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BOROUGH OF BROOKLAWN

Camden County, New Jersey

MUNICIPAL PUBLIC ACCESS PLAN

Submitted by: The Governing Body of the Borough of Brooklawn

Date of Current Submittal: January 5, 2015

Revised October 28, 2015

Approved by the New Jersey Department of Environmental Protection

{Date of NJDEP Approval:_____}

Adoption by the Borough of Brooklawn

{Date of Municipal Adoption:_____}

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Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

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Introduction

The intent of this document is to provide a comprehensive public access plan for the Borough of Brooklawn which lays out their vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with N.J.A.C. 7:7E-8.11 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for the Borough.

Public rights of access to and use of the tidal shorelines and waters, including the ocean, bays, and tidal rivers, in New Jersey are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public's right to full use of the seashore as declared in the following quotation from Book II of the Institutes of Justinian:

“By the law of nature these things are common to all mankind – the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

Influenced by Roman civil law, the tenets of public trust were maintained through English common Law and adopted by the original 13 colonies. Following the American Revolution, the royal right to tidelands was vested to the 13 new states, then to each subsequent state, and has remained a part of public policy into the present time. Through various judicial decisions, the right of use upheld by the Public Trust Doctrine has been incorporated into many state constitutions and statutes, allowing the public the right to all lands, water and resources held in the public trust by the state, including those in New Jersey.

The NJDEP adopted new rules governing public access on November 5, 2012 that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, plus plans to preserve and enhance access based on community needs and State standards.

Representatives from the Borough met with the NJDEP and the Camden County Open Space Advisory Committee to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, Planning Board, Borough Officials and the Camden County Open Space Advisory Committee and was presented to the Planning Board on {_____ **date**} and was approved for submission to the NJDEP on {_____ **date**}. Upon receiving approval from the NJDEP on {_____ **date**}, the MPAP was incorporated into the Recreation and Open Space Element of the Master Plan by resolution on {_____ **date**}. Incorporation into the Master Plan, and final approval of this MPAP by the NJDEP, was recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within the Borough will be consistent with this plan.

On April 24, 2014 the Borough made a Presentation to the Committee and the Municipal Access Plan was received favorably. Copies of the Minutes are attached hereto in the Appendix No. 6.

Authority for Municipal Public Access Plans

The authority for a municipality to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 14, 2014. The premise of the authorization of Municipal Public Access Plans is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State "one size fits all" mandated public access plan.

The voluntary development of a MPAP by the Borough of Brooklawn enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. The MPAP will be incorporated into the Recreation and Open Space Element of the municipality's Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D). The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, the Borough will be responsible for ensuring that public access to tidal waterways along the municipality's shorelines is provided in accordance to this plan. For each new public access project, the Borough will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance to this plan. Per N.J.A.C. 7:7E -8.11(j)4, the Borough is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 14, 2014. See Appendix 1.

State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access...

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide meaningful public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- The enhancement of public access by promoting adequate affordable public facilities and services.
- Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.
- Maintain all existing public access to, and along tidal waterways and their shores.
- Provide opportunities for public access to tidal waterways and their shores through new development.
- Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The Borough of Brooklawn's Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands which surround the City.

I. Municipal Public Access Vision

A. Overview of Municipality

1. Municipal Description

The Borough of Brooklawn is a small community located in the westernmost portion of the County of Camden. Most of the community was constructed by the Federal Government during the years leading up to and including World War I. The purpose was to provide housing for workers employed at the Pusey and Jones Shipyard in adjoining Gloucester City. According to the 2010 Census, the population consists of approximately 2,000 people. The Borough is approximately 0.5 miles in area and is bordered by New Jersey State Highway Route 130 and Creek Road (Camden County Route No. 753) on the south, the Big Timber Creek on the east, the Delaware River and the Little Timber Creek on the north and west. The Borough is unique in that a majority of the waterfront property located along these scenic waterways, approximately 56 acres, is owned by the municipality. The publicly owned waterfront land offers exceptional recreational and open space value and opportunity to the community and its visitors.

The Borough of Brooklawn is well known for its very successful Babe Ruth American Legion League and Youth League Baseball Programs. Much of the open space located within the municipality is dedicated to baseball and softball fields to support the needs of the athletic programs. Two (2) of these athletic fields are located on Waterfront properties, specifically Cerrone Memorial Field, Block 109, Lot 22 and Field of Dreams, Block 110, Lot 10. As such, these properties are part of the Borough's public access to the water. In addition, the municipality owns a significant amount of additional waterfront land associated with the Delaware River, Little Timber Creek and Big Timber Creek. Some of these properties have remained in an unmaintained, partially inaccessible state for many years. The largest parcel is Block 109, Lot 1. It is 42 acres of primarily tidal marsh. The usable portion is along the Big Timber Creek shoreline only.

The total amount of waterfront, municipally-owned lands is approximately 60 acres. Approximately 42 acres are tidal marsh on Block 109, Lot 1 as stated above.

Over the past 5 years, Borough Officials have transformed a portion of their waterfront properties for passive open space and recreation purposes. They have provided a boat ramp, small playground and gazebo area for the residents of the community and have provided approximately 700 feet of accessible, stable shoreline to preserve the resource. The Borough has named this area "Waterfront Park". Waterfront Park consists of portions of Block 109, Lot 22, portions of the Timber Boulevard, New Jersey Avenue and Town Center Rights-of-Way, Block 4, Lot 1 and part of Block 111, Lot 1. Waterfront Park has become a reality because of a recent New Jersey Department of Environmental Protection Loan which has provided funding for the restoration and stabilization of the bank along a significant portion of the Big Timber Creek shoreline. The project, completed in the summer of 2010 has provided a convenient and safe area for the public to enjoy the waterfront view of the Big Timber Creek and Delaware River. Removal of thousands of tons of concrete rubble and dangerous debris were removed and replaced with a uniform, long lasting precast concrete mat surface. This river embankment improvement project has become the foundation for the future improvements that are needed to expand the usable areas and interconnect all of the open space areas along the waterfront. The proposed expansion will provide additional waterfront access points and provide additional area for water dependent activities such as fishing and kayaking. The area is already extremely popular with residents and visitors alike.

2. Public Access Description

Public Access to the waterfront in the Borough of Brooklawn is provided by the municipality and consists of a variety access points and facilities on Borough-owned lands. These access points include boat ramps, walkways, a playground, basketball courts and temporary seasonal bathroom facilities in the area known as "Waterfront Park" at the western terminus of Timber Boulevard on Big Timber Creek. Additional Waterfront lands include park area on Block 110, Lot 10 and Block 111, Lot 1 as well as ballfields, Field of Dreams - Block 110, Lot 10 and Cerrone Memorial Field - Block 109, Lot 22. The Borough of Brooklawn protects and ensures continued access through fee simple ownership. The overall goal of this MPAP is to preserve and enhance its public access to Little Timber Creek and Big Timber Creek and to synchronize their Plans for physical improvements with the Camden County Open Space Plan. See the map shown on Page 5a.

The municipal property that includes and surrounds Waterfront Park consists of approximately 60 acres of land that offers direct access to the tidal waterfront. The land also provides spectacular views of the Delaware River and allows for access for water dependent activities. In addition, the configuration of the linear shoreline of the open space properties that surround the peninsula of the Borough creates the potential for approximately one mile of continuous area for a proposed pedestrian access in the form of a multi-purpose walking trail and bikeway. Eventhough the 42 acre Block 109, Lot 1 is primarily tidal marsh, it still contains approximately 900 linear feet of shoreline that can provide additional area for a multi-use path. This westward facing shoreline provides scenic views of Big Timber Creek and Philadelphia. This multi-purpose path would link the municipal ball fields, proposed pocket parks as described in Section III of this plan, and New Broadway which is part of the Brooklawn Borough Small Business District. In addition, the open space offers multiple opportunities or direct perpendicular waterfront access to all three bodies of water allowing water dependent activities such as kayaking, canoeing, boating, fishing, bird watching and the creation of pocket parks. Ultimately, the park and multi-purpose path will be part of the regional Camden County Open Space System. A Presentation was made to the Camden County Open Space Advisory Committee on April 24, 2014 and the concept was received favorably by the Committee.

3. Borough of Brooklawn Tidal Waterways and Lands (6 Maps)

These maps show all the tidal waterways within the municipality along with all lands held by the municipality. These maps may be found in Appendix 3.

B. Municipal Public Access Goals and Objectives

As part of the planning process, this MPAP has been reviewed and is consistent with the following goals/elements/policies established in the Borough of Brooklawn's Master Plan and subsequent Re-Examinations:

1. Goals

In accordance with Section III, Item #4 of the 2010 Municipal Master Plan Re-Examination, the Borough is to "Encourage the creation or the refurbishment of Borough recreational opportunities such as local street parks, sidewalks and nature paths in the vicinity of Big Timber Creek. The Planning Board also urges the Governing Body to continue to pursue recreationally related development along Big Timber Creek."

In addition to those goals outlined within the Master Plan and the three State required goals below, the Borough of Brooklawn establishes the following as goals specifically for public access:

- All existing public access shall be maintained to the maximum extent practicable.
- Maintain safe and adequate access locations for fishing
- Provide clear informative signage for access locations.
- Provide handicap accessible restroom facilities at Waterfront Park on Timber Boulevard
- Provide multi-purpose path linking existing facilities and provide additional boat launching areas for canoes and kayaks at the end of Paris Avenue.

II. Existing Public Access

A. Public Access Locations

Map 2 ~ Borough of Brooklawn Public Access Locations identifies an inventory of all public access locations within the Borough of Brooklawn whether they are currently utilized, restricted or un-utilized along with their attributes, improvements, and activities. See Table 1 which provides detailed information needed for each location. Both may be found in Appendix 3, Part 2.

