uses that are reasonably anticipated will not induce or tend to induce violence, crime or disorderly conduct.
4. That the proposed activity will not entail extraordinary or burdensome expense on Township police or public works operations.
5. That any fees assessed participants or requests for contributions will be solely for the purpose of offsetting or equaling the organization's reasonable expectation of expenses to be incurred.
6. That the facilities desired have not been reserved for another use at the date and time requested in the application.
7. That the applicant shall submit the necessary insurance requirements.
8. Posting of an escrow as determined by the Township Administrator. By way of example, escrows shall consider the above factors, the cost to provide additional police or public works manpower and the potential damage to the facility. The below figures are minimums required based on past experiences of municipal events:
  - (a). standard sports tournament - \$500.00 per day
  - (b). band concert - \$2,000.00
  - (c). car show - \$1,000.00

C. Conditions of issuance.

All permits for seasonal or special events issued shall be on the condition that:

1. The Permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in the permit.
2. The person, persons or organization to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of negligence of the person, persons or organization to whom such permit shall have been issued. The Township shall have the right to require that prior to the issuance of a permit or commencement of the activity, the applicant submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities, in such amounts as may be from time to time determined by the Township.
3. The Permittee shall maintain the park, recreational area or facilities by removing all trash or debris and restoring the area or facilities to a condition equal to or better than its condition prior to the granting of the permit. In the event that special or extraordinary maintenance is required or additional costs are incurred for a proposed use or activity, such costs shall be borne by the applicant.
4. No structures shall be erected or placed, no utilities installed, run or extended and no alteration of a natural or man-made feature, facility or object shall be allowed unless so authorized in the permit issued by the Township and, when so authorized, in accordance with its requirements for such use and alterations.
5. No permit shall be valid except for the facilities, area and time expressly set forth therein.
6. The Permittee will obey any other reasonable requirement, condition or restriction which

the Township authorizes.

7. Fees may be charged for a permit and the Township may require a cash deposit or bond in reasonable amount to ensure performance of the terms and conditions of the permit, which deposit shall be refundable after deducting the cost of necessary expenses incurred by the Township in restoring the leased area to the condition the same was in at the time the permit was issued, reasonable wear and tear excepted.

### **§ 381-14 Use of Low Speed Vehicles**

- A. All Low Speed Vehicles must be titled, registered and insured in accordance with New Jersey Motor Vehicle Laws.
- B. Prior to using a LSV in a Township Park, the requestor must:
  1. Make a written request to the Township Committee with a list of the licensed operators attached to include NJ Driver's License Number.
  2. The LSV will only be operated by a NJ Licensed Driver.
  3. The LSV cannot be used for concessions or fundraising.
  4. The Township must be listed on an insurance policy for the LSV with coverage of an additional \$1,000,000.00 for liability.
  5. The Township shall be listed as an additional insured.
  6. The Township and requesting entity will enter into a Hold Harmless Agreement protecting the Township.

### **§ 381-15 Insurance and indemnification.**

#### **A. INSURANCE**

1. Formal organizations (i.e., Boy Scouts, athletic leagues) that wish to use municipal facilities must maintain adequate insurance coverage and provide proof of coverage with their application. An original executed Certificate of Insurance is required at the time of application. Informal groups, however, are free to use facilities without insurance coverage, contingent upon the execution of an Indemnification and Waiver, which is described in Section B.
2. Insurance requirements may also be waived for municipally sponsored meetings or events.
3. Determination as to whether a group is formal or informal will be made by the Township Administrator. Factors that will be considered include, but are not limited to, incorporation status, size of membership, frequency of gatherings, and existing insurance.
4. Those users required to have insurance must present satisfactory evidence (original executed Certificate of Insurance) of insurance protection for participants, spectators, coaches and the public within the following terms and conditions. The applicant must maintain Commercial General Liability insurance with limits of liability not less than \$1,000,000 (\$1 million) per occurrence and aggregate. The policy will provide coverage for the user's activity at the approved facilities, and shall state such activities on the Certificate of Insurance. The Certificate shall name the Township of Cinnaminson as the Certificate Holder and as an Additional Insured for the full duration of the use of the facility(ies).

## B. INDEMNIFICATION AND WAIVER

1. Users must sign a waiver in which they agree to waive and relinquish all claims, and causes of action, of every kind which they have or may have against the Township of Cinnaminson arising out of the use of the facility resulting in personal injury and/or property damage. The users must recognize and acknowledge that they assume all risks in connection with the use of the facility.
2. Users must indemnify the Township of Cinnaminson of any and all liability of loss, and against all claims or actions based upon or arising out of damage or injury (including both) to persons or property caused by or sustained in connection with the applicant's use of the facility, and, the defense of any such claims or action, whether the liability, loss or damage is caused by, or arise out of negligence of the Township, or any of the agents, employees or otherwise. The user must further agree to reimburse the Township for any and all expenses, attorney's fees, or costs incurred in the enforcement of this waiver and indemnification.

