

**TOWNSHIP OF WINFIELD
MINUTES OF THE REGULAR MEETING OF
THE TOWNSHIP COMMITTEE – JUNE 21, 2021**

PUBLIC NOTICE: In accordance with the Open Public Meetings Act, NJSA 10:4-6 et. seq.; Mayor McManus read the public notice and indicated the fire exits.

PRAYER & PLEDGE OF ALLEGIANCE: . Mayor Genz omitted prayer and the pledge of allegiance.

CALL TO ORDER: Mayor Genz called the meeting to order at 7:00pm.

ROLL CALL: Present: Mayor Genz, Comm Reilly, Comm. Koomer, Clerk Planas, Atty. DeAppolonio, WPD Chief Mazzarella, WVFD Chief Dustin

APPROVAL OF MINUTES: RMTC 06/07/21 & Exec. Sess. 06/07/21

COMMUNICATIONS: None Presented

DEPARTMENT REPORTS: Comm. Reilly moved the approval of department report for the WPD 5/22, WVFD (EMT) 5/21 & WVFD 5/21; Comm. Koomer seconded the motion. Roll call vote, unanimous, affirmative.

REQUISITIONS: Mayor Genz moved the listed requisitions; Comm. Reilly seconded the motion as follows:

LISTED REQUISITIONS FOR THE REGULAR MEETING OF
THE TOWNSHIP COMMITTEE, JUNE 21th, 2021

REQ #	DEPARTMENT	JUSTIFICATION	AMOUNT
8169	COURT	TICKET & SPECIAL COMPLAINTS	\$1,010.00
8187	WPD	INFO-COP ANNUAL RENEWAL	\$787.50
8191	COURT	PUBLIC DEFENER	\$250.00
8192	WPD	AWARDS	\$280.00

TOTAL: \$2,327.50

REVISED 6/17/21

Roll call vote: Mayor Genz, Comm. Reilly, aye; Comm. Koomer, aye;

UNLISTED REQUISITIONS: None Presented

BILLS: Mayor Genz moved the listed bills; Comm. Reilly seconded the motion as follows:

**List of Bills - (100001) CASH - CHECKING
Current Fund**

Check#	Vendor	Description	Payment	Check Total
7350	710 - ANNA LOWREY	PO 14595 (000-331) ART & CRAFT SUPPLIES	94.69	94.69
7351	1013 - ASSOCIATED HUMANE SOCIETIES	PO 14593 ANIMAL CONTROL FOR MAY 2021	312.50	312.50
7352	1015 - BERNIE'S HEATING & COOLING	PO 14601 NO HEAT IN THE MUNICIPAL BUILDING - REPA	1,191.00	1,191.00
7353	596 - CITY OF LINDEN	PO 14599 REPAIRS AND MAINTENANCE TO #601	1,024.68	1,024.68
7354	59 - COUNTY OF UNION - MOTOR VEHICLES	PO 14597 MAY FUEL USAGE	907.12	907.12
7355	1034 - COVERALL NORTH AMERICA, INC.	PO 14599 JUNE CLEANING SERVICE	243.75	243.75
7356	921 - CRANFORD PUBLIC LIBRARY	PO 14590 2021 LIBRARY SERVICES	60.00	60.00
7357	1005 - DAVID ALTIERI	PO 14596 REIMBURSEMENT FOR THE A/C GAUGE FOR THE	42.64	42.64
7358	43 - DELTA DENTAL PLAN OF NJ	PO 14606 JULY DENTAL COVERAGE	1,412.37	1,412.37
7359	1090 - ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.	PO 14597 PROSECUTOR - SERVICES RENDERED FOR MAY	300.00	300.00
7360	971 - KENILWORTH CAR WASH & QUICK LUBE	PO 14594 CAR WASH TICKET F95713	7.50	7.50
7361	844 - LIFESAVERS INC.	PO 14593 ADULT DEFIBRILLATION PAD DEFIBTECH AED 0	69.44	69.44
7362	1096 - MANAGED BUSINESS SOLUTIONS	PO 14607 CONFERENCE CALLS CONTRACT CHARGES FOR 6	10.05	10.05
7363	1104 - MATTHEW MILLER	PO 14598 REIMBURSEMENT FOR DRESS UNIFORM	508.40	508.40
7364	829 - NEW JERSEY FIRE EQUIPMENT COMPANY	PO 14317 11 SCOTT AIR BOTTLES	964.85	964.85
7365	1062 - NORTHEASTERN FMC	PO 14589 2021 LANDSCAPING	312.00	312.00
7366	35 - PETTY CASH	PO 14605 SUPPLIES AND CAR WASH	30.94	30.94
7367	594 - PUBLIC ALLIANCE INS COVERAGE	PO 14600 2021 3RD INSTALLMENT LIABILITY INS	56,050.00	56,050.00
7368	361 - SPRUCE INDUSTRIES	PO 14576 JANITORIAL SUPPLIES	174.85	174.85
7369	166 - THE HOME NEWS & TRIBUNE	PO 14591 JUNE NEWSPAPER SUBSCRIPTION	47.00	47.00
7370	166 - THE HOME NEWS & TRIBUNE	PO 14600 NOTICE OF 2021 MUNICIPAL BUDGET & ORDINA	109.48	109.48
7371	32 - VERIZON	PO 14592 COURT ROUTER 6/2 - 7/1 FOR ZOOM SESSION	129.65	129.65
TOTAL				64,002.91

