

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE
SPECIAL SESSION
August 22, 2011

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 8:00 a.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Caliguire, Deputy Mayor Dyer, Committeemembers Graham and Trzaska
Committeeman Carter was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Mayor Caliguire stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."
3. Mayor Caliguire led the Salute to the Flag.
4. **DISCUSSION OF NOISEMAKING DEVICE PERMIT ISSUED BY THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF FISH AND WILDLIFE TO JOHN DRAKE FOR THE OPERATION OF A NOISEMAKING DEVICE TO REPEL WILDLIFE AT 889 AND 585 COUNTY ROUTE 518**

Mayor Caliguire opened the meeting by noting that, "There is a definite problem. There is a farmer who wants to run his business, as he should have the right to do. We also have actions he has taken in order to try to do that, which have caused a significant amount of trouble for people. Clearly, having heard these cannons myself, it's a problem and we need to do something about it. We are holding this meeting this morning because we don't have a regularly scheduled meeting until September 1 and given the problem we've got, I didn't think it was right to wait until then to do something about it. So, I will let our attorney explain what we are going to be doing and why."

Mayor Caliguire also indicated that he had met with Mr. Drake on Saturday because he thought it was the right thing to do; that if the Township Committee is going to discuss the matter and take action, the right thing to do was to meet face-to-face. Mayor Caliguire state that it was a very cordial meeting, and what he explained was that there is a problem, this is something that is just not right, and that the Township can't allow him to fire these cannons off. Technically the Township does not have the ability to stop this right now, because he does have a permit, whether it should have been granted or not. Mayor Caliguire also told him that he recognizes that he is running a business and understands he needed to be able to do what he can to make the business work. Somehow, though, it is necessary to find a better solution because this is not acceptable for the people who live nearby. Mr. Drake mentioned his ability to hunt and thin the deer population, and how a representative from the Department of Environmental Protection was supposed to meet with him this week. He was notified that the Township Committee was meeting to pass a resolution. I am going to ask the Township Attorney to explain exactly what we are going to be doing. The Township Committee will vote and then there will be open comment.

Attorney Hadinger explained that the draft resolution grew out of the statute by which the permittee, Mr. Drake, was issued a permit to locate noise-making devices on properties that he owns in order to deter wildlife. That statute, which is implemented under the Division of Fish and Game also contains language to the effect that whenever the governing body of the municipality in which the farms are located can point to undue hardship on residents, the governing body may request the Division, which is under the auspices of the Department of Environmental Protection, to cancel or deny the permit. The purpose of this resolution, if enacted by the Township Committee, is to request, based on the circumstances laid out in the resolution, the Division of Fish and Wildlife to cancel the permits. It is actually a single permit but it is for two different properties. It was noted that one of the properties is not owned by Mr. Drake, one of the properties is owned by an LLC in his name. The statute actually says that the permits are to be used on properties that are owned by the permittee, so that is an open issue. When the Township spoke with the Division about this, the Division took the position that it can be a property owned by the permittee or if the permittee has the permission of the property owner. This is a question that the Township doesn't think is sanctioned or directly permitted by the statute, but that's a separate issue. This problem is also referenced in the draft resolution. The substantive aspect of the resolution is to recite the concerns that the Township has received from numerous residents and also people living in a neighboring municipality, and to indicate, based on some peer-reviewed scientific studies, not only the serious negative impacts of sleep deprivation which these devices are causing but the ineffectiveness of these types of devices. She stated that after preparing the resolution she was also provided with an additional article from the University of California, Davis, dating back to June, 2004, wherein the authors conclude that because deer rapidly adjust to noise-making devices such as propane cannons and electronic alarms, these devices are ineffective. She recommended that the resolution be supplemented to reference this study.

(Item #4. Cont.)

Committeewoman Graham suggested that in the fifth paragraph "and determined the presence of crop damage, however," be deleted as there was no written report. She wondered how the Township was to know what the inspector determined.

Attorney Hadinger stated that another recommendation she would make to the Township Committee was that if this resolution, as modified, is acceptable that the Committee take a second action after it adopts this resolution to authorize participation in complaints before the Somerset County Agricultural Development Board.

Mayor Caliguire inquired as to what the process would be. He stated that he had conversations with people from the State Department of Agriculture and they were very much aware of this situation and he suspected that they wanted to act and they want to deal with it but they can't do so unless the Township Committee has this complaint filed. Attorney Hadinger replied that this resolution was going to the Division of Fish and Wildlife, the Division that issued the permit, and therefore it was the only Division that can revoke, cancel or modify the permit. It was likely under that statute that the Director of the Division will consult with other agencies, and those agencies would very likely include the County and State Agriculture Boards.

Mayor Caliguire stated that it was his understanding that there had been complaints filed by residents with the Somerset County Agricultural Development Board and that the SADC needs it to go through the County Agricultural Board before they can act. Attorney Hadinger explained that that was the position the SADC has taken and the Township was aware of at least one complaint that has been filed. There may be others that are pending or in the process of being filed. It was suggested that the Township participate in those complaints and that participation could include staff, officials and experts as deemed appropriate.

Mayor Caliguire reiterated that he did support farmers and their ability to make a living. He was hoping that Mr. Drake and Department of Environmental Protection were able to deal with this situation sooner rather than later this week.

5. **RESOLUTION #11-8-216 - FINDING UNDUE HARDSHIP RESULTING FROM ISSUANCE OF NOISEMAKING DEVICE PERMIT BY THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF FISH AND WILDLIFE AND REQUESTING CANCELLATION OF RIGHT TO USE NOISEMAKING DEVICES**

WHEREAS, the State of New Jersey, Department of Environmental Protection, Division of Fish and Wildlife ("**Division**") issued a noisemaking device permit (#16-11) to John Drake effective from July 19, 2011 to October 15, 2011 to use a noisemaking device, specifically a propane cannon, to scare or repel marauding birds or other wildlife, *i.e.*, deer, to prevent damage and destruction of crops and property on the following two properties:

- 889 County Rte. 518, Montgomery Township, Block 34001/lots 44 and 46 comprising 57.4± acres ("**Drake Property**");
- 585 County Rte. 518, Montgomery Township, Block 33001/lots 18.01, 18.07, 18.08 and 18.10 comprising 15.86±acres ("**Carnevale Property**");

WHEREAS, the record owner of the Drake Property is Drake Family, LLC, c/o John Drake; and

WHEREAS, the record owners of the Carnevale Property are Luigi and Elizabeth Carnevale; and

WHEREAS, the one-page application submitted by John Drake to the Division to use a "Scareaway Propane Type" agricultural noisemaking device ("**Propane Cannon**") is attached to this resolution and there is no other supporting written documentation for said application; and

WHEREAS, on information and belief, a conservation officer of the Division inspected the Drake Property and Carnevale Property, however, there is no written record of said inspection, nor the extent of any crop damage; and

WHEREAS, notice of the application was not furnished to the Township or nearby residents; and

WHEREAS, a copy of the permit for use of the Propane Cannon that was issued by the Division is also attached to this resolution; and

WHEREAS, the permit states that John Drake is the owner of lands used for "agricultural purposes" and that the approved Propane Cannon "will be used only when actually necessary on lands owned by the permittee"; and

WHEREAS, N.J.S.A. 23:4-63.6 only authorizes the Division "to issue permits to the **owners** of lands used for agricultural purposes" [emphasis supplied]; and

WHEREAS, John Drake is not the owner of the Carnevale Property, the owner of the Carnevale Property made no application for a permit, and no permit should have been issued for use of a Propane Cannon on the Carnevale Property because the landowner did not apply for any such permit; and

WHEREAS, Division staff have verbally indicated that the Division issues noisemaking device permits to farmers even if they are not the owners of the property if they have permission from the owners to use a noisemaking device; and

WHEREAS, said practice is not authorized by the statute or by the Division's implementing regulations and, furthermore, the record is devoid of any such permission having been granted by the owners of the Carnevale Property to John Drake; and

(Item #5. Cont.)