Existing Access to Open Space

Unrestricted public access to the Borough-owned waterfront open space properties is as follows:

Timber Boulevard

Currently, Waterfront Park (Block 109, Lot 22, Block 136, Lot 1, Block 4, Lot 1 and Block 111, Lot 1) is accessed from Timber Boulevard which is a 30 feet wide paved municipal road with a 50 feet wide right-of-way. Timber Boulevard leads into a municipal parking lot which contains approximately 23 parking spaces. These parking spaces are available for use by the public for ball field activities, at Cerrone Memorial Field, park visitation and boat ramp users.

The area is open year round and the boat ramp area remains a strong attraction even during winter months for waterfowl hunters.

New Jersey Avenue and Pershing Road (West)

Block 111, Lot 1 can also be accessed from New Jersey Avenue and Pershing Road. New Jersey Road and Pershing Road both contain a 20 feet wide paved cartway within a 40 feet wide right-of-way. On-street parking is permitted. Located between New Jersey Road and Pershing Road along the Little Timber Creek is a paved public parking area which contains 25 conventional parking spaces. The waterfront portion of Block 111, Lot 1 is planned in the future to be an extension of a proposed multi-purpose path.

Paris Avenue

Block 110, Lot 10 and Block 111, Lot 1 also have access by way of Paris Avenue. Paris Avenue is a 26 feet wide paved road within a 50 feet public right-of-way. The road and the right-of-way terminate at the property division line between Block 110, Lot 10 and Block 111, Lot 1.

Pershing Road (East)

Pershing Road also provides direct access to the Field of Dreams municipal ball field complex that is associated with Block 110, Lot 10. A large portion of open space is located between the edges of the Little Timber Creek and the outfield fencing of the baseball diamond. The waterfront portion of Block 111, Lot 1 and Block 110, Lot 1 are planned in the future to be an extension of a proposed multi-purpose path.

All of the locations and amenities described above are depicted on the Waterfront Access Improvement Plan located in Figure 2.

B. Improved Public Access Locations

Map 3 ~ Borough of Brooklawn Water Access Improvement Plan provides an inventory of the preferred, existing and proposed, public access locations that provide access to public trust lands and waters. See Table 1 which provides detailed information on each location. See attached Maps and Table 1 in the Appendix.

❖ Signage

Existing signage is minimal consisting of a few “No Parking” signs at Waterfront Park in the location of a “Resident Only” sign and “No Parking” in front of the municipal well adjacent to the boat ramp. At the ball fields at the terminus of Pershing Road there are signs advising attendees that additional parking is available adjacent to the Public Works Garage.

It is obvious that additional signs and more descriptive signs are needed throughout the Borough’s Waterfront access areas.

Proposed signage at the Waterfront Park at the terminus of Timber Boulevard first and foremost, a sign identifying it as Waterfront Park is needed. Signs should also include identification of the boat ramp, identification of the hours of operation and any other Municipal Ordinance requirements regarding parks.

After construction of multi-purpose paths, signs identifying the trail heads and special use conditions will be necessary.

❖ Parking

Parking facilities currently exist within the Timber Boulevard right-of-way, the Town Center right-of-way and part of Block 109, Lot 22. This parking field contains 23 spaces and serves the following:

- Cerrone Memorial Baseball Field on Block 109, Lot 22
- Waterfront Park, including the following:
 - Gazebo with benches
 - Playground
 - Basketball Court
 - Boat Ramp
 - Stabilized Shoreline

This same parking field can provide parking for uses of the proposed multi-use pedestrian path which will adjoin it. There are no parking restrictions associated with this facility.

Parking facilities at the Field of Dreams Ball Field located on Block 110, Lot 10 at the end of Pershing Road contains 42 spaces with additional spaces available around the Department of Public Works Garage located on the same property. These parking facilities serve the existing ball field and would serve as convenient parking for the proposed multi-purpose trailhead. There are no parking restrictions associated with this facility.

❖ Restrooms

Restrooms, as described earlier in this report consist of a temporary portable toilet placed at the Cerrone Memorial Ball Field on Timber Boulevard during Little League Season only and a permanent, signage restroom facility within the concession/storage building located at the Field of Dreams Ball Field at the end of Pershing Road. This single restroom is also only seasonally available during the Little League season and opened only during scheduled games.

Both toilet facilities are located adjacent to existing and proposed Waterfront access points. Long-term plans include pursuit of a permanent handicap accessible bathroom facility at the Waterfront Park at the end of Timber Boulevard.

❖ Handicapped Accessibility

Handicapped access to Waterfront Park exists but is not adequately delineated. Additional signage, line striping and a pedestrian crosswalk leading between the delineated handicap parking stall and the walkway leading to the gazebo and playground area.

There is existing handicapped access to the Field of Dreams Ball Field at the end of Pershing Road on Block 110, Lot 10. Two (2) formally delineated stalls are located adjacent to the first base line. These stalls are approximately 175 feet from the proposed multi-purpose trail location. It is possible to provide stalls within 40 feet \pm of the proposed multi-purpose path by re-striping existing stalls.

C. Limitations to Public Access

The following limitations to public access in the Borough of Brooklawn currently exist:

The most limited public access to the Municipally-owned tidal shorelines is associated with Block 109, Lot 1. This parcel is approximately 41 acres in size and consists primarily of tidal marsh. An overgrown, unmaintained path that is now impassable exists along the westerly shoreline. Years of storm deposited debris and dense vegetation prevent conventional access. The potential public access will be an interconnection of a multi-purpose path along the westerly shoreline and linking it to Waterfront Park on Block 109, Lot 22. Physical constraints to the access are related to frequent tidal flooding, unstable rubble and the accumulation of storm and tidally deposited debris along this westerly shore.

Access to Block 109, Lot 22 is the most accommodating with regard to public amenities and parking facilities but suffers from a lack of permanent, handicap accessible restroom facilities. There is a lack of signage advising the public of the boat ramp facility and even the name of the park itself. No permanent handicapped accessible restroom facilities exist.

Access to Block 111, Lot 1 and Block 110, Lot 10 is existing and fairly convenient with on and off street parking facilities being available for use by the public. No permanent handicap accessible restroom facilities are available and no improved paths or interpretive signage exist.

There are no permanent access restrictions in place via any legislative act or tool.

1. Temporary Restrictions

It is not anticipated that public access will be restricted seasonally or by use unless dictated by flooding events. The most current regulation of hours of operation for Borough-owned parks is 8:15 a.m. to 9:00 p.m. daily as found in the Municipal Code, Chapter 112.

2. Permanent Restrictions

No permanent restrictions are anticipated to be implemented on any of the subject properties. All regulatory information can be found in Chapter 112 of the Municipal Code.

III. Community Needs Assessment

The Borough of Brooklawn has performed a community needs assessment. The methods and results of the assessment are described as follows:

The Borough of Brooklawn has discussed its needs at the community level through its public Council and Planning Board Meetings and meetings with the Camden County Open Space Advisory Committee.

Although a few of the Borough's Waterfront properties have adequate access, several more are in need of improved access and improved amenities.

The following is a brief summary of the desired improvements:

- Block 109, Lot 1 ~ improve interconnection with the Waterfront Park and extend shoreline access trail from adjoining Lot 22.
- Provide permanent, barrier-free restroom facilities for the users of the centralized area of Waterfront Park. This area is used by park users as well as the Borough's Little League teams and spectators. The proximity to the waterfront, gazebo, basketball and baseball facilities make this the preferred location for such facilities.

The seasonal installation of a standard portable toilet does not address the needs of handicapped citizens in summer months and the limited seasonal availability of a portable toilet deprives everyone of that amenity when the toilet is removed.

- Provide a multi-purpose path to join the existing, contiguous Borough-owned waterfront parcels along Big Timber Creek and Little Timber Creek.

Currently, there is no defined pedestrian or bicycle path to travel from the southern tip of Block 109, Lot 1 to the northernmost waterfront parcel, Block 110, Lot 10. An interconnecting multi-purpose path will be an amenity in itself.

- Provide additional amenities on Block 110, Lot 10 and Block 111, Lot 1 to improve user experiences. This would include the overall user experience. Proposed improvements include a canoe/kayak launch area and a floating dock.
- Pocket parks along the multi-use path and on Borough-owned waterfront property will be planned in the locations shown on the Waterfront Access Improvement Plan attached in Appendix 4 to take advantage of the waterfront vistas.

IV. Implementation Plan

The Borough of Brooklawn has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

The Borough of Brooklawn intends to perform the following long range implementation task for its MPAP:

- Continue to employ the services of its Municipal Public Works Workforce and its shared Public Works Workforce with the Borough of Westville to perform small construction projects including the construction and installation of recreational park equipment and benches. The Borough will continue to use its Public Works Department for all maintenance work.
- The Borough intends to enlist the assistance of Camden County, specifically the Open Space Advisory Committee, with funding requests and possible shared construction services utilizing the Camden County Parks Department Workforce.

The Borough has successfully secured a Grant in the amount of \$25,000.00 from the Camden County Open Space Advisory Committee to initiate the construction of the multi-use path. Construction Bid Documents are to be prepared in December 2015 with construction anticipated to commence in 2016.

The limits of the path would follow the extents of the stabilized shoreline revetment in Waterfront Park.

- The Borough intends to make application to the NJDEP Trails Grant Program for additional funding to construct the multi-purpose path. It is anticipated that the initial phase can be completed with the \$25,000 County Grant.
- The Borough intends to bond certain construction improvements which will include the provision of permanent, barrier-free restroom facilities at Waterfront Park.

A. Priorities

The Borough of Brooklawn developed the following priorities:

1. Maintain Existing Public Access

The Borough is in the strongest position possible to maintain the existing public access points because it is the fee simple owner of all target parcels.

