# TOWNSHIP OF WINFIELD MINUTES OF THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE – SEPTEMBER 18, 2023

**CALL TO ORDER:** Mayor Koomer called the meeting to order at 7:00 p.m.

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

**PRAYER & PLEDGE OF ALLEGIANCE:** Prayer led by Clerk Slowik & Pledge led by Mayor Koomer & Commissioners

**ROLL CALL:** Present: Mayor Koomer, Commissioner Byrne, Commissioner Reilly, Clerk Slowik, Atty.

Colicchio & WVFD Chief Dustin

Absent: WPD Chief Mazzarella

**APPROVAL OF MINUTES:** TC Meeting 09/05/2023; Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.

**COMMUNICATIONS:** None Presented

**DEPARTMENT REPORTS:** As Presented – WPD 8/23 & WVFD 6/23

**REQUISITIONS:** As Presented (\$900.00)

## LISTED REQUISITIONS FOR THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE, SEPTEMBER 18TH, 2023

REQ #	DEPARTMENT	JUSTIFICATION	AMOUNT
9161 9162 9173	WED WMC WED	FIRE BOOTS PUBLIC DEFENDER FIRE BOOTS	\$400.00 \$250.00 \$250.00

TOTAL: \$900.00

#### UNLISTED REQUISITIONS: None Presented

**BILLS:** As Presented (\$314,098.02) Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.

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

Check#	Vendor ·	Descri	ption	Payment	Check Total
8334	1113 - ALLY FINANCIAL	PO 15586	2021 FORD EXPLORER FINAL PAYMENT	11,809.49	11,809.49
8335	1003 - ASSOCIATED HUMANE SOCIETIES	PO 15578	AUGUST ANIMAL CONTROL 2023	312.50	312.50
8336	716 - CLIA LABORATORY PROGRAM	PO 15588	CERTIFICATE FEE 2/26/24 - 2/25/26	180.00	180.00
8337	98 - COUNTY OF UNION - MOTOR VEHICLES	PO 15579	AUGUST FUEL	1,055.70	1,055.70
8338	1034 - COVERALL NORTH AMERICA, INC.	PO 15581	SEPTEMBER CLEANING SERVICE	325.00	325.00
8339	880 - FIT-RITE UNIFORMS	PO 15398	2023 CLOTHING ALLOWANCE OFFICER DELAPRI	721.00	721.00
8340	880 - FIT-RITE UNIFORMS	PO 15584	NEW OFFICER UNIFORM FOR WILSON (2022)	1,351.86	1,351.86
8341	803 - FP MAILING SOLUTIONS	PO 15582	3RD QTR POSTAGE MACHINE RENTAL	111.00	111.00
8342	831 - NEW JERSEY DOOR WORKS, INC	PO 15487	NJDCA FD GRANT - REPLACING & REPAIRING D	7,898.00	7,898.00
8343	35 - PETTY CASH	PO 15585	JUVENILE OFFICER LUNCHEON 9/13/23	20.00	20.00
8344	1124 - POLICE AND SHERIFFS PRESS (PASP)	PO 15576	POLICE ID CARDS	17.60	17.60
8345	166 - THE HOME NEWS & TRIBUNE	PO 15580	SEPTEMBER NEWSPAPER SUBSCRIPTION	59.00	59.00
8346	166 - THE HOME NEWS & TRIBUNE	PO 15583	NOTICE OF 2022 AUDIT AND ORDINANCE 461	156.78	156.78
8347	170 - TREASURER - STATE OF NJ	PO 15589	EXAM - MUNICIPAL CLERK CERTIFICATION	50.00	50.00
8348	1143 - UNION COUNTY FIRE/EMS ACADEMY	PO 15552	FIRE FIIGHTER COURSE	450.00	450.00
8349	32 - VERIZON	PO 15577	COURT ROUTER 9/2 - 10/1 FOR ZOOM SESSION	139.65	139.65
8350	157 - WEST HUDSON INDUSTRIES	PO 15575	UNIFORM EQUIPMENT (LEICHT & BRENNAN)	209.50	209.50
	TOTAL				24,867.08

WIRE TRANSFER - PBA DUES FOR SEPTEMBER WIRE TRANSFER – GIORDANO RECYCLING AUGUST WIRE TRANSFER - SCHOOL TAXES SEPTEMBER

\$500.00 \$4,583.33 \$284,147.67

WIRE TRANSFERS =\$289,231.00
TOTAL PAID FORM CURRENT FUND = \$24,867.08

GRAND TOTAL = \$314,098.08

**UNLISTED BILLS: None Presented** 

**COMMITTEE REPORTS: None Presented** 

UNFINISHED BUSINESS: As Presented

Township Ordinance 461 - Ordinance Establishing Restricted Areas in Buildings Where Municipal Operations are Conducted Limited to Authorized Employees to Protect and Safeguard Public Records Containing Personally Identifiable Information - 2<sup>nd</sup> Reading: A motion to take up the Ordinance made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.