WHEREAS, if the Legislature intended that such permits be issued to persons other than the landowners themselves, the Legislature would have included such language in the statute, as evidenced by other statutes adopted by the New Jersey Legislature wherein, by their express terms, the statutes establish procedures for persons other than the actual property owners to make permit applications (see, e.g., N.J.S.A. 13:1E-170, N.J.S.A. 40:55D-4); and

WHEREAS, the plain language of the statute does not permit issuance of permit to any person other than a landowner, and accordingly, no permit should have been issued for a Propane Cannon on the Carnevale Property; and

WHEREAS, N.J.S.A. 23:4-63.6 provides that "[w]henver the governing body of any municipality adopts a resolution pointing to undue hardship on nearby residents as a result of the use of any such device, and requests that the division deny or cancel the right to use such device, the Director of the Division . . . after review of all available evidence may deny or cancel a permit to use such device [sic]"; and

WHEREAS, permit #16-11 authorizes the use of a Propane Cannon that does not have a sound level in excess of 128 decibels at 100 feet from the device as provided by N.J.A.C. 7:25-3.2; and

WHEREAS, the Township's noise ordinance (§3-3.4 of the Code of the Township of Montgomery (1984)) prohibits noise at a level that exceeds 65 decibels between the hours of 8:00 a.m. and 8:00 p.m., and 50 decibels between 8:00 p.m. and 8:00 a.m.; and

WHEREAS, sound level readings of the permittee's Propane Cannons taken by Somerset County Health Department staff members have confirmed that while the Propane Cannons do not exceed the level established by the permit, the Propane Cannons do exceed local ordinance standards; and

WHEREAS, Lt. James Curry of the Montgomery Township Police Department and Lauren Wasilauski, Township Open Space Coordinator have submitted reports to the Township Committee detailing numerous complaints that their offices have fielded from Montgomery Township residents and residents in neighboring Princeton Township regarding the use of the Propane Cannons and the detrimental impact of said Propane Cannons on their health and quality of life; and

WHEREAS, in addition, the Somerset County Communications office has received as many as four to five complaints *per hour* during certain periods; and

WHEREAS, members of the Township Committee and other Township officials have also received complaints regarding the Propane Cannons on the Drake and Carnevale Properties; and

WHEREAS, there are approximately 1,130 residential dwellings located within one mile of the Carnevale and Drake Properties, and complaints regarding the Propane Cannons have been received from persons who live as far as a mile away from the Carnevale and Drake Properties; and

WHEREAS, said staff reports have been reviewed by the Township Committee, are on file in the office of the Township Clerk, and are incorporated as if set forth at length herein; and

WHEREAS, the permittee's Propane Cannons produce a very startling noise comparable to that of a shotgun; and

WHEREAS, information gathered by the Township indicates that the Propane Cannons are being discharged on the Drake and Carnevale Properties every three to seven minutes, twenty-four hours per day; and

WHEREAS, this excessive, unrelenting use of the Propane Cannons is resulting in extreme sleep interruption and deprivation for numerous residents, including residents who are already suffering from severe chronic diseases, specifically cancer and lupus; and

WHEREAS, the ill effects of sleep interruption and sleep deprivation for extended periods of time are well-documented and include, among other things, decreased performance and alertness, memory and cognitive impairment, stress, compromised immune system, occupational/industrial and automobile injuries, obesity, diabetes, hypertension, heart disease, depression, and increased risk of substance abuse (see, e.g., "Metabolic, Endocrine, and Immune Consequences of Sleep Deprivation," Laila AlDabal and Ahmed S. BaHamman:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3132857/?tool=pubmed>; "Brain Basics: Understanding Sleep," National Institute of Neurological Disorders:
http://www.ninds.nih.gov/disorders/brain_basics/understanding_sleep.htm; "Effects of Partial and Total Sleep Deprivation On Driving Performance," Robert D. Peters, Esther Kloepfel, Elizabeth Alicandri, Jean E. Fox, Maria L. Thomas, David R. Thorne, Helen C. Sing, and Sharon M. Balwinski:
<http://www.fhwa.dot.gov/publications/research/safety/humanfac/94046/index.cfm>;
"Insufficient Sleep Is a Public Health Epidemic," Centers for Disease Control and Prevention: <http://www.cdc.gov/features/dsSleep/>; and "How Much Sleep Do We Really Need," National Sleep Foundation: <http://www.sleepfoundation.org/article/how-sleep-works/how-much-sleep-do-we-really-need>; and

WHEREAS, the in-ordinate frequency with which the permittee is discharging the Propane Cannons, in and of itself, calls into question the efficacy of the Propane Cannons in achieving their intended purpose; and

(Item #5. Cont.)