2. Planned Enhancement to Public Access Locations and/or Facilities

The planned improvements include the following:

- Construction of a 6 feet to 8 feet wide multi-use path along the Borough's tidal water bodies to interconnect existing Borough-owned parcels of land. This will be performed in phases as funding is secured.
- Construction of small pocket parks along the multi-use path at the two (2) locations shown on Map 3 and provide benches, tables and trash receptacles. Park areas will be created with established lawn areas and trees for passive use.
- Construct launch area for kayaks and canoes on Little Timber Creek on Block 110, Lot 10 at the locations shown on Map 3. This will supplement the existing ramp at the end of Timber Boulevard on Big Timber Creek that provides launching facilities for larger trailered boats.
- Provide barrier-free, permanent restroom facilities at Waterfront Park to serve waterfront recreationalists and users of the Borough's athletic fields (Cerrone Memorial Field) on Timber Boulevard.

B. Preservation of Public Access Locations

The Borough of Brooklawn developed the following preservation and conservation measures:

1. Preservation Measures

As stated in A.1 above, the Borough is the fee simple owner of all properties being considered under the Municipal Access Plan. With Municipal ownership, the parcels are in the public domain.

The parcels contain existing amenities such as ball fields, playgrounds and a boat launching facility that provides the incentive to maintain and improve these facilities. The Borough has not participated in the N.J.D.E.P. Green Acres Program and does not have a formal Recreation and Open Space Inventory on file.

The Borough will consider entering the properties on the New Jersey Recreation and Open Space Inventory as it explores assistance alternatives through the Green Acres Programs.

2. Conservation Easements

The Borough has no immediate need for the implementation of conservation easements with the properties under consideration in this plan.

Should any privately owned properties become the subject of a development or redevelopment project in the future, conservation easements for waterfront access will be requested from the appropriate parties. At the northern tip of the Borough along Little Timber Creek, there are several privately owned parcels that could potentially be redeveloped and their waterfront portions be incorporated into the Municipal Access Plan. At that point, conservation easements would become critical.

C. Signage

The Borough of Brooklawn will provide the following signage:

- Signage will be provided at Waterfront Park indicating that the waterfront area is indeed Waterfront Park.

- Additional signage will be installed indicating trailheads at Waterfront Park and at the ball field area located on Little Timber Creek on Block 110, Lot 10. These trailhead markers will formally designate the multi-use path.
- Signage will be provided at the end of Paris Avenue to indicate waterfront access to Little Timber Creek and to the future canoe and kayak launch area.
- Signage will also be placed on New Broadway to show motorists how to access the park area.

At the current time the Borough's Municipal Code contains no specific provisions for sign maintenance. Signs are maintained and replaced if necessary on an as needed basis.

D. Proposed Access Improvements and Facilities

The proposed 8 feet wide path will be constructed of stone screenings, 4" thick or bituminous surface course, 2" thick. Where applicable, the path can be constructed of porous paving material. Every attempt will be made to construct the path with minimal disturbance to the existing vegetation. Minimal tree removal is expected for the project. Appropriate traffic signage relating to the use and safety of the multi-purpose path will be erected. Lighting is not expected to be proposed, however, it will be considered as a future application.

The path to be constructed between New Jersey Avenue and Pershing Road could be an extension of the stone or bituminous construction being proposed elsewhere. If the construction budget allows, it is possible to construct a cantilever deck area from structural steel and timber to create a walkway and/or deck area for fishing.

Photographs of Little Timber Creek taken at this location are included in this Report.

Pocket Parks will be cleared and graded along the waterfront to allow for the placement of topsoil and seeding for the establishment of lawns and common areas. Trees will be planted for shade and benches will be installed for passive use. Waste receptacles will be installed for convenient disposal of solid waste.

The waterfront access to be constructed at the end of Paris Avenue will consist of prefabricated portable floating docks that can be installed and removed seasonally by the Public Works Department.

At the terminus of Timber Boulevard, the Borough intends to provide an accessible barrier-free, permanent bathroom facility to benefit all park and ball field users. Currently one (1) conventional unisex portable toilet is provided only while the baseball season is in progress.

E. Municipal Tools for Implementation

The Borough of Brooklawn has the following tools for the maintenance, enhancement and development of public access locations:

1. Maintenance Tools

The Borough currently employs the services of its Public Works Department for all of its routine maintenance and trash removal. The intent is to continue with the use of the Public Works Department for all future maintenance activities. The Public Works Department shares services with the neighboring Borough of Westville and owns or has ready access to construction vehicles such as backhoes, dump trucks and loaders to assist with light construction and maintenance activities. Weekly maintenance of Waterfront Park is currently performed by the Department of Public Works.

2. Enhancement Tools

The Borough intends to create a section in their Municipal Code to create formal guidance and procedures for enhancement and maintenance of its valued waterfront recreational areas.

3. Development Tools

The current regulatory tool that the Borough has in place is the Municipal Zoning and Land Use Ordinances.

Chapter 150 is the Zoning Ordinance. All Borough-owned waterfront parcels are currently zoned 'E' – Parks and Recreation. Chapter 112 of the Borough's Code is entitled "Parks and Recreation" and, in the Chapter, specific rules for the use of properties within the Parks and Recreation Zone are set forth. Rules include hours of operation, parental responsibility and prohibited activities and prohibited conduct.

The rules can be reviewed in Appendix 5 of this Plan.

Chapter 150-11 addresses the permitted uses in the 'E' District and can also be reviewed in Appendix 5.

According to Chapter 150-11A, structures and buildings are not permitted to be constructed on Park and Recreation Zone property without Planning and Zoning Board approval. Any such approval shall only be granted to non-profit proposals for projects that are "intended only for the recreation and enjoyment of residents of this Borough."

According to Chapter 150-11B, any municipal use as determined by the Borough Council is also permitted. The Ordinance could use refinement and to provide more specific detail on permitted uses.

F. Implementation

The Borough of Brooklawn has created an Implementation Schedule as follows:

1. Existing Maintenance

Existing maintenance is and will continue to be performed by the Borough's Public Works Department.

2. Enhancements to Existing Locations

The Borough will discuss and prioritize the improvements discussed herein on a continual basis through joint discussions with the Governing Body and all interested parties.

Funding will be a critical item and will drive the schedule of work.

- a) Barrier-free permanent restroom facilities at Waterfront Park.
- b) Canoe and kayak launch area on Little Timber Creek.

3. Proposed Locations and Facilities

The following is a synopsis of the proposed locations and facilities that will be improved:

- a) Multi-use path linking all contiguous Borough-owned waterfront parcels.
- b) Pocket parks at various locations along the multi-use path.

G. Army Corps of Engineers Requirements for Shore Protection Projects

The Army Corps of Engineers requirements for the permitting of structures in navigable water bodies will need to be addressed when the construction of the canoe and kayak launch area is pursued.

Prior stream bank stabilization and boat launch construction on Big Timber Creek was permitted through the Army Corps of Engineers and the NJDEP.

V. Relationship to the Other Regional and State Plans (OPTIONAL)

The Borough of Brooklawn's MPAP has been reviewed for consistency and has the following relationship to the New Jersey State Development and Redevelopment Plan (NJSDRP):

The map is consistent with the Statewide Policies under the Section "Open Space and Recreation Lands."

Specifically, the MPAP is clearly consistent with Policy 8 regarding trails, greenways and blueways as open space linkages and Policy 12 regarding Coastal and waterfront access.

VI. Resolution of Incorporation

The Borough of Brooklawn will approve a resolution for the incorporation of the MPAP into the Borough's Master Plan (Appendix 2 contains the draft Resolution).

APPENDIX 1

Municipal Public Access Plans

Required Sections per NJAC 8.11 (e)

1. (e) 1 Statement describing overall **goal of the MPAP** and the **administrative mechanisms** (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of **Consistency with...Master Plan**
3. (e) 3 Public access **needs assessment** that evaluates:
 - existing access locations and capacities
 - practical limitations (esp. parking and bathrooms)
 - alternatives to address any limitations determined to exist
 - need for additional locations
4. (e) 4 **Digital Map and Inventory** identifying...:
 - tidal waterways within municipality and adjacent lands held by municipality
 - existing and proposed public access ways
 - proposed public access facilities
 - identified facilities compliant with ADA
5. (e) 5 **Implementation strategy**
 - forms of proposed public access responsive to needs assessment (i)
 - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
 - proposed tools to implement the plan, including (iii)
 - i. adoption or amendment of municipal ordinances
 - ii. uses of monetary compensation (Public Access Fund), if any
 - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
 - proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
 - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
 - implementation schedule (vii)
 - ordinances in place/to be adopted re signage requirements (viii)
 - measures to permanently protect public access per MPAP (ix)
 - examples/models of easements/restrictions for permanent protections (x)
 - draft resolution incorporating DEP-approved MPAP into a MP element (xi)

APPENDIX 2

Model Resolution for Incorporating MPAP into Master Plan

Resolution # _____

A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the Borough of Brooklawn Municipal Public Access Plan was submitted to the Borough Council and reviewed at the regular meeting of {_____date}; and

WHEREAS, the Governing Body has approved the plan as submitted; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Brooklawn, the "Borough of Brooklawn Municipal Public Access Plan," a copy of which is attached, is hereby approved; and

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the *Governing Body* at a meeting held on {_____date}.