At this time Mayor Koomer opened the floor to public discission regarding the ordinance.

#### **Public Comments:**

Trish Donahue, 32 Riverview- asked if the ordinance could be explained; where is the restricted area; who would be allowed to go in and out & where is the area – where was the restricted area prior. Mayor Koomer responded-Information in the office, limits outside public who cannot view personal records – ordinance to keep items already located in twp office safeguarded. Commissioner Byrne replied, if anyone ended up back with files that shouldn't be there, could be a recourse.

Chief Dustin - asked if it relates to him; Clerk Slowik - it allows for all department heads accessibility.

No further members of the public wished to speak. Mayor Koomer closed the floor to public discussion.

A motion to take up the Ordinance for adoption was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.

-Clerk instructed to have the Ordinance published in its entirety before the next meeting. Also, to be posted on the



TOWNSHIP OF WINFIELD - # 461
COUNTY OF UNION, STATE OF NEW JERSEY
AN ORDINANCE ESTABLISHING RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL
OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES TO PROTECT AND
SAFEGUARD PUBLIC RECORDS CONTAING PERSONALLY IDENTIFIABLE INFORMATION

WHEREAS, the Township of Winfield officials and employees have a responsibility to maintain and safeguard public records that consist of confidential information; and

WHEREAS, to adequately comply with the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1, and comply with the statutorily defined responsibilities, the maintenance and custody of specific records are required; and

WHEREAS, municipal officials assigned this responsibility include, but are not limited to; the Municipal Clerk, the Police Chief, the Chief Financial Officer, the Tax Collector, the Tax Assessor, the Construction Code Officer, and the Board of Health Secretary: and

WHEREAS, the responsibility for the maintenance and safeguarding of records, reports, documents and information in municipal offices may not be available for immediate public view since they may contain personal information, phone numbers, social security numbers, dates of birth and other confidential information; and

WHERAS, securing these records maintains the integrity of this information and when an OPRA request is received, and it is determined that a requestor is entitled to the record(s), the record(s) can be released individually and redacted as required by law; and

WHEREAS, securing and keeping these records confidential will support a safe workplace while balancing public access to the Township Building; and

WHEREAS, the Township cannot expect municipal employees to physically intervene to protect a record, or other Township assets or personal belongings, and creating secure areas with clear signage will help deter persons from collecting records that they are not entitled to receive without following the process required by OPRA; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Winfield as follows:

<u>Section 1.</u> The Township of Winfield shall be required to post signs outside of offices which read, "Restricted Area, Authorized Employees Only".

<u>Section 2.</u> Persons that trespass these posted, protected offices may be subject to prosecution under N.J.S.A. 2C-18-3.

Section 3. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

	INTRODUCTION					COMMITTEE MEMBER	FINAL ADOPTION								
Moved	Second	Aye	Nay	Absent	NP	COMMITTEE MEMBER	Moved Second Aye Nay Absent								
X		. X	7			JOSEPH P. BYRNE									
	x	x				ROBERT F. REILLY									
		X				MAYOR ADAM D. KOOMER					1	_			
Introdu	ced: Augu	st 21st, 2	023			ify the above ordinance was adopted									
Publicati	ion: Augus	t 28th, 2	023			ify the above ordinance was adopted Winfield, County of Union, State of Ne	w Jersey	on the	afore	mentio	oned da	te.			
Publicati		t 28th, 2	023				w Jersey	on the	afore	mentio		te.			

**NEW BUSINESS:** As Presented

**Resolution # 23-47 APPOINTMENT OF AN ACTING ELECTRICAL SUBCODE OFFICIAL:** Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.



## TOWNSHIP OF WINFIELD RESOLUTION #23-47 COUNTY OF UNION, STATE OF NEW JERSEY APPOINTMENT OF AN ACTING ELECTRICAL SUBCODE OFFICIAL

**WHEREAS,** it is necessary to appoint an Acting Electrical Subcode Official until such time as a permanent appointment is effective; and

WHEREAS, N.J.A.C. 5:23-4, 4(a)6 provides for the appointment of Acting Subcode officials not to exceed 60 days; and

**WHEREAS**, acting appointments may not be made for longer than 60 days, nor they be extended or renewed beyond 60 days unless specific authority to do so is granted in writing by the Department of Community Affairs; and

WHEREAS, the recommendation of the appointment of Timothy F. Dolan as acting Electrical Subcode Official, shall be effective September 1, 2023 subject to confirmation by the Township Committee; and

**NOW THEREFORE BE IT RESOLVED,** by the Township Committee of the Township of Winfield, in the County of Union, New Jersey, that Timothy F. Dolan is hereby appointed Acting Electrical Subcode Official, effective September 1, 2023, and will be compensated at a rate of \$1,560.60 per annum.

Dated: September 18, 2023

| September 18, 2023 | September 28, 2023 | S

**Resolution # 23-48 APPOINTMENT OF AN ACTING ELECTRICAL SUBCODE OFFICIAL:** Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.



## TOWNSHIP OