

The Special Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Deputy Mayor at 7:05 p.m.

Deputy Mayor Glicklich read the following statement: “In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Special Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, indicating that this Special Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on April 27, 2009. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.”

Everyone present participated in the Pledge of Allegiance.

Ms. Christine Burke called the roll.

Present: Ms. Eberle, Deputy Mayor Glicklich, Mr. Prasad, Mr. Vassanella (arrived at 7:08 p.m.)

Absent: Ms. Danile, Ms. Francois, Mayor Levine, Mr. Mettler, Mr. Sumter

Also present: Leslie G. London, Township Attorney, Kenneth W. Daly, Township Manager, Christine Burke, Senior Clerk

### **PRESENTATION**

Ms. Alice Osipowitz, Director of Parks and Recreation presented the Middlebush Park Plan as recommended by the Advisory Recreation Council. She stated that the original site plan had been created by CMX, previously known as Schoor DePalma, and that once additional information was gathered, new engineering plans would be drawn up by Remington, Vernick & Vena, whose representatives, Randy Lax and Jason Cline, were present. She went on to give a brief history of the development of Middlebush Park and described its location and borders.

Ms. Osipowitz explained the Township’s need for more developed recreational facilities and cited previous meetings in which youth sports organizations had made requests for more athletic fields. She stated that, in the initial phase of Middlebush Park, two athletic fields, a parking lot and a skate park were planned. She further stated that it was intended to bring in three additional fields, consisting of a total of two football fields and three soccer fields, as well as a set of basketball courts, a softball field, additional parking and a jogging trail around the park. She explained that these additions would be implemented in phases.

Ms. Osipowitz stated that funding options were being explored. She explained that \$600,000 was available in the Recreation Trust Fund and \$1.4 million was available in the Open Space Trust Fund for park development.

### **PUBLIC DISCUSSION**

Mr. Vassanella moved to open the meeting for public discussion. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Deputy Mayor Glicklich stated that the public should limit their time to 3 minutes in the interest in hearing all who wished to speak. He requested that Mr. Kramer keep time.

Mark Rogers, 282 Hazlitt Way, Somerset, stated that he did not see the development of the park as a real need. He claimed that the need was manufactured and that recreational entities always want more space. He stated that there was already a great deal of space in Franklin Township. He expressed his concern for local traffic, the impact this development would have on wetlands and the cost.

Mr. Vassanella clarified that the \$2 million from the trust funds was not for the purchase of the land but for its development.

Rosalie Ginda, 303 Shilling Drive, expressed her concern over the disruption of the nearby peaceful and quiet neighborhood and the potential crime that will come with the development of the park. She questioned why the fields needed to be placed in Middlebush Park. She stated that the Franklin High School was built with a great deal of space around it for the purpose of developing fields there. She went on to express her concerns with the timing of the development, citing the economic times. She also questioned if lights would be installed and the park would be used at night and on weekends.

Jason Kolb, 414 DeMott Lane, stated that he lives across from the entrance to Middlebush Park and that he uses the park along with his three and five year old children. He expressed his concerns for traffic and pointed out that the park's entrance sign obstructs visibility. He recommended a secondary access point to the park. He questioned the security of the park and explained that trucks go in there at night and make an excessive amount of noise. He went on to further question the enforcement of park rules, pointing out that use of the skate park requires permits and helmets. Finally, he questioned if sewer access would be brought into the park for restrooms and, if it was brought to the park, could other properties have access to that sewer line.

Tom Young, 299 Shilling Drive, stated that the map that was provided to the affected residents and available for distribution at the meeting was ridiculous and illegible. He pointed out that there is a lot of open space in the Township and stated that the residences surrounding the park are adversely affected already. He stated that the skate makes a tremendous amount of noise and that basketball courts would only cause more noise. He expressed his concern over the possible devaluation of his home and the security of the park. He also expressed his concern for the local wildlife and stated that the current economy has been beneficial in slowing down the destruction of natural woodlands.

Brad Teryek, 127 Charles Street, stated that while he didn't object to having a recreational facility along his back yard he was concerned that the area was being over utilized. He stated that he would like to see a reduction in the amount of vegetation that was being taken away and pointed out that taking away too much vegetation would change the whole area. He went on to express his concerns for safety and questioned how park patrons would be kept from wandering into private backyards. Finally, he expressed his concern over the preserved wetlands that exists on the property and questioned where the water would go if the land was disturbed.

Mary Teryek, 127 Charles Street, also expressed her concern over the safety of the area and what developmental plans were being put in place regarding lights and speakers. She stated that she understood that this is business but, for the residents it is a little personal. She urged the Township to compromise in order to meet the needs of both the Township and the community.

Josie Qu Chen, 119 Charles Street, stated that she and her family were probably one of the first buyers of the houses developed in that area and that one of the reasons they purchased their home there was due to the quiet and the trees. When she purchased her home she was informed that a park would be created in the area and she is happy with that park. She expressed her concern regarding over-utilization of the area and its impact on the environment, from the effects on the local wildlife to the air quality. She stated that she is not against recreational development but urged that the Township consider the impact on the environmental and community. She recommended leaving the area as it is.

Roy D. Crawford, 24 Gauguin Way, stated that with the area developed as it is now, she had already had 36 deer in her backyard and that her son had already needed treatments for Lyme disease. She expressed her concerns regarding safety, citing that she had already seen people in her backyard who are not her neighbors. She stated that that is not safe for her young daughter. Her children cannot leave items in her backyard as these items tend to disappear. She pointed out that the skate park already adds a lot of noise to the community and that she can not enjoy a cup of coffee in her back yard. She urged the Township to find another location to develop and recommended the High School.

Bruce Steinberg, 21 Gauguin Way, expressed his concerns for safety and the environment. He pointed out that ever since the skate park had been built, he has had

people walking through his property with their bikes and dogs. He stated that six fields is overutilization of the property and questioned if there would be restrictions on the times people are allowed to play in the park. He further stated that the community paid a great deal of money to have the peace and quiet that the area offered. He further expressed concerns over park visitors parking on Gauguin Way. He agreed that children need something to do but reiterated his point that this plan puts too much in this area. He stated that the park design and plans to rest fields for a year is not an efficient use of property.

Ryan Omara, 14 Sussex Court, questioned if the development of this park was the right choice financially. He expressed his concerns over the financial impact on the Township, not just for developing the park but also for maintaining it. He pointed out that the large lawn mowers used to cut the grass on large fields make a lot of noise.

Carl Wright, 139 Fuller Street, Somerset, questioned where and when new fields would be developed for the Township and stated that the residents have brought up valid points. He pointed out that Middlebush Park is not a small strip of land and that fields need to be consolidated for the Township to utilize. He stated that the wetlands in the Park have already been taken into consideration and are not an issue. He stated that the problem people have with the park is a “not in my backyard” mentality and urged residents to consider the needs of the Township as a whole.

Monique Thompson, 292 Haven Way, stated that she is a working mother with two children. She pointed out the benefit of having a park nearby and the opportunity it affords families to spend quality time together. She urged people to consider the pros of developing the park.

Bennie Stanley, 27 Martin Street, a Pop Warner Football Coach, parent and resident of Franklin Township stated that the need for more fields is not a manufactured need and that children are playing football on a single field where metal pipes extrude from the ground and pose a safety concern. He stated that he has been a coach for 14 years and asks only that he be provided with the facilities to assist the youth of Franklin Township. The need to develop recreational lands in Franklin Township is a need shared by all residents of Franklin Township.

James Kelly, 4 Norris Road, Co-President of the Franklin Township Soccer Club and President of the Youth Sports Alliance stated that children need an environment in which they can thrive and grow. Franklin Township has a great deal of open space but there is a lack of open space that is developed. He stated that the need for developed fields is not a manufactured need. Currently, the various sports teams of the Township play at the discretion of the school system. Only one field is provided for football and that field is riddled with glass and rocks. Two fields are provided for soccer, which hosts nearly 1,200 children in Franklin Township. The soccer organization paid nearly \$2,000 to put down sod and seed to keep their fields usable. He pointed out that his organizations clean up after themselves. He also pointed out children in sports teams are supervised and placed in an adult-controlled environment. They would not be a source of crime in the community. He stated that money has been set aside for the purpose of developing Township parks for years and that homeowners would not see an increase in their taxes.

Dennis Wieboldt, 117 Charles Street, a coach for both baseball and soccer, stated that he is not against the need for space for children. He questioned the impact having these park fields would have on the surrounding area, both environmentally and in regards to traffic and safety. He questioned if a traffic study had been done on the area.

Keith Stewart, 26 Atlantic Road, President of Franklin Township Pop Warner and member of the Advisory Recreation Council, stated that unlike the recent issue with tax assessments, the Council has some control over this matter. He pointed out that \$15 million has been set aside in the Open Space Trust Fund for the purpose of developing recreational facilities. The money for the development of Middlebush Park has already been collected and set aside. He gave a brief history of Pop Warner and recreation in Franklin Township, citing that he has lived in Franklin Township all his life and grew up with the recreational facilities located in the Township. He pointed out that when he was a child he played on a football field that had grass on it. That field has been overused and is

now covered in dirt that aggravates his son's asthma. He claimed that the development of Middlebush Park was an opportunity to provide for the needs of many people.

Beth Balbierz, 16 Magnolia Road, stated that she is in support of the park developments. In regards to traffic concerns, she only requested that people slow down and do the speed limit. She stated that Franklin Township needs to invest in its children.

Linda Weber-Smith, 139 Wilson Road, member of the Advisory Recreation Council, stated that she has been involved with the development of Middlebush Park from the beginning and that she uses the park. She questioned where children are supposed to go and pointed out that when she was younger, there was a Pop Warner facility that children could go to and play games. There is currently no location for the children congregate and socialize. She stated that each of the homeowners in the area have beautiful houses but do not have a great community.

David Boyle, 16 London Place, Somerset, stated that he is in support of the development of Middlebush Park and encourage Council to proceed with the plan.

George Phalen, 29 Fordham Road, member of the Franklin Township Soccer Club for 25 years, stated that he has been involved with the development of Franklin Township parks since John Lovell was Township Manager. He pointed out that there has been an increase in the Township's children and that Franklin Township must make an investment in its future.

Rob Jones, 2 Azalea Lane, a parent and soccer coach for five years, stated that he is strongly in favor of developing Middlebush Park. He pointed out the need for more fields in Franklin Township.

Andrea Orel, 365 Cotswold Place, stated that there is a need for developed parks in Franklin Township and is in support of the development of parks in Franklin Township but the area around Middlebush Park is a congested area and the proposed plans would be too much for the area. She pointed out traffic concerns and the difficulties residents would have with lighted nighttime games that take place for six to nine months out of a year.

Jackie Jackson, 6 Lilac Lane, stated that she has children who routinely use the Middlebush Park facilities for their sports programs. She further stated that Franklin Township needs bigger facilities and cited that the current facilities are not adequate. She requested that the residents of Franklin Township support the Township's youth soccer programs.

Lee Rudbart, 134 Charles Street, stated that he appreciated everyone's opinion and that someone would not be happy with whatever decision is made regarding Middlebush Park. He further stated that the recreational fields in the township are in a state of disrepair. He requested that the Township use the money set aside for the development of Middlebush Park to repair the fields that already exist.

Tom Malone, 68 Lindsey Court, chairman of the Parks and Recreation Advisory Council, stated that Franklin Township needs more recreational facilities and that the township is lacking in its dedication to its children. He stated that obesity is a large problem plaguing children today and that, instead of being in front of computers or game consoles, these children need to be outside. He went on to state that other townships of comparable size pay nearly \$48 per child while Franklin Township spends between \$12 and \$14 per child. He stated that new recreational facilities are needed now.

Phillip Kramer, 429 Canal Road, stated that a few years ago when the Middlebush Park Skate Park was initially proposed, he had been against the park's development for financial reasons. In this new development, the money is already provided and a large number of people are interested in using the facility. He requested that the Township continue with a phase plan and compromise with the residents of the area. He pointed out that he does not have any direct connection to the neighborhood but understood the concerns of the residents of the neighboring community. He requested that plans for the park include multiple options that would keep a limited impact on the surrounding community.

Ricardo Cumberbatch, 24 Dorset Court, stated that many of the arguments, such as impact on the neighborhood and local wildlife, should not be discussed as these issues were not discussed when developments were allowed to build on what was previously Franklin Township farmland. He expressed his support for the development of Middlebush Park and pointed out that other communities have sports fields. He also pointed out that there is no crime when children play on the fields behind Sampson G. Smith School. He stated that playing sports makes children better, productive citizens.