Ryan Giles, R.M.C., Borough Clerk

APPENDIX 3

PART ONE

NJGIS DIGITAL MAPPINGS

TIDAL WATERWAYS AND BOROUGH LANDS

Block 110, Lot 10

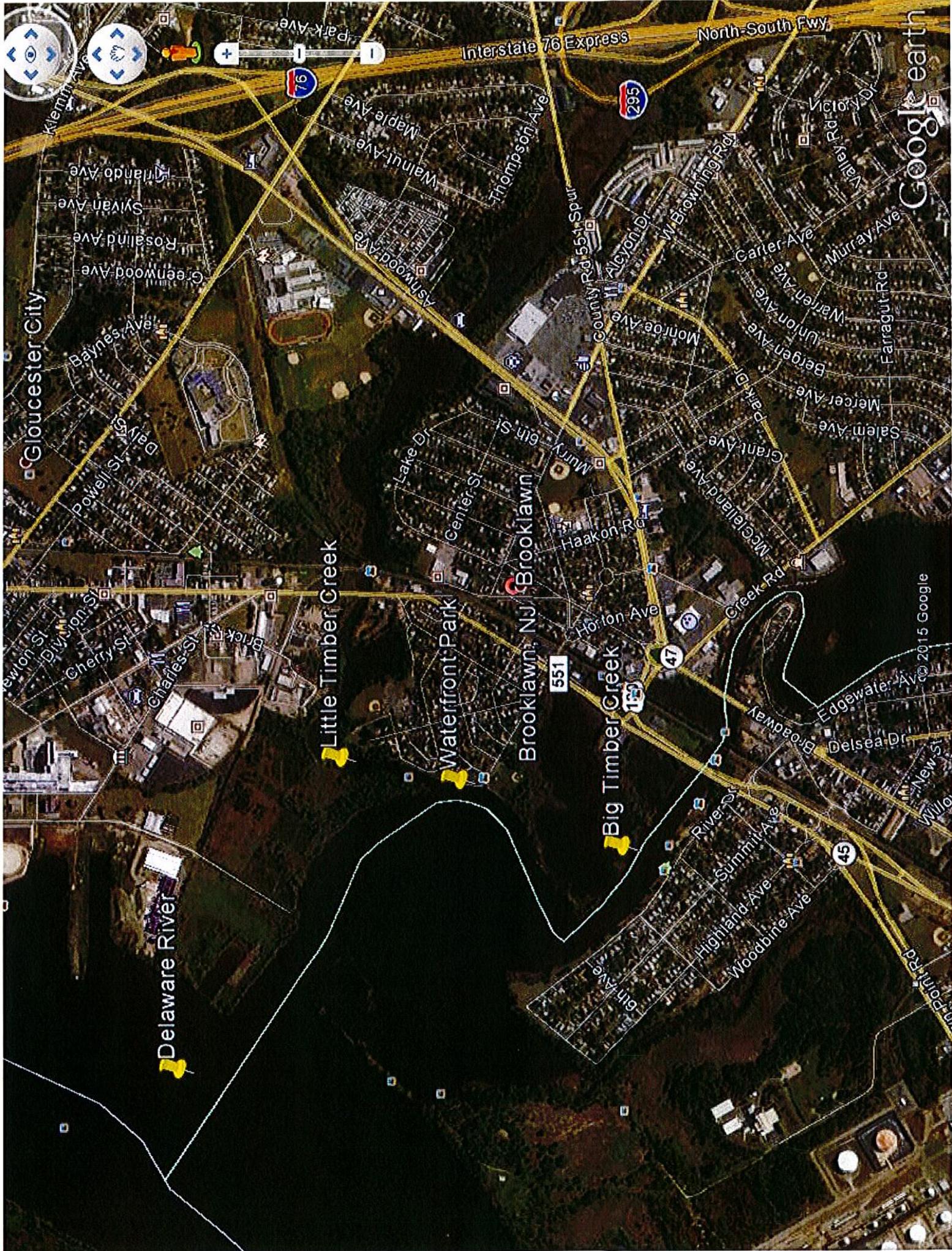
Block 111, Lot 1

Block 4, Lot 1

Block 136, Lot 1

Block 109, Lot 22

Block 109, Lot 1



Delaware River

Little Timber Creek

Waterfront Park

Brooklawn, NJ

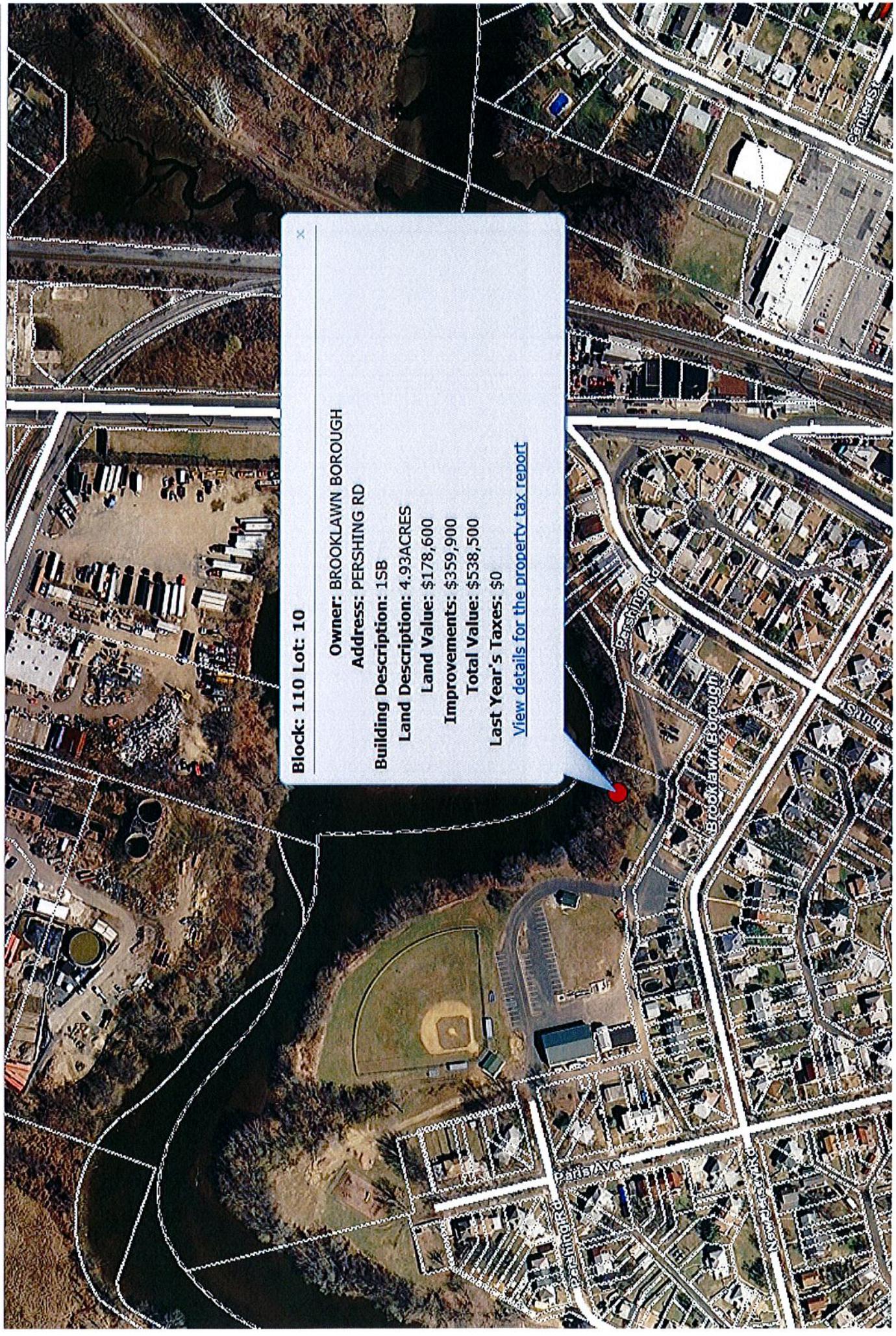
Big Timber Creek

Interstate 76 Express

North-South Fwy

Google earth

© 2015 Google

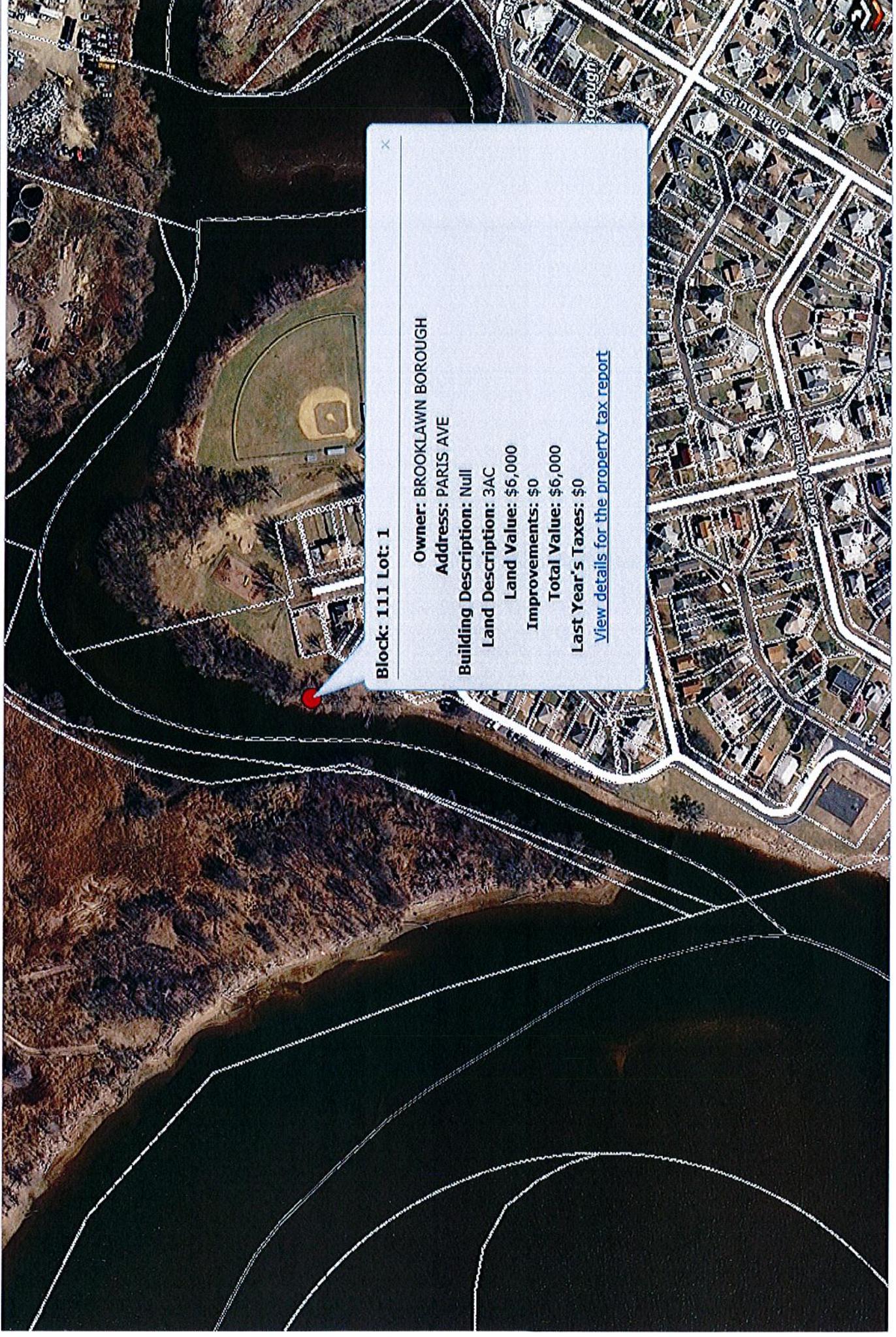


Block: 110 Lot: 10

Owner: BROOKLAWN BOROUGH
Address: PERSHING RD

Building Description: 1SB
Land Description: 4.93ACRES
Land Value: \$178,600
Improvements: \$359,900
Total Value: \$538,500
Last Year's Taxes: \$0

[View details for the property tax report](#)



Block: 111 Lot: 1

Owner: BROOKLAWN BOROUGH

Address: PARIS AVE

Building Description: Null

Land Description: 3AC

Land Value: \$6,000

Improvements: \$0

Total Value: \$6,000

Last Year's Taxes: \$0

[View details for the property tax report](#)



Block: 4 Lot: 1

Owner: BROOKLAWN BOROUGH

Address: NEW JERSEY RD

Building Description: Null

Land Description: 140X146

Land Value: \$75,400

Improvements: \$0

Total Value: \$75,400

Last Year's Taxes: \$0

[View details for the property tax report](#)



Block: 136 Lot: 1

Owner: BROOKLAWN BOROUGH