WHEREAS, deer are adaptable creatures that are able to rapidly learn to ignore sounds if the sounds are not associated with any real danger,¹ and permittee's Propane Cannons do not pose any real danger to deer; and

WHEREAS, in a scientific study entitled "Propane exploders and Electronic Guards were ineffective at reducing deer damage in cornfields," published by the Wildlife Damage Management, Internet Center for USDA National Wildlife Research Center - Staff Publications, 2004 ("**USDA Study**"), propane exploders, were determined not to be effective in reducing deer damage to crops; and

WHEREAS, the devices being used by the permittee under Permit #16-11 are propane exploders;

WHEREAS, the University of California (Davis), Integrated Pest Management Program has also concluded "[b]ecause deer rapidly adjust to noise-making devices such as propane cannons and electronic alarms, these devices are ineffective. This is particularly true in areas where deer have frequent human contact. In addition, not only are these devices ineffective, they can disturb the neighbors ("Pests in Gardens and Landscapes Deer," University of California, Davis, Integrated Pest Management Program: <http://www.ipm.ucdavis.edu/PGM/PESTNOTES/pn74117.html>) ("**UCDAVIS ARTICLE**"); and

WHEREAS, there are other means of preventing crop damage by deer including electric or high fences.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montgomery in Somerset County, New Jersey:

1. As set forth in the foregoing preamble, which the Township Committee incorporates at length in this determination, the use of Propane Cannons under Permit #16-11 issued by the Division to John Drake constitutes an excessive and undue hardship for residents in more than 1,100 homes and, in accordance with, N.J.S.A. 23:4-63.6, the Township Committee requests that the Division immediately cancel the permittee's rights to use Propane Cannons at the Carnevale and Drake Properties.
2. The issuance of a noisemaking device permit for the Carnevale Property at 585 County Rte. 518 was in violation of the applicable statute and regulations in that the permittee, Drake, is not the owner of the Carnevale Property. N.J.S.A. 23:4-63.6, and the regulations thereunder promulgated by the Division, only allow issuance of such permits to owners of land. The Division is without authority to issue a noisemaking permit to anyone other than the landowner. Further, the permit itself is in error in that it identifies Drake as the owner of the Carnevale Property.
3. The permit states the device "will use only be used when actually necessary on lands owned by the permittee." Use of Propane Cannons is not necessary. The excessive frequency with which the Propane Cannons are being used, *i.e.*, every three to seven minutes, evinces their utter lack of effectiveness. It is not necessary for anyone to use devices that are ineffective. The ineffectiveness of propane exploders has also been confirmed by independent, scientific study (*see*, USDA Study). Permittees should not be allowed to use ineffective devices that create undue hardships for residents. Further, other means, including fencing, exist by which the crops may be protected without imposing hardship on nearby residents.
4. Montgomery Township officials and staff, including without limitation, members of the police, planning and health departments, together with such other staff members and consultants as the Township Administrator and Township Attorney deem appropriate, are authorized to provide continuing evidence of the hardships created by the use of said Propane Cannons on residents to the Division, and to take any and all other actions as may be necessary to ensure the cancellation of Permit #16-11 and otherwise effectuate the purposes hereof.
5. A certified, true copy of this resolution, together with the reports prepared by Lt. Curry and Open Space Coordinator Wasilauski, the USDA Study and the UC Davis Article shall be forwarded by the Township Clerk to David Chanda, Director of the Division of Fish and Wildlife, and Larry Herrighty, Assistant Director.