WIRE TRANSFERS

WIRE TRANSFER - SCHOOL TAXES FOR JUNE	\$8,176.00
WIRE TRANSFER - PBA DUES FOR JUNE	\$450.00
WIRE TRANSFER - GIORANDO FOR MAY	<u>\$1,692.30</u>

WIRE TRANSFERS = **\$10,318.30**
 TOTAL PAID FORM CURRENT FUND = **\$64,002.91**
GRAND TOTAL = \$74,321.21

Roll call vote: Comm. Reilly, aye; Comm. Koomer, aye;

UNLISTED BILLS: Mayor Genz moved the Unlisted bills; Comm. Reilly seconded the motion as follows:

UNLISTED BILL FOR THE REGULAR MEETING OF
THE TOWNSHIP COMMITTEE, JUNE 21, 2021

CHECK #	DEPARTMENT	JUSTIFICATION	AMOUNT
7372	A&E	COPIER LEASE	\$122.00
TOTAL			\$122.00

REVISED 6/21/21

Roll call vote: Mayor Genz, Comm. Reilly, aye; Comm. Koomer, aye;

COMMITTEE REPORTS: None Presented

UNFINISHED BUSINESS: None Presented

NEW BUSINESS: Mayor Genz moved the approval of the 1st Reading Ord. # 454 Prohibiting Cannabis, Res. # 21-31 through Res. # 21-33, Comm. , LGCCC WVFD Findings & Determinations # 459, 460 & 461, Declaration for David P. Wright and DLGS Local Fiscal Recovery Fund Guidance, Reilly seconded the motion. Roll call vote, unanimous, affirmative

**TOWNSHIP OF WINFIELD
COUNTY OF UNION, STATE OF NEW JERSEY
ORDINANCE NO. #454**

**AN ORDINANCE BY TOWNSHIP OF WINFIELD IN UNION COUNTY, NEWJERSEY
PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS
GEOGRAPHICAL BOUNDARIES**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Governing Body of the Township of Winfield has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of

cannabis business might have on New Jersey municipalities in general, and on Township of Winfield in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Winfield’s residents and members of the public who visit, travel, or conduct business in Winfield, to prohibit all manner of marijuana- related land use and development within the geographic boundaries of Winfield; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

NOW THEREFORE, BE IT ORDAINED, by the GOVERNING BODY of the Township of Winfield in the County of Union, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in Winfield except for the delivery of cannabis items and related supplies by a delivery service.

2. All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service.”

3. Any article, section, paragraph, subsection, clause, or other provision of the Winfield Municipal Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Union County Planning Board, and as otherwise provided for by law.

	MOTIONED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√		√			
COMM. ADAM D. KOOMER			√	√		

I hereby certify that the above Ordinance was introduced by the Township Committee of the Township of Winfield at a meeting held on June 21, 2021

June Planas, Twp. Clerk

PUBLIC NOTICE

The foregoing ordinance was introduced and approved on first reading at the regular meeting of the Winfield Township Committee held on __06/21/2021__ and will be considered for public hearing and final adoption at the regular meeting of the Township Committee to be held on __07/19/2021__ at 7:00 PM in the Municipal Building, 12 Gulfstream Avenue, Winfield, NJ.