### **§ 381-16 General rules and regulations for all park users; prohibited acts.**

The Township Committee shall have the authority to establish park rules and regulations, and to amend same from time to time. Provided said rules and regulations are posted, said rules and regulations may be enforced under this chapter.

- A. In addition to any federal or state law which has precedence, it shall be unlawful for any individual to be in or upon any Township-owned park or property for the purposes of or while in the conduct of any activity which is in violation of the rules and regulations established by the Township, this chapter, or any of the ordinances of this Township.
- B. In addition to the rules and regulations as may be prescribed and posted from time to time by the Township Committee, no person in a public park or recreation area shall:
  - (1) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, bridges, tables, fences, benches, fireplaces, grills, paving or paving materials, waterlines, public utilities or parts of appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures, facilities, park property or appurtenances whatever, either real or personal.
  - (2) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public-service utility into, upon, under or across such lands, except by special written permit issued hereunder.
  - (3) Dig or remove any soil, rock, sand, stones, wood or wood materials or make any excavation by tool, equipment, blasting or other means except with written authorization of the Township.
  - (4) Damage, cut, carve, transplant or remove any tree or plant or injure the bark, pick flowers or seeds of any plants or tree, dig in or otherwise disturb grass areas or in any other way injure the plant life.

- (5) Climb any tree or walk, stand or sit on monuments, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
- (6) Tie or hitch any animal to any tree or plant or any man-made structure.
- (7) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird, nor shall any person remove or have in his/her possession the young of any wild animals or the eggs or nest or young of any reptile or bird. Exception to the foregoing shall be made in case of self-defense against poisonous snakes.
- (8) Throw, discharge or otherwise place or cause to be placed in any body of water, storm sewer or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- (9) Dump, deposit or leave trash, dirt, bottles, broken glass, refuse, garbage, debris or other waste materials.
- (10) Solicit moneys or contributions for any purpose, whether public or private, unless written permission is granted by the Township.
- (11) Build, attempt to build or start a fire except in such areas and facilities and under such regulations as may be designated and set forth by the Township. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes, cigars, tobacco paper or any other flammable material within a park or on any highways, roads or streets abutting or contiguous thereto.
- (12) Leave a picnic fire unattended nor leave a picnic area before any fire is completely extinguished.
- (13) Have in his/her possession, or set or otherwise cause to explode, discharge or burn, any firecrackers, torpedo rockets or other fireworks and explosives, or discharge or throw said explosives into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous in terms of flammability and explosion. Upon proper application, the Township may grant permits for conducting properly supervised firework displays in designated park areas.
- (14) Open fires are prohibited, except when approved by the Township and any and all government agencies having jurisdiction therein. However, charcoal grills are permitted in designated picnic areas.
- (15) Carry or possess firearms of any description or air rifles, spring guns, bows and arrows, slings or any other form of weapons dangerous to human safety and wildlife, or any kind of trapping device. Instruments that can be loaded with and

fire blank cartridges may be permitted upon application and approval of a special permit in accordance with the standards and regulations set forth herein. Shooting into park areas from beyond park boundaries is forbidden. This provision shall not apply to course offered by the Township or its agents.

- (16) Bring alcoholic beverages or drink same at any time, or be under the influence of intoxicating liquor in a park or recreational area. This provision shall not apply to the consumption of alcoholic beverage where the same is authorized and permitted by the New Jersey Division of Alcoholic Beverage Control and the Township during special events in those contained areas specifically designated during said events.
- (17) Gamble or participate in or abet any game of chance except when such game of chance is authorized by permit of the Township.
- (18) Paste, glue, tack, nail or otherwise post any sign, placard, advertisement or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.
- (19) Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a valid permit.
- (20) Expose or offer for sale any article or object, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or object. Exception is hereby made to this subsection in connection with any regularly licensed concessionaire acting by and under the authority and regulation of the Township.
- (21) Sleep or protractedly lounge on the seats, benches or other areas of a park or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to breach the public peace and welfare.
- (22) Leave a bicycle, scooter, skateboard or similar object lying on the ground or pavement or set against trees or in any other place or position where other persons may trip over or be injured by it.
- (23) Fail to produce and exhibit any permit from the Township he/she claims to have upon request of any Township official who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- (24) Occupy any seat or bench or enter into or loiter or remain in any pavilion or any other park structure or section thereof which may be reserved or designated by the Township for the use of a specific group.
- (25) If picnicking, all such areas for picnicking shall be maintained by placing all trash, refuse, garbage and debris in designated disposal and recycling containers where provided. If no trash receptacles are available, or if available but full, then trash shall be carried away from the park area by the picnicker, to be properly disposed

of elsewhere.