Address: TOWN CENTER

Building Description: Null

Land Description: 1.65ACRES

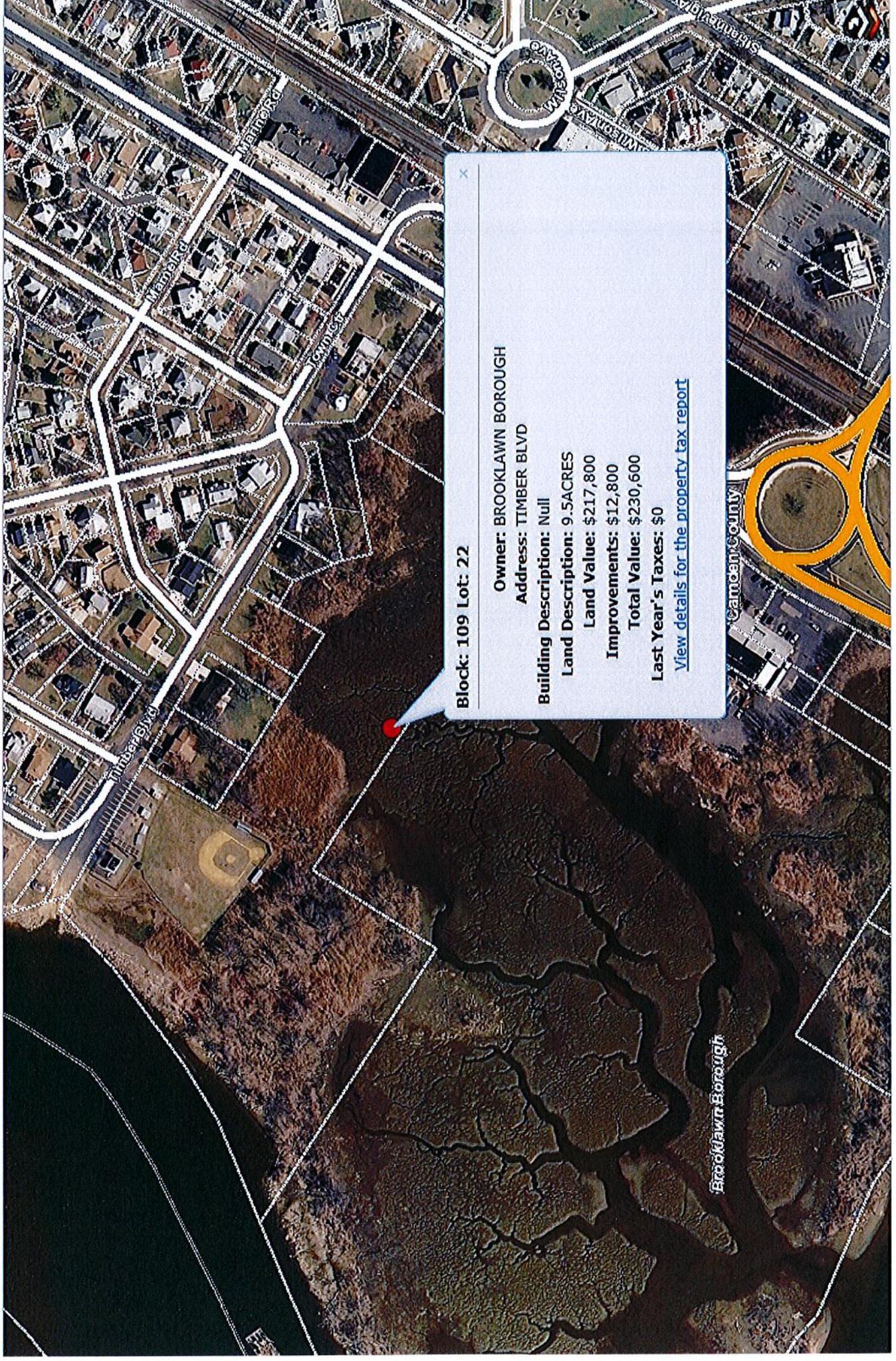
Land Value: \$24,800

Improvements: \$0

Total Value: \$24,800

Last Year's Taxes: \$0

[View details for the property tax report](#)



Block: 109 Lot: 22

Owner: BROOKLAWN BOROUGH
Address: TIMBER BLVD

Building Description: Null

Land Description: 9.5ACRES
Land Value: \$217,800
Improvements: \$12,800
Total Value: \$230,600
Last Year's Taxes: \$0

[View details for the property tax report](#)



Block: 109 Lot: 1

Owner: BROOKLAWN BOROUGH
Address: TIMBER BLVD

Building Description: Null

Land Description: 42ACRES
Land Value: \$192,300
Improvements: \$0
Total Value: \$192,300
Last Year's Taxes: \$0

[View details for the property tax report](#)

APPENDIX 3

PART TWO

PUBLIC ACCESS LOCATIONS

PART A - TABLE I

Existing Public Access Locations

Block	Lot	Comment
109	1	Limited, unutilized foot access through adjoining Block 109, Lot 22 along filled water's edge.
109	22	Utilized access from Timber Boulevard. Vehicular parking available.
136	1	Utilized access through Timber Boulevard.
4	1	Access from New Jersey Avenue and Timber Boulevard.
111	1	Utilized access from Pershing Road, New Jersey Avenue and Paris Avenue
110	10	Utilized access from Paris Avenue and Pershing Road.