5-1. Committeewoman Graham moved the adoption of the foregoing resolution, as amended. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Trzaska, Graham, Dyer, Caliguire
Nays - None
Absent - Carter

¹ "Deer Exclusion Devices and Deterrent Techniques," Transport Canada:
<http://www.tc.gc.ca/eng/civilaviation/standards/aerodromeairnav-standards-wildlifecontrol-deer-12-950.htm>

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- 5-2. **Motion #11-8-2** - Committeewoman Graham moved to authorize the Township staff and officials to participate in complaints before the Somerset County Agricultural Development Board as deemed appropriate by the Township Administrator, in consultation with the Township Attorney, to effectuate the Township Committee determination that the use of propane cannons at the Drake and Carnevale properties is unwarranted and creates undue hardship for Township residents. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Trzaska, Graham, Dyer, Caliguire
Nays - None
Absent - Carter

- 5-3. Attorney Hadinger stated that the Township Clerk would send to the Division of Fish and Wildlife, today, not only the resolution but the literature that supports the findings in the resolution, along with the reports that have been prepared by the Township Police Department and the Township Open Space Coordinator.
- 5-4. Bruce Goldsmith, Burton Circle, thanked the Township Committee for passing these resolutions. He stated that he and a few other people had walked around the Yorkshire Woods neighborhood and gathered quite a few names on petitions. He presented these petitions to the Township Committee. He explained that the residents do understand the need to farm, but he wondered if there was a way for a peaceful existence between the farmers and the residents. He also stated that Mr. Calabro took pictures of the deer next to the tanks and he presented those to the Township Committee as well.
- Mayor Caliguire stated that these petitions and pictures would be submitted with the complaint.
- 5-5. Dave Bonfield, Nassau Court, reiterated Mr. Goldsmith's comments. His observations in talking to almost every level of government on this issue, was that nobody understands the science and the health related issues very well, because they can't source back to decisions on the decibel levels and the distance levels on these cannons. He would encourage, in this resolution, that these be mentioned. He asked that the Township try to research and find out what the health ramifications are specifically and what science supports the noise levels and what science supports the distance levels and the percussion levels on these propane cannons.
- 5-6. Robert Finney, Orchard Farm Organics on Cherry Hill Road, stated that he wasn't very far from some of the affected farms and they are affected by the deer and the noise. His understanding of the deer issue over the years has been that noise-makers and other "toys" which look attractive on paper do not permanently keep deer away. They use fencing. The main issue about the fencing is that they have to provide corridors for the deer to get through so when the deer come across the Township Open Space properties on Cherry Hill Road, they can come down the driveway and then down a corridor through the woods and get further on in the Township.
- Committeewoman Graham asked if dogs might work in deterring the deer. Mr. Finney stated that dogs would be an option also, but require proper training.
- 5-7. David Gray, Princeton Township, stated that he and his neighbors are having the same problem and are thankful that Montgomery Township was taking some action and hoping they don't have to do the same thing in their Township.
- 5-8. Eugene Baker, Cherry Brook Drive, stated that he and his wife loved farms, but he had been discussing a few things with some people and one of them was that the NJDEP will fund fencing for farming, if it's applied for.
- Mayor Caliguire stated that he had spoken with Mr. Drake about this, and he said there are programs but he had been frustrated because it wasn't funded enough.
- 5-9. Debbie Lang, Borrowby Circle and Realtor in Montgomery, stated her concern about the real estate values for Montgomery Township and the homes.
- 5-10. Ed Seidel, Dutchtown-Harlingen Road, stated that he has a small farm and he is on the Montgomery Township Agricultural Advisory Committee, Somerset County Board of Agriculture and the CADB. He suggested that the governing body go to the Township Agricultural Advisory Committee and ask for its opinion on the whole situation, because the CADB is going to ask what the Township Agricultural Advisory Committee felt.
- Mayor Caliguire stated that he would ask that Committee, but he felt that this action had to be taken immediately. He asked the Township Planner and the Township Open Space Coordinator to set up a meeting with the Township Agricultural Advisory Committee as soon as possible to get their opinion.
- 5-11. Brett Borowski, York Drive, thanked the governing body for its responsiveness. He felt the resolution said everything that needed to be said and more. He stated that even if these cannons were effective, it placed the threat somewhere else and made it a threat to public health.
- 5-12. Dr. Greg Borer, 95 Cherry Brook Road, stated that in addition to the night time disturbance to his wellbeing as a trauma surgeon, he explained that this had a negative environmental impact in the fact that people had to close their windows and turn on their air conditioners.

(Item #5 Cont.)

- 5-13. Clem Fiori, Open Space Committee Chair, reinforced Mr. Seidel's comments, and stated that he would like the Open Space Committee to discuss this as soon as possible. He seemed to recall that there was an arbitration process within SADC and that perhaps it might mean more to pursue that prior to issuing this resolution, just because it might less raise the hackles of the agricultural community.

Mayor Caliguire explained that he had been in touch with the current Executive Director of the SADC and that person recommended that the Township get this resolution passed and distributed.

- 5-14. Bill Randolph, Boulder Brook Court, explained that as part of the Planning Incentive Grant program, if there is a complaint about a farmer, there is a system in place. He stated that he didn't disagree with the residents that there is a problem, however the Township should follow that procedure.

Administrator Nieman stated that the "PIG" program was not related to this particular problem, that it was related to planning or development in different parts of the community. It was applied for to look at transfer of developmental rights.

Mr. Randolph stated that there is a process by which the Township should be following. The Agricultural Advisory Committee needs to meet and they need to address the problem. If they can't resolve the problem, it needs to go to the County Agricultural Board.

Mayor Caliguire explained that this takes time. The residents near these properties are being kept awake by these cannons. He also explained that other procedures would be followed, but he felt that a speedy resolution to this situation was necessary.

Attorney Hadinger stated that there are different means of addressing this from a procedural standpoint and the very statute under which these noise-making devices are permitted by the State of New Jersey provides that "after the permit is issued, if the governing body of the municipality may adopt...". Mr. Randolph interrupted and stated that there is a parallel process that needs take place. Attorney Hadinger returned that that is why the governing body took a second action, after the adoption of the resolution, authorizing participation at the County level in the process.

- 5-15. Steve Lane, Cherry Brook Drive, asked if it was in the residents' best interest for them to file complaints with the NJDEP if the Township is filing a complaint.

Attorney Hadinger explained that the State statute says that if the Township Committee finds undue hardship, it has an ability to adopt a resolution. Copies of the resolution will be available after the meeting in the office of the Township Clerk. She didn't think there was a mechanism in that statute that specifically says residents can file complaints, but the fact of the matter is they are hearing them. They have been getting a lot of calls and she felt it would not hurt the residents' cause or their point to send letters in support of the Township's resolution, as well.

Mr. Lane stated that all the residents are hoping that this gets resolved as quickly as possible. He asked, if for some reason the NJDEP rules against the Township and they uphold the permit, do the residents have the right to file individual civil actions against the farmer.

Attorney Hadinger explained that, speaking very generally, under the Right to Farm Law before any resident or any party can file a nuisance action against a farmer they have to have gone through the process at the County Agriculture Board and State.

- 5-16. Lynn Firester, Lakeview Drive, asked if it was possible to get some sort of temporary injunction against the use of the cannon while this is being decided. Mayor Caliguire stated that it was not possible.
- 5-17. Marie Miller, Route 518, stated that she lived halfway between the properties with the cannons. She found it amazing that it doesn't annoy the farmer as much as it annoyed everyone else. If you are going to do something like this in your neighborhood, it would have been polite and considerate to have notified the neighbors somehow. She stated that she did support both farmers and the right to farm. She felt it would be wonderful if everyone could go on-line and research some other solutions to the problem.
- 5-18. Hung Yin Xiau, York Drive, asked if there was anything he could contribute.

Mayor Caliguire encouraged him to file a complaint with the Somerset County Agriculture Board and with the State Department of Agriculture and to try to get other people in the neighborhood to file complaints also.

ADJOURNMENT was at 8:52 a.m. on a motion by Committeewoman Graham. The motion was seconded by Committeeman Trzaska and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk