

**TOWNSHIP OF WINFIELD
MINUTES OF THE REGULAR MEETING OF
THE TOWNSHIP COMMITTEE – JULY 19, 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 Deputy Chief Banchansky

APPROVAL OF MINUTES: RMTTC 06/21/21

COMMUNICATIONS: Letter from Union County Department of Public Works advising of Road resurfacing at night in the spring of 2022. The County will Consider paving during the day, this request must be in writing and Submitted no later than July 20, 2021.

DEPARTMENT REPORTS: Comm. Reilly moved the approval of department report for the Finance 6/22, WPD 6/22 & WVFD 6/21; 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, JULY 19, 2021

REQ #	DEPARTMENT	JUSTIFICATION	AMOUNT
8214	COURT	ZOOM RENEWAL	\$179.88

TOTAL: \$179.88

REVISED 7/13/21

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
7373	1003 - ASSOCIATED HUMANE SOCIETIES	PO 14627 ANIMAL CONTROL FOR JUNE 2021	312.50	312.50
7374	1034 - COVERALL NORTH AMERICA, INC.	PO 14629 JULY CLEANING SERVICE	325.00	325.00
7375	901 - CRANFORD PUBLIC LIBRARY	PO 14619 2021 LIBRARY SERVICES	180.00	180.00
7376	1005 - DAVID ALTIERI	PO 14623 REIMBURSEMENT FOR THE SPRINKLER SYSTEM	64.77	64.77
7377	49 - DELTA DENTAL PLAN OF NJ	PO 14631 AUGUST DENTAL COVERAGE	1,412.37	1,412.37
7378	932 - DEPARTMENT OF HEALTH & SENIOR SERVI	PO 14621 (920-331) BOARD OF HEALTH SERVICES JULY	8,364.00	8,364.00
7379	768 - DRAGER, INC.	PO 14497 CALABRATE ALCOTEST MACHINE	179.00	179.00
7380	39 - ELIZABETHTOWN GAS CO	PO 14630 NATURAL GAS SVC 5/11 - 6/9	305.67	305.67
7381	1030 - ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.	PO 14625 PROSECUTOR - SERVICES RENDERED FOR JUNE	300.00	300.00
7382	624 - FEDERAL EXPRESS	PO 14632 SHIPPING FOR ALCOTEST MACHINE TO DRAGER	27.54	27.54
7383	790 - G.T.B.M., INC	PO 14604 INFO-COP ANNUAL LICENSES RENEWAL	787.50	787.50
7384	692 - JASON DYER	PO 14623 REIMBURSEMENT FOR THE A/C KIT FOR THE PO	53.30	53.30
7385	1062 - NORTHEASTERN FMC	PO 14624 2021 LANDSCAPING	689.00	689.00
7386	1103 - PowerDMS	PO 14584 (INFRASTRUCTURE-2021) POWERDMS PROFESSIO	4,158.95	4,158.95
7387	983 - PRINCETON HOSTED SOLUTIONS	PO 14628 JULY PHONE SERVICE	674.06	674.06
7388	72 - PSEGG	PO 14613 JUNE ELECTRIC	2,295.30	2,295.30
7389	99 - SR. CITIZENS OF WINFIELD	PO 14636 (920-331) RECREATION, SOCIAL EVENTS/REFE	2,847.97	2,847.97
7390	268 - SUE WRIGHT	PO 14615 (920-331) REIMBURSEMENT SENIOR PIZZA NIGH	76.97	76.97
7391	156 - THE HOME NEWS & TRIBUNE	PO 14626 JULY NEWSPAPER SUBSCRIPTION	52.00	52.00
7392	170 - TREASURER - STATE OF NJ	PO 14631 2ND QTR 2021 DCA FEES FOR CONSTRUCTION C	38.00	38.00
7393	144 - TREASURER, STATE OF NEW JERSEY	PO 14635 MARRIAGE LICENSE FEE 2ND QUARTER 2021	25.00	25.00
7394	531 - UNION COUNTY CLERK	PO 14616 2021 PRIMARY ELECTION POSTAGE / PROVISIO	408.16	408.16
7395	841 - UNUM LIFE INS. CO OF AMERICA	PO 14617 JULY LONG TERM DISABILITY INS	427.62	427.62
7396	32 - VERIZON	PO 14619 FIOS 6/10 - 7/9	159.99	159.99
7397	32 - VERIZON	PO 14622 COURT ROUTER 7/2 - 8/1 FOR ZOOM SESSION	129.65	129.65
7398	452 - VERIZON WIRELESS	PO 14614 CELL PHONE AND AIR CARDS 6/16 - 7/15	422.00	422.00
7399	994 - WB MASON CO., INC	PO 14588 JUNE SPRING WATER	61.10	61.10
TOTAL				24,777.42

WIRE TRANSFERS

WIRE TRANSFER - SCHOOL TAXES FOR JULY	\$278,415.85
WIRE TRANSFER - PBA DUES FOR JULY	\$450.00
WIRE TRANSFER - GIORANDO FOR JUNE	<u>\$2,538.45</u>

WIRE TRANSFERS = \$281,404.30
TOTAL PAID FORM CURRENT FUND = \$24,777.42
GRAND TOTAL = \$306,181.72

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, JULY 19, 2021

CHECK #	DEPARTMENT	JUSTIFICATION	AMOUNT
7400	A&E	COPIER LEASE	\$122.00
		TOTAL	\$122.00

REVISED 7/19/21

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

COMMITTEE REPORTS: None Presented

UNFINISHED BUSINESS: Mayor Genz moved the approval of the 2nd Reading Ord. # 454 Prohibiting Cannabis.

**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.

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

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.