Marisa Gallagher, 36 Lake Avenue, member of Franklin Township Pop Warner, stated that her husband spent months fixing Middlebush Park to allow children to play on the fields currently there. She expressed her displeasure in the maintenance and upkeep of the park and pointed out that the Township needs a community space. She also pointed out that park fields would generate revenue for Township businesses as traveling teams would visit Franklin Township gas stations and restaurants. She stated that she has two children and cannot see both of her children play as they generally have games at two different locations on the same days. The development of Middlebush Park would allow her family to have more time to spend together.

Laura Rudbart, 134 Charles Street, stated that most of the residents of the community were not against having Middlebush Park behind their properties. The residents of the community were concerned over how close the park was being developed to their property lines. She further stated that the residents of the community were concerned over the amount of noise that would be produced by having hundreds of children playing games on the fields all day. She stated that it would be an unacceptable level of noise, in contrast to having ten or so rowdy children living next door, which would be acceptable. She went on to point out that the groups that currently use the park share the space with little difficulty. The inclusion of more fields would increase demand and teams would not want to share. She pointed out that parents with multiple children would still have to travel between fields and locations even if the park is developed.

Donna Greenwood, 1902 Amwell Road, board member of the Franklin Township Soccer Club with two children who play soccer and a coach of travel soccer, stated that more fields are needed and that measures would be taken to preserve the fields. She further stated that more fields were needed in a more centralized location to allow parents to drop off more than one child for their games. She pointed out that some parents do not allow their children to participate in soccer because they can not get to the locations in which the games are played.

Roslyn Gerken, 268 Hazlitt Way, expressed her support for the development of Middlebush Park but questioned the impact on noise, traffic and lights in the area. She stated that children are a value in the community.

Samantha Balbierz, 16 Magnolia Road, spoke with two other youth members of the community, stating that the Township has no facilities for the youth of Franklin Township to play and practice on and that it was time for Franklin Township to make an investment in its children.

Scott Ludwigsen, 12 Smithwold Road, stated that there is a need for sports fields in Franklin Township. He further stated that the Township can't placate everyone and, at some point, the Township will have to meet the needs of the children.

Pranesh Patel, 228 McAuliffe Court, expressed his support for any park development in Franklin Township. Franklin Township hosts a lot of open space but little of it is developed. In his opinion, this land is useless. Development of parkland would benefit the long-term future of Franklin Township.

Dianne Trenergy, 297 Shilling Drive, Somerset, a retired teacher, stated that she realizes that children need a place to play and is not in opposition to the development of Franklin Township parks. She stated that she is adamantly opposed to loud speakers and lights in the park as these would be disruptive to the residents. She questioned why the Franklin Township High School property does not have any sports fields when such fields were initially planned for the property.

There being no further comments from the public, Mr. Vassanella moved to close the meeting for public discussion. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Mr. Daly took this time to respond to some of the public's questions and concerns. He stated that no lights were planned in this phase of the development of Middlebush Park. Future phases of development would result in more public discussion meetings. He went on to explain that this park was chosen because the property was donated by the developer who built Gauguin Way and Charles Street, for the purpose of developing a park. It was part of the Township's development agreement.

Mr. Daly went on to explain that the engineers were present at the meeting for the purpose of listening to the concerns of the neighbors. Issues such as access, security, noise, traffic and the wetlands would be taken into account when the plans were drawn. The next step would be to have the engineers take all of the input from the neighbors and the community at large, and design specifications that balance the needs of the community with the impact on the neighbors. Before the specifications go out to bid there will be a public report on what will be contained in those bid specifications.

Mr. Daly explained that the existing fields in the Township are so over-used that simply paying for their repair would not help. These fields need to lay dormant for a year so that they may reestablish.

Deputy Mayor Glicklich reiterated the concerns of the neighbors and stated that before anything is done, the development of Middlebush Park would come before the Council again. More public hearings would be held and the neighborhood's fears would be alleviated. He stated that there is a need for more fields in Franklin Township and pointed out that the number of children in the Township is increasing every year. He thanked everyone for their attendance.

#### **ADJOURNMENT**

Upon a motion made by Mr. Prasad, seconded by Ms. Eberle and unanimously approved, meeting was adjourned at 8:38 p.m.

Approved: *As Submitted*

Brian D. Levine, Mayor

Date: *June 23, 2009*

Ann Marie McCarthy, Township Clerk