07/20/15

Little Timber Creek

Unimproved Wildlife Observation Area Public Access To Water

Field of Dreams Ballfield

Public Access

Public Shoreline Access

Waterfront Park

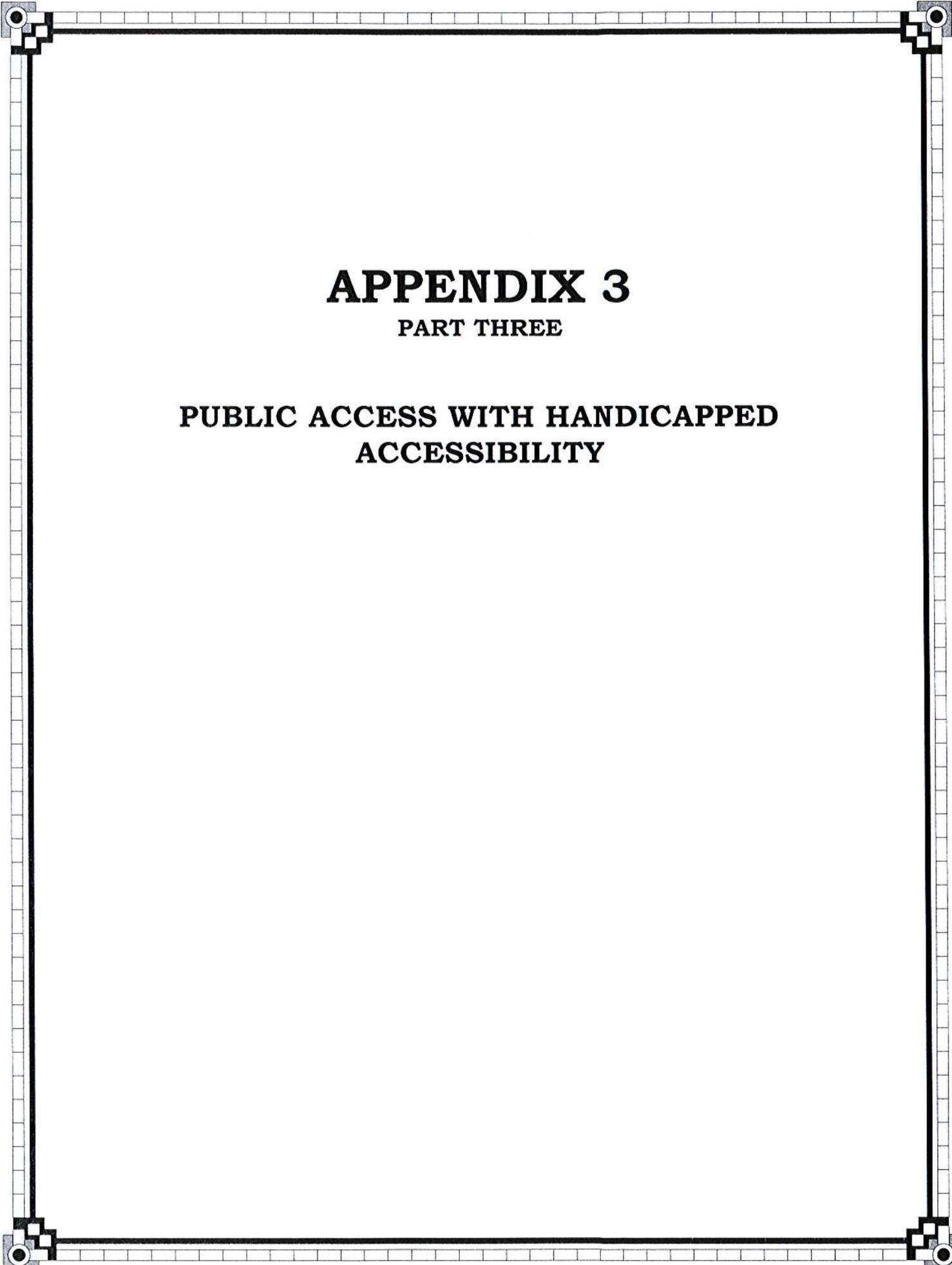
Public Access Boat Ramp

Big Timber Creek

Cerrone Memorial Field

Brooklawn, NJ





APPENDIX 3

PART THREE

PUBLIC ACCESS WITH HANDICAPPED ACCESSIBILITY

Little Timber Creek

Unimproved Wildlife Observation Area

Field of Dreams Ballfield

Seasonal Permanent Restroom

Handicapped Accessible Parking

Waterfront Park Accessible Gazebo and Playground

Handicapped Parking Stalls

Seasonal Portable Toilet

Cerrone Memorial Field

Big Timber Creek

Brooklawn, NJ

Broadway

New Jersey Rd

Railroad Ln

Chestnut St

N-Wilson Ave

551

Town Center

Bergen St

Maunder Ave

APPENDIX 3

PART FOUR

PUBLIC ACCESS LOCATION AMENITIES

Little Timber Creek

Unimproved Wildlife Observation Area

Field of Dreams Ballfield

Seasonal Permanent Restroom

Handicapped Accessible Parking

Shoreline Fishing and Wildlife Observation

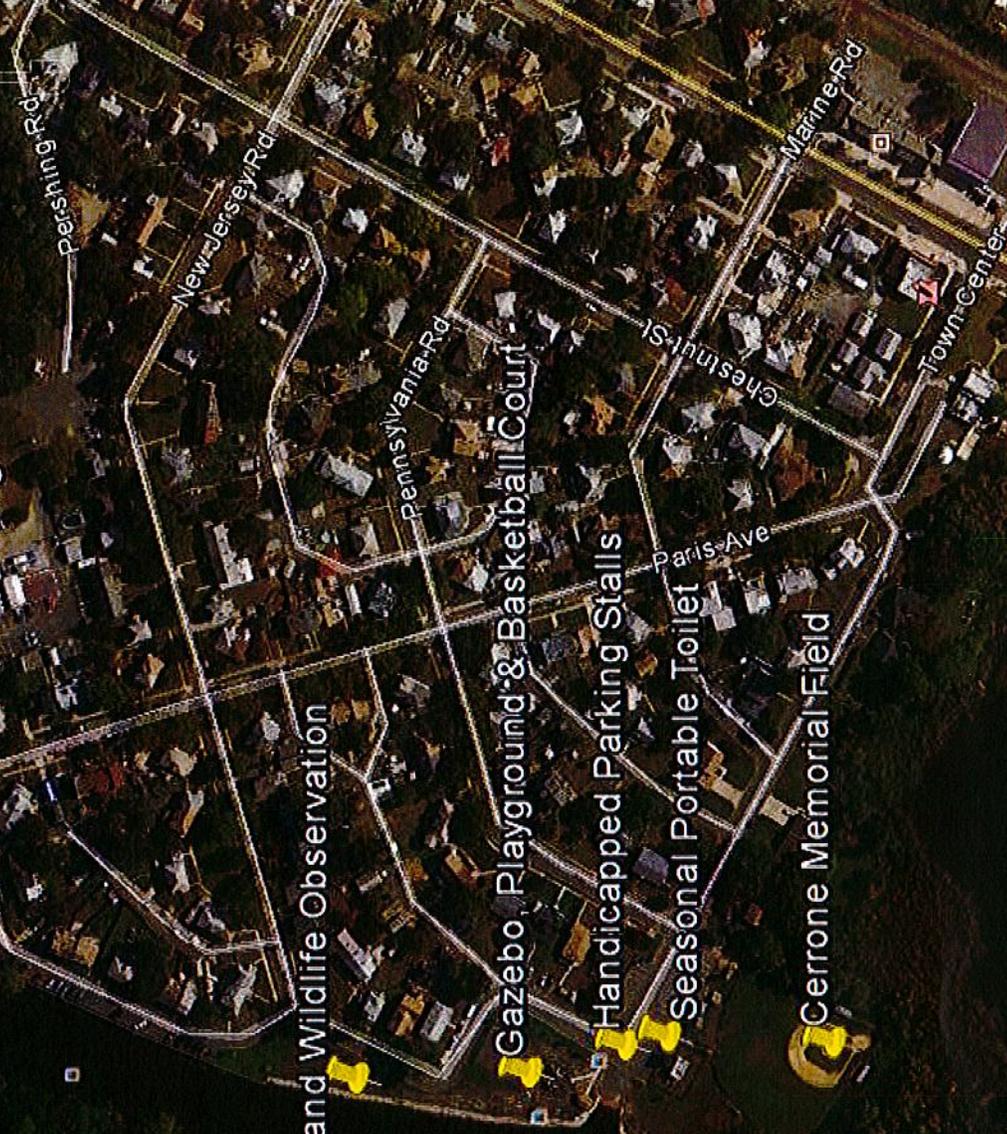
Gazebo, Playground & Basketball Court

Handicapped Parking Stalls

Seasonal Portable Toilet

Big Timber Creek

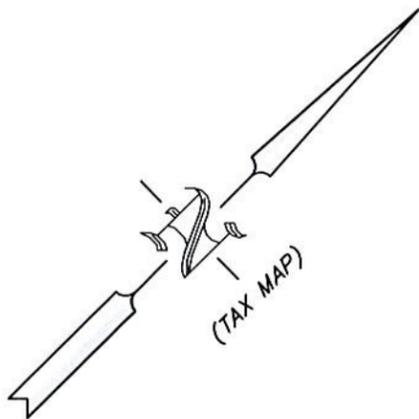
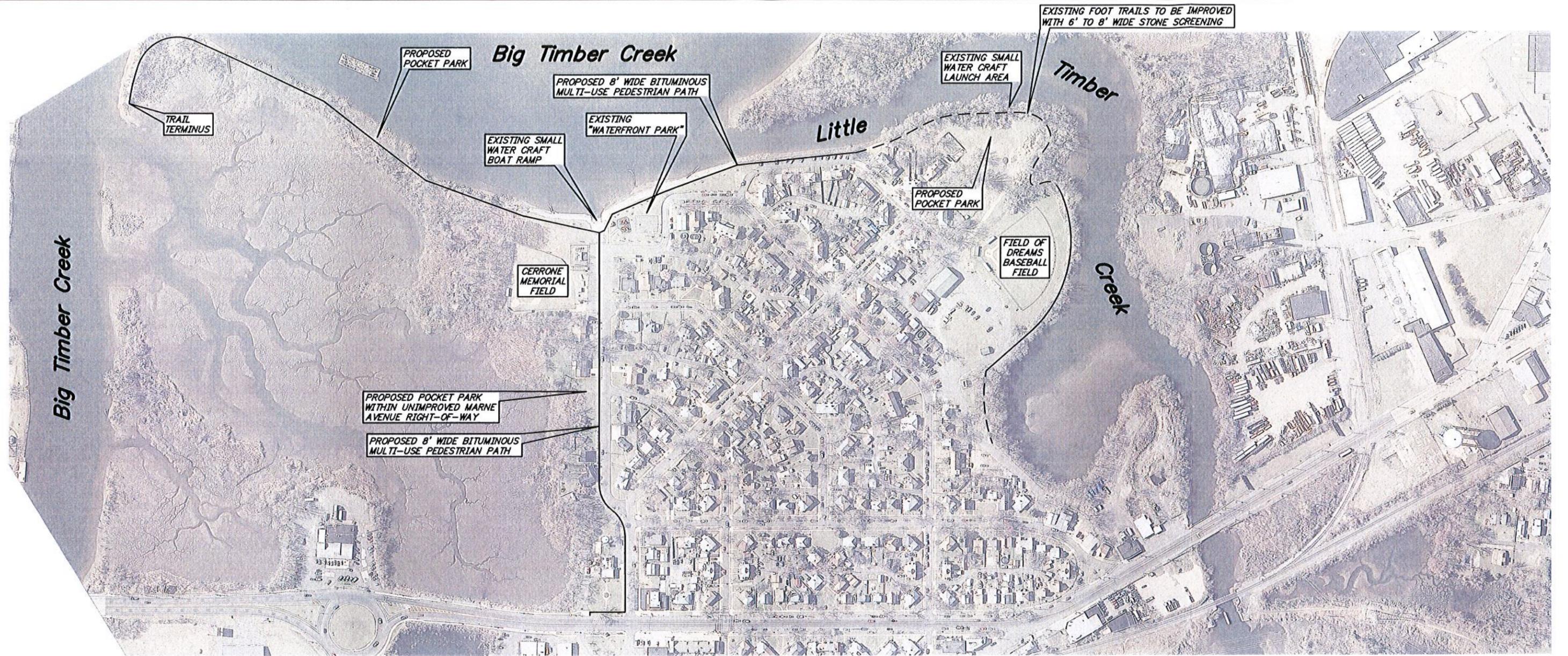
Cerrone Memorial Field