- (26) Cause or permit the vehicle he/she is operating to stand outside of designated parking spaces, except for a reasonable time to receive or discharge passengers or equipment. No motor vehicle shall be parked in said park areas from 1/2 hour after sunset until sunrise, except as otherwise permitted.
- (27) Except for athletic fields and designating parking areas specifically designed for and illuminated for night activity, it shall be unlawful for any individual to be in, or upon, any Township-owned park or property after dusk or before dawn on any given day. This prohibition shall not be in effect during or within 1/2 hour after cessation of Township-sponsored events or other special events when permission for said events has been granted by the Township Committee or its designated Board.
- (28) Parking lots adjacent to and associated with lit ball field. No vehicles shall remain in the park more than 1/2 hour after the conclusion of the event or return until before dawn the next day.
- (29) Skateboard in or on a park, playground or recreation which has been designated as a "No Skateboarding" area.
- (30) Utilize any facility or area of a park or recreational area for activity other than the designated use of said facility or area. Roller skating, inline skating, and skateboarding and the like, if allowed, shall be confined to those areas specifically designed for such activities.
- (31) Fail to properly maintain all restrooms, washrooms, or concession stands in a neat and sanitary condition.
- (32) Fail to properly clean up after any domestic animal permitted to be in the park.
- (33) Allow a dog off a leash except in specifically designated areas

C. The Township reserves the right to prohibit, rescind or change the use of facilities, regardless of prior approval for use. Whenever practicable, reasonable notice will be provided.

D. Municipal facilities cannot be used for any purpose prohibited by law.

### **§ 381-17 Notice.**

The police, upon finding a child under the age of 18 years in or upon any Township-owned park or property in violation of any of the provisions of this chapter, shall take the name and address of the parent, guardian or other person having the legal care or custody of such child, send such child home, and make a report of the same to the Director of Public Safety or highest ranking uniformed officer within 24 hours; whereupon the Director of Public Safety shall send, via

certified mail to said parent, guardian or legal custodian of such child, a written notice of the first violation of this chapter informing such parent, guardian or legal custodian that, unless the terms of this chapter are complied with in the future, the penalty therefor will be invoked against such person, guardian or legal custodian of such child. Nothing herein shall prevent the police from seeking immediate judicial relief if the activities of the minor in question cause damage or destruction to Township facilities.

### **§ 381-18. Parental responsibilities.**

It shall be unlawful for a parent, guardian or other person having legal care or custody of a child under the age of 18 to knowingly permit or by inefficient control to allow the child to be or remain upon any Township-owned park or property in violation of any of the provisions of this chapter. The term "knowingly" shall include knowledge which a parent, guardian or other person having legal care or custody of a child under the age of 18 should reasonably be expected to have concerning the whereabouts of the child in that person's legal custody. This section is intended to continue to keep neglectful or careless parents, guardians or legal custodians up to a reasonable community standard of parental responsibility to an objective test. It shall, therefore, be no defense that a parent, guardian or legal custodian was completely indifferent to the activities, conduct or whereabouts of such child. It shall be conclusive proof of knowledge when a parent has received prior notice pursuant to § 381-17 or the minor has been prosecuted or adjudicated for a similar offense under this ordinance.

### **§ 381-19 Violations and penalties.**

In addition to the revocation or suspension of any permit issued herein, any person violating any provision of this chapter shall, upon conviction, be subject to a fine not exceeding \$2,000, or be required to perform community service, or both, in the discretion of the court. A separate offense shall be committed for each day during which a violation occurs or continues. In addition, nothing herein shall limit the court's authority to order restitution for any and all damage or destruction caused by the convicted or adjudicated offender or the parents or guardian of the offender.

### **REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**CINNAMINSON TOWNSHIP COMMITTEE**

**Introduction of Ordinance 2017 – 3** An Ordinance Authorizing Long Term Tax Exemption (1410 Urban Renewal Assoc. LLC.) Public hearing to be March 20, 2017.

Mr. Young explains that this relates to the Cinnaminson Home and that this is an extension of their existing tax exemption.

Motion to introduce made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Ordinance is introduced.

Website- Item is tabled to the March work session.

**Public Comments on Consent Agenda items only**

Matt Kravil, President of Cinnaminson Baseball – Questions appointment to Parks and Rec Committee and why Ryan Horner was not appointed to this committee. Mayor Minniti responds that ordinance does not require a recognized sports organization officer be appointed and explains why committee chose Mr. Eckard.