**TOWNSHIP OF WINFIELD RESOLUTION 21-31
COUNTY OF UNION, STATE OF NEW JERSEY
APPOINT TAX ASSESSOR**

BE IT RESOLVED, by the Township Committee of the Township of Winfield that

JOSEPH COLACITTI

be appointed to serve as Municipal Tax Assessor for the 4 yr. term of the Tax Assessor ending on June 30, 2025.

The pay rate for this term shall be at the rate \$6,000.00 per year as established in the salary ordinance.

DATED: June 21, 2021

	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√		√			
COMM. ADAM D. KOOMER		√	√			

I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on June 21, 2021

June Planas, Twp. Clerk

**TOWNSHIP OF WINFIELD RESOLUTION 21-32
COUNTY OF UNION, STATE OF NEW JERSEY
AUTHORIZING CHANGES TO PAYROLL FOR CALENDAR YEAR 2021**

WHEREAS, the Township of Winfield performs payroll services for all municipal employees;

WHEREAS, the Chief Financial Officer advised that the first payroll period of 2021 was paid in calendar year 2020; thus resulting in an overpayment for 2020;

WHEREAS, in order to correct this payroll issue, an adjustment needs to be made for some pay periods in 2021;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Winfield that for the remainder of 2021, the Chief Finance Officer has authority to make adjustments to the municipal employees' payroll for the second half of July 2021 thru the last payroll of December 31, 2021.

Dated: June 21, 2021

	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√		√			
COMM. ADAM KOOMER		√	√			

CERTIFICATION: I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on June 21, 2021

June Planas, Acting Clerk

**TOWNSHIP OF WINFIELD RESOLUTION 21-33
COUNTY OF UNION, STATE OF NEW JERSEY
A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF WINFIELD TOWNSHIP TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS AMENDED JULY 2017**

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are

allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of **WINFIELD** and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of **WINFIELD** that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 2014, as amended July 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2019-2020 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Dated: June 21, 2021

	MOVED	AYES SECONDE	NAYS	ABSENT	ABSTAIN	CERTIFICATION: I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on June 21, 2021. June Planas _____ June Planas, Twp. Clerk
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√		√			
COMM. ADAM D. KOOMER		√	√			

CITIZENS’ FORUM:

Paige Elster, 5A Wavecrest Ave.- wanted to know what the Township is going to do with the money from the state; how about the sewers since they are aging. Mayor Genz responded by saying we will have to look into what it can be used for. Ms. Elster also asked about the liquor license stating she called the ABC to find out where the license is? Clerk Planas advised Ms Elster that the previous liquor license was a pocket and is not a license any longer. Also the Township is checking with the state on the tax clearance certificate and is any money is owed or not. If money is owed than the Deli would need to pay the outstanding money before a license can be issued. Clerk Planas also advised the everyone present that Deli (Jeanette) is not asking for a liquor license but a wine and beer license which is different, the cost is less and the paperwork is the same.

Trish Donahue, 32 Riverview Terr.- Wanted to know why she (WMH) was not advised on the amount of money the increase would be for the residents. Mayor Genz stated the increase would be \$39 per household. Ms. Donahue also stated she called the Township inquiring about the liquor license with no response back.

Donna Schautz, 108 Wavecrest Ave.-stated she called the Township concerning the street lights when she did not get a responds she call PSEG herself.

Debra Weiss, 52 Seafoam Ave.,-asked if the Commercial Vehicle was still in effect and that she thought signage was a requirement. Mayor Genz advised that he would look into if it’s a requirement.

Trish Donahue, 32 Riverview Terr.- Wanted to know if the Township would be changing the Ordinance on the Alt. Side Parking to reflect WMH leaf pickup. Mayor Genz stated he would discuss with the other commissioners.

John DiOrio, 12B Wavecrest Ave.- advised that Winfield has 75 signs and why not cut down on the number of signs.

Paige Elster, 5A Wavecrest Ave.-wanted to know if the commercial and the no parking could be put on 1 sign.

Trish Donahue, 32 Riverview Terr.-wanted to know if the money from the state could be used to fund some of the roofing cost. Mayor Genz stated he would look into.

Brian Dustin, 45 Seafoam Ave.,- inquired about getting a Fire Chief a car, Deputy Mayor Reilly responded with a no car .

EXECUTIVE SESSION: None Presented

ADJOURNMENT: There being nothing further to come before the Township Committee, Mayor Genz moved to adjourn, Comm. Reilly seconded the motion.

Roll call vote, unanimous, affirmative.

TIME 7:30PM

Respectfully submitted,

June Planas, Clerk