APPENDIX 4

WATERFRONT ACCESS IMPROVEMENT PLAN

*Prepared by KEI Associates, PA.
Dated January 2015*



Legend

- PROPOSED 8' WIDE BITUMINOUS MULTI-USE PEDESTRIAN PATH
- - - - - EXISTING FOOT TRAILS TO BE IMPROVED

REV.	DATE	DESCRIPTION	DRWN.	CHKD.
1.	10/28/15	GENERAL REVISIONS	T.D.	R.S.S.
Waterfront Access Improvement Plan				
Proposed Multi-Use Trail and Related Improvements Along Big Timber Creek and Little Timber Creek				
Borough of Brooklawn Camden County, New Jersey				
GREGORY BLASE FUSCO PROFESSIONAL ENGINEER NJPE No. 32853 PA.PE No. 036608-E NJ PROFESSIONAL PLANNER No. 4076				
DATE: JANUARY 2015		DRAWN BY: T.D.		
SCALE: 1" = 300'		PROJECT No. 31-113		
FIELD BOOK/PAGE: #		SHEET No. 1 OF 1		



REPRODUCTION, ALTERATION AND AMENDMENT OF THIS PLAN SHALL BE PERFORMED ONLY BY KEI ASSOCIATES, P.A. AND SHALL BE PERFORMED UNDER THE ABSOLUTE DIRECTION OF THE LICENSED PROFESSIONAL WHOSE NAME AND SIGNATURE APPEARS HEREON.

PROFESSIONAL ENGINEERS, LAND SURVEYORS AND PLANNERS
80 S. WHITE HORSE PIKE, BERLIN, NEW JERSEY 08009 (856) 767-6361
FAX: (856) 753-1091, www.keiassociates.com

DATE _____

APPENDIX 5

MUNICIPAL ORDINANCES

**Chapter 112 ~ Parks and Recreation
Chapter 150-11 ~ Regulations for 'E' District**

*Borough of Brooklawn, NJ
Thursday, January 29, 2015*

Chapter 112. PARKS AND RECREATION

[HISTORY: Adopted by the Mayor and Council of the Borough of Brooklawn 1-11-1999 by Ord. No. 13-98. Amendments noted where applicable.]

GENERAL REFERENCES

Canvassers and solicitors — See Ch. **64**.

Dogs — See Ch. **80**.

Garbage, rubbish and refuse — See Ch. **93**.

Hunting and firearms — See Ch. **101**.

§ 112-1. Prohibited activities.

It shall be unlawful for any person in a public park or recreation area to:

- A. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- B. Fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition.
- C. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
- D. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- E. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grassed areas, or in any other way injure the natural beauty or usefulness of any area.
- F. Climb any tree or walk, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
- G. Tie or hitch an animal to any tree or plant.
- H. Hunt, molest, kill, wound, trap, abuse, shoot, pursue, or throw missiles at, remove, or have in his possession any animals, reptile, or bird found within a Borough park; or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or eggs so taken, except as may be specifically provided for and being in accordance with state and federal fish and game laws.
- I. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in any park or any tributary stream, 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.

- J. Have brought in or dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash. No such refuse or trash shall be placed in any waters in any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
- K. Drive or park any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas by the Park and Recreation Director.
- L. Leave a vehicle standing or parked at night in established parking areas or elsewhere in the park areas. No motor vehicle shall be parked in said park areas from 1/2 hour after sunset until sunrise, except as otherwise permitted.
- M. Ride a bicycle without reasonable regard to the safety of others.
- N. Leave a bicycle lying on the ground or paving or set against trees, or in any place or position where a person may trip over or be injured by it.
- O. Swim, bathe, or wade in any waters or waterways in any park.
- P. Bring into or operate any boat, raft, or other watercraft, whether motor powered or not, upon any waters, except at places designated for boating by the Borough Committee. Such activity shall be in accordance with applicable regulations as are now or will hereafter be adopted.
- Q. Navigate, direct, or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupant or any other boat.
- R. Shoot into park areas from beyond boundaries. No person shall carry or possess firearms of any description, or air-rifles, spring-guns, bow and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device, except as may be specifically provided for by the Park and Recreation Director, and being in accordance with state and federal fish and game laws and local ordinances.
- S. Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate activities in such areas when necessary to prevent congestion and to secure the maximum use of the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- T. Violate the regulation that use of individual fireplaces together with tables and benches follows the generally accepted rule of "first come, first served."
- U. Use any portion of the picnic area or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded.
- V. Leave a picnic area before the fire is completely extinguished and before all trash is placed in the disposal receptacles where provided. If no such trash receptacles are available, then trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
- W. Set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house-trailer, camp-trailer, camp-wagon, or the like except in those areas designated by the Recreation Director for those purposes.
- X. Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, horseshoes, quoits, or model airplanes except in those areas set apart

for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and lacrosse is prohibited except on the fields and courts or areas provided therefor. Roller-skating shall be confined to those areas specifically designated for such pastime.

- Y. Ride a horse.

§ 112-2. Prohibited conduct.

While in public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

- A. Bring alcoholic beverages or drink same at any time; nor shall any person be under the influence of intoxicating liquor in a park, nor possess or be under the influence of any controlled, dangerous substances or drugs.
- B. Have in his possession, or set or otherwise cause to explode or discharge or burn, any firecrackers, torpedo rockets, or other fireworks, or explosives or inflammable material, or discharge them or throw them 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 from any of the foregoing standpoints. At the discretion of the Recreation Director, permits may be given for conducting properly supervised fireworks in designated park areas.
- C. Be responsible for the entry of a dog or other domestic animal into areas clearly marked by signs bearing the words "Domestic Animals Prohibited in the Area." Nothing herein shall be construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than six feet in length. Dog owners shall be responsible for the cleanup of any dog feces voided by their pet.
- D. Solicit alms or contributions for any purpose, whether public or private.
- E. Build or attempt to build a fire except in such areas and under such regulations as may be designated by the Recreation Director. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park or on any highways, roads or streets abutting or contiguous thereto.
- F. Enter an area posted as "Closed to the Public," nor shall any person use, or abet in the use of any area in violation of posted notices.
- G. Gamble, or participate in or abet any game of chance except in such areas and under such regulations as may be designated by the Borough Committee.
- H. Go on the ice on any of the waters except such areas as are designated as skating fields, and provided a safety signal is displayed.
- I. Upon request, fail to produce and exhibit any permit from the Park and Recreation Director he claims to have to any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- J. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- K. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Borough Committee or their designee.

- L. Paste, glue, tack, 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 park lands or highways or roads in any park.

§ 112-3. Public use and availability of park and recreation areas.

- A. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information and shall be determined from time to time by resolution of the Borough Committee.
- B. No person shall, on the grounds of race, color, national origin, religion, age, sex, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any park facility, program or activity.
- C. Discrimination on the basis of residence, including preferential reservation, membership, or annual permit systems is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence in any park.

§ 112-4. Enforcement.

- A. The Park and Recreation Director and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- B. The Park and Recreation Director and any authorized personnel, including the Brooklawn Borough Police Department, shall have the authority to eject from the park area any person or persons acting in violation of this chapter.
- C. The Park and Recreation Director and any authorized personnel shall have the authority to seize and confiscate any property, thing, or device in the park used in violation of this chapter.
- D. This chapter shall also be enforced by the Brooklawn Borough Police Department.

§ 112-5. Violations and penalties.

Any person violating any of the provisions of this chapter or any rule or regulation promulgated pursuant hereto, shall upon conviction be subject to the replacement, repair or restoration of any damaged park property and shall be subject to a fine not exceeding \$1,000 and, in default of payment thereof, may be sentenced to imprisonment in the county jail at the discretion of the magistrate, for a term not exceeding seven days.

§ 112-6. Additional rules and regulations.

The Borough Committee may from time to time, with the advice of the Recreation Commission, prescribe such additional and reasonable rules and regulations for the use of the Borough parks, playgrounds and recreation areas as it deems proper. Such additional rules and regulations shall be adopted by resolution and shall be posted at prominent places in the subject areas.

§ 112-7. Hours of operation; curfew.

All parks in the Borough of Brooklawn will be open during the hours of 8:15 a.m. to 9:00 p.m. Any person who is found on Borough Park Property before 8:15 a.m. or after 9:00 p.m. shall be deemed in violation of this chapter.