There being no further comments from the public on the consent agenda, Mayor Minniti moves to closed

Mr. Brauckmann makes a motion that approval of Dan Eckard for Parks and Rec be removed from the consent agenda for a separate vote and discussion, seconded by Mr. Evans. Voice vote. Mr. Brauckmann, Mr. Evans and Mr. McCarthy - aye. Mr. Young and Mayor Minniti – nay. Item removed from the consent agenda.

Motion to approve consent agenda made by Mr. Young, seconded by Mr. Brauckmann, Voice vote. All aye, no opposed. Consent agenda is approved.

**Consent Agenda**

**Approval of Resolution 2017-45** Authorizing an Application for Tonnage Grant

**Approval of Resolution 2017- 48** Municipal Alliance Grant

**Approval of Resolution 2017-49** Cancellation of taxes 605 Route 130 (Azalea Farm)

**Approval of Resolution 2017-50** Auction of police vehicles

**Approval of Resolution 2017- 51** Vehicle exchange agreement

**Approval of Resolution 2017-52** Change order and final payment to Police Pole Barn

**Approval of Resolution 2017-53** Acceptance of Award for Body Worn Cameras – Cinnaminson Police Department

**Approval of Raffle** – CHS Home and School Association (5/7/17)

**Approval of Raffle** – Burlington County Footlighters

**Approval of Social Affair Permit** for St. Charles Borromeo for June 14-17, 2017

**Approval of permits** for Parks and Recreation

**End of consent Agenda**

**Appointment of Daniel Eckard** to Parks and Recreation Committee

Motion to approve appointment made by Mr. Young, seconded by Mayor Minniti.

Mr. Brauckmann comments in regard to the appointment and the background of the appointment. Motion to approve motion made by Mr. Young, seconded by Mayor Minniti. Aye – Mr. Evans, Mr. McCarthy, Mr. Young, Mayor Minniti. Nay – Mr. Brauckmann. Motion passes.

**Minutes** – Motion to approve minutes for Jan 2, 2017, January 23, 2017, February 6, 2017 and February 6, 2017 Closed, made by Mr. Brauckmann, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Minutes are approved.



**Bill List** – Motion to add PO #17-00224 \$600 to First and Last Commercial for floors at the community center made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. PO is added to bill list.

Motion to approve bill list as amended made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye. Bill list is approved.

### **Comments from the public**

Paul Conda, 2414 St. Charles Place – Congratulates committee and Michael Minton on the economic growth that Cinnaminson has seen. Questions committee about the position of Superintendent of Public Works and if it has been empty for two years why does it need to be filled. Director King responds that the township has currently contracted with Remington & Vernick engineer to oversee the public works department under a temporary agreement. We currently have seven resumes for review. The position absolutely needs to be filled. Mr. Conda asks about the storm runoff basin that is across from his home which is in deplorable condition. Director King states they are working on it so that Public Works can do regular maintenance on it. Mr. Conda comments on audit report that was presented at Jan 23rd meeting. His impression was that audit was geared at supporting the committees position. Mayor Minniti responds to Mr. Conda's comments in regard to the auditor's report and the comments about the Fire District that were made at the January 23<sup>rd</sup> meeting. Mr. Young responds to Mr. Conda's comments about the audit report and clarifies that it was an audit of the Fire District's proposal only and not a proposal of the whole Fire District.

Theodore Grisham - 2100 New Albany Rd. - Re: Parks and Recs ordinance. Questions 6.2 million spent on parks. Feels fees will be a major burden to the taxpayers. He is concerned that a lot of them may leave the organizations. Mr. Young responds to Mr. Grisham comments. The costs are running rampant. Twenty percent of our population is presented by our sports teams. The other eighty percent are also participating in maintaining these fields. In 2014 our electric bill was \$60,000, in 2016 it was \$80,000. This ordinance is not punitive; it is to raise awareness and gain some participation. Mayor Minniti also comments that our park system is probably better now than it's ever been. We represent 15,000 residents and it's not only the ones in front of us. This is an effort to create some balance.

Hearing no further comment Mayor Minniti closes the public comment section.

### **Comments from Committee**

Mr. Brauckmann welcomes Dan Eckard to Parks and Rec committee. Responds to Mr. McCarthy's comments about his reorganization speech regarding the Public Safety Director, reiterates his position, apologizes to Mr. McCarthy if he was offended.

**Closed Session** – Motion to go into closed session for a discussion on affordable housing under 2017-54 made by Mr. Brauckmann, seconded by Mr. Evans. Voice vote. All aye, no opposed. Motion passes.  
8:30pm

Mr. Brauckmann leaves before committee begins closed session.

Motion to return to regular session made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. 9:19pm

Motion to adjourn meeting made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Meeting is adjourned.

9:20 pm

Duly passed and adopted

Respectfully submitted  
Lisa A. Passione