	MOTION	AYES SECOND	NAYS	ABSENT	ABSTAIN	I hereby certify that the above Ordinance was introduced by the Township Committee of the Township of Winfield at a meeting held on July 19, 2021. _____ June Planas, Twp. Clerk
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√	√				
COMM. ADAM D. KOOMER		√	√			

The foregoing ordinance was introduced and approved on first reading at a regular meeting of the Township Committee held 06/21/21 and was approved for adoption on final reading at the regular meeting of the Township Committee held on 07/19/21, @ 7:00 pm in the Municipal Building, 12 Gulfstream Avenue, Winfield, NJ

NEW BUSINESS: Mayor Genz moved the approval of Res. # 21-35 and Res. # 21-34, Comm.,

**TOWNSHIP OF WINFIELD RESOLUTION 21-35
COUNTY OF UNION, STATE OF NEW JERSEY
ACCEPTING THE AWARD OF THE 2021 SFY21 BODY WORN CAMERA GRANT PROGRAM FROM
THE STATE OF NEW JERSEY**

WHEREAS, the Township of Winfield Police Department has been awarded a grant in the sum of \$24,456.00 from the State of New Jersey Body Worn Camera Grant Program; and

WHEREAS, this funds will assist the Township of Winfield and the Winfield Police Department with the purchase of Body Worn Cameras; and

WHEREAS, the Township of Winfield’s contribution toward the grant will be ZERO dollars;

NOW THEREFORE BE IT RESOLVED, that the Mayor and/or Clerk, in the County of Union, State of New Jersey that the Township of Winfield is hereby authorized to accept this Grant 21 BFY 21-100-066-1020-495 in the amount of \$24,456.00 for the period January 1, 2021 through December 31, 2025;

BE IT FURTHER RESOLVED, that the Mayor, Clerk or Chief of Police deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

Dated: July 19, 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 July 19, 2021 _____ June Planas, Twp.Clerk
MAYOR GARY J. GENZ			√			
COMM. ROBERT F. REILLY	√		√			
COMM. ADAM D. KOOMER		√	√			

**TOWNSHIP OF WINFIELD
RESOLUTION 21-34
AUDIT CORRECTIVE ACTION PLAN – 2020 Audit**

WHEREAS, the Winfield Township Committee is in receipt of the 2020 Report of Audit for the period ending December 31, 2020; and

WHEREAS, the Mayor and Township Committee formally accepted said audit document on August 2021; and

WHEREAS, it is necessary to develop and obtain Mayor and Township Committee approval of an Audit Corrective Action Plan; and

WHEREAS, said plan must be approved and filed within sixty days of formal notice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Winfield that the required Audit Corrective Action Plan, having been prepared and submitted by the Chief Financial Officer, is hereby approved and further that said plan document be placed on file and made available for public inspection in the Office of the Township Clerk. Adopted by the Township Committee on July 19, 2021

I, June Planas, Deputy Township Clerk of the Township of Winfield, County of Union, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on July 19, 2021.

June Planas
Acting Township Clerk

Letter from Wielkotz and Company audit of Financial Statement.
Letter from WMHC asking to amend Ordinance 247 Alt. Side Parking From the months of Oct-Dec to Nov-Dec. – The Committee advised this was still under discussion.
Reilly seconded the motion. Roll call vote, unanimous, affirmative

CITIZENS’ FORUM:

Barbara Speigel, 8C Seafoam – What are the expenses for the increase and does the township pay all employees pension and health insurance. Comm. Koomer explained pension and health insurance is contractual and each employee contribute a percentage. Also Ms. Speigel ask why the Township does not deliver the budget to each resident. Comm. Koomer advised that the budget hearings are advertised and posted on the sign outside of the Township and also a copy is with the Clerk.

Trish Donahue, 32 Riverview – Wanted to know why in the passed a brochure was sent out to all resident on what was going on in town and now nothing is sent. Ms Donahue also stated that the \$48 increase was due to \$39 for the PD and \$9.00 for the School

Sissy Dulowski, 15 Riverview – stated why isn't the budget listed line item by line item and what is the Township hiding. Atty. DeAppolonio responded with the Township is very transparent and has nothing to hide. Everything is held and presented at the Open Public Meeting if the resident wanted to know anything.

Paige Elster, 5A Wavecrest – asked why prior to each meeting the Agenda is not posted on the Website and that a synopsis should have been provided to the residents so that they felt informed. Ms. Elster also inquired about the ABC License which was talked about at the last Township meeting. Clerk Planas stated that she spoke with the ABC and that at this time the public does not need to know since things are still in the talking stage with Jeanette (Deli).

Barbara Speigel, 8C Seafoam – wanted to know if a speed bump could be put up between Atlantic and Seafoam or even a flashing/push button to walk. Ms. Speigel also inquired why the PD is sitting at the falls. Chief Mazzarella responded by stating they were told not to and he would speak again to each officer.

Trish Douahue, 32 Riverview - Wanted to know if the Township decided on what they would spend the \$157,000. Comm. Koomer stated that there are limitations on what the money could be used for and the Township would not be receiving the entire sum all at once but half 1 year and the other half the following year. Ms. Donahue wanted to know when the Township would have an answer as to what. Comm. Koomer stated he would talk with the CFO.

Joann Matthew, 61 Wavecrest – advised that there is a truck parked on Atlantic for about 2 years on jacks and what and why hasn't anything been done about it. Chief Mazzarella advised all that the truck is registered and nothing could be done about it.

Armin Hassinger, 8D Seafoam – wanted to know where he could get a copy of the budget. He was told at the clerk's office.

Trish Donahue, 32 Riverview – Wanted to know how a police officer is hired. Chief Mazzarella explained the hiring procedure.

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 7:47PM

Respectfully submitted,

June Planas, Clerk