§ 112-8. Parental responsibility.

- A. It shall be unlawful for a parent having legal custody of a juvenile knowingly to permit, or by inefficient control to allow, the juvenile to be or remain upon any Borough street in violation of this chapter. The term "knowingly" includes knowledge which a parent has or should reasonably be expected to have concerning the whereabouts of a juvenile in that parent's legal custody.
- B. Whenever any juvenile is given notice of a violation of this chapter, his parent shall also be notified of such violation by the Chief of Police or any other person designated by him to give notice. This notice shall be in writing, stating the name of the juvenile, the date, time and place of the violation, and shall be signed and dated by the person giving such notice to the parent. The original of such notice shall be served upon the parent either in person or by regular mail addressed to the parent by such name and at such address as was provided by the minor charged with the curfew violation. Personal service of the notice shall be made upon the parent within 72 hours of the violation, or if service is by mail, the notice shall be deposited in the United States Postal Service within 72 hours of the violation. A copy of each notice given to a parent shall be retained by the Borough of Brooklawn Police Department for a period of one year.
- C. If at any time following the service of notice as provided in § 112-8B of this chapter, the juvenile to whom the notice applies again violates this chapter, it shall be rebuttably presumed that the parent having legal custody of the juvenile knowingly permitted or, by inefficient control, allowed the juvenile to be or remain upon the Borough streets in violation of this chapter, and the parent shall thereupon be charged with a violation of this chapter.
- D. It shall be an affirmative defense to be proved by the parent by a preponderance of evidence that the juvenile was not in violation of this chapter on the dates specified.

§ 112-9. Parental penalties.

- A. A parent shall be given one written warning notice of a curfew violation for each juvenile under his or her control. The second curfew violation for each juvenile shall be treated as a first offense by the parent. In the event that a parent has more than one juvenile under his or her control, the second curfew violation for each juvenile shall be treated as a first offense by the parent and each subsequent offense by each juvenile shall be treated as a subsequent offense by the parent. The parent shall be charged with increased subsequent offenses on the basis of curfew violations per juvenile, not on the basis of the total number of curfew violations of all the juveniles under his or her control.
- B. For the first parental offense, a parent shall be fined \$25 plus court costs. The fine shall be increased by an additional \$25 for each subsequent offense by the parent (based on curfew violations per juvenile, not the total number of curfew violations of all the juveniles under his or her control). Upon a plea or finding of guilty on any offense, the judge of the municipal court may sentence the parent to perform such community service as the court deems appropriate under the circumstances of the case. In no event, however, shall the amount of community service imposed upon the parent be more than eight hours for the first offense, nor shall community service be increased by more than eight additional hours for each subsequent offense by the parent (each subsequent offense counted on the basis of curfew violations per juvenile, not on the total number of curfew violations of all juveniles under the control of the parent).
- C. Any juvenile who shall violate any of the provisions of this chapter more than three times shall be

reported by the Chief of Police to the juvenile authorities as a juvenile in need of supervision and, the Chief of Police shall proceed to file such charges with the Superior Court of New Jersey, Camden County, Family Part. In the event that the judge of the Municipal Court finds that a juvenile was not in violation of this chapter after a hearing on a complaint against a parent for violation of the parental responsibility sections of this chapter, such incident shall not constitute, nor be counted as, a curfew violation by the juvenile. If the judge of the Municipal Court finds the parent not guilty of the parental responsibility section of this chapter, but does not determine that the juvenile was not in violation of this chapter, the incident shall constitute, and be counted as, a curfew violation by the juvenile.

§ 112-10. Board of Education property.

- A. It shall also be unlawful for any individual, juvenile or adult, to violate any regulations under this chapter when they are on Brooklawn Board of Education property. This section of the ordinance is designed to enable Brooklawn Police Officers to patrol and enter upon school property or grounds of the Brooklawn Board of Education. This section is included for the purposes of preventing the unauthorized presence of persons during the time periods designated in this chapter.
- B. Any person who is present on the property or grounds owned by the Brooklawn Board of Education between the hours set forth in this chapter shall be considered a trespasser and shall be in violation of this chapter.

*Borough of Brooklawn, NJ
Wednesday, October 28, 2015*

Chapter 150. Zoning

Article II. District Regulations

§ 150-11. Regulations for E Park and Recreation District.

- A. In a park and/or recreation district, no building, structures or vehicles shall be permitted except upon application to and approval of the Board of Adjustment. The Board of Adjustment, in passing upon any such application, shall only consider buildings, structures or vehicles that are non-profit-making and intended only for the recreation and enjoyment of residents of this Borough. The Board of Adjustment may require notice and hearing on any such application.
- B. Any municipal use as determined by the Borough Council of the Borough of Brooklawn shall be a permitted use in this district.
[Added 10-17-2005 by Ord. No. 17-05]

APPENDIX 6

MINUTES OF THE CAMDEN COUNTY OPEN SPACE PRESERVATION TRUST FUND ADVISORY COMMITTEE

April 24, 2014

**Camden County Open Space Preservation Trust Fund
Advisory Committee**

**Minutes of the APRIL 24, 2014 Meeting held at the
Camden County Parks Department, Cherry Hill**

The meeting was called to order at 7:05 p.m. and was chaired by Jack Sworaski.

“In accordance with the Open Public Meetings Act Chapter 231, P.L. 1975, adequate notice of this meeting has been made to the Courier Post Newspaper and has been posted on the bulletin board in the Camden County Court House Lobby.”

Members Present: Edward Campbell, Helen Garcia Arvin, John Gentless, Doug Griffith, Eileen Lish, Richard Michielli, Gary Passanante, Gaytana Pino, Jack Sworaski, Anthony Ziccardi, Richard Zimmermann

Members Absent: Cyndy Berchtold, Frank Moran, Linda Musser, Harry Platt, Paul Schopp, Barry Wright

Approval of Minutes:

It was moved by Rich Michielli and seconded by Gary Passanante that the minutes of the February 27, 2014 meeting be approved. Passed with 3 abstentions (Gentless, Lish, Ziccardi).

It was moved by Rich Zimmermann and seconded by John Gentless that the minutes of the March 27, 2014 meeting be approved. Passed with 3 abstentions (Arvin, Griffith, Ziccardi).

Update on Open Space and Farmland Preservation Properties

Updates were provided for the following properties being considered for preservation:

Open Space Properties

Bancroft Property – Both property appraisals have been rejected by Green Acres.

Two new appraisals will be done using appraisers suggested by Green Acres. We are awaiting quotes. Quotes are due tomorrow and appraisals must be completed within 30 days.

With authorization to proceed likely coming on Monday, Green Acres have assured us of a short review turnaround. Bancroft has agreed to this schedule.

The problem with the previous appraisals was the methodology used.

Winslow Farm Conservancy/Railroad Lakes (WFC) – The Certified Market Value for both the Winslow Farm Conservancy property and Railroad Lakes property is \$3,398,000. This is far below the property owner’s expectation of \$9,000,000. Despite this fact, we will submit a written offer. One non-contiguous property with a house and maintenance building has already been sold.

Farmland Preservation Properties

Karivalis Farm – We are still awaiting “green-light” approval from the SADC.

Pagano Farm – We are still awaiting the Pinelands Formula Value for this farm.

Gloucester Township Property – There may be money available through the GEMS Landfill settlement that would allow Gloucester Township to purchase this site.

Old Business

Multi-Use Trail Master Plan – There are no new developments to report.

BikeShare Program – We delivered 28 bikes to a group in East Camden last Saturday. 23 bikes were given out.

We have started repairing bikes at the barn behind the Environmental Center in Cherry Hill. We had 10 volunteers show up last night.

The Parkside BikeShare in Camden will be using the bikes given to them last Fall to host group rides, so they will hold onto the bikes at their location.

There was a brief discussion regarding how bikes are distributed and membership fees.

Covanta, owner of the incinerator in Camden, is interested in sponsoring BikeShare, possibly purchasing tools for the local outlets.

SOS Stewardship Program – No cleanups have been scheduled to date.

DVRPC Regional Trails Grant – Greg Fusco, of Key Engineers, provided a brief update on the Kaighn Avenue to Route 130 Trail project.

Jack Sworaski, John Wolick and Mr. Fusco visited the site last week to discuss its location as it relates to the Golf Academy.

Mr. Fusco indicated that we received NJDEP approval pending completion of a Phase IA Cultural Resources Investigation which has been completed and indicates that no further action is needed. We will proceed with bidding the construction after addressing lighting for the Golf Academy. We may be able to go to bid by the end of May and award in June or July.

Recreation Facility Enhancement Grants – A list of grant applications received was distributed. 45 Recreation applications were received. Two are cross walks associated with Haddon Lake Park so should be considered by the County. We anticipate awarding approximately 25 grants. Last year we awarded 30 grants.

Not all applications have been reviewed for the required municipal resolution. All resolutions are due by the end of April.

Recreation site visits will begin next week.

By Laws/Meeting Rules - A draft of the proposed meeting rules was distributed. It was stated that some of the language was based on conversations with County Counsel.

It was suggested that members should abstain from voting on projects located in the town in which they reside whether they have knowledge of the project or not. Any comments on such projects should be limited to statements of fact.

There was a brief discussion after which it was agreed to add this stipulation to the rules.

Recreation Facility Enhancement Grants (cont.) –All recreation sites for which application are submitted will be visited by the Committee.

There was a discussion on how many applications can be submitted by an individual municipality and how will high ranking applications exceeding the municipalities limit be handled.

It is anticipated that we have all site visits completed and ranking done by the June meeting.

By Laws/Member Rules (cont.) – Mr. Sworaski indicated he will make changes based on comments received tonight. Any other suggestions should be forwarded as soon as possible. We will finalize at the next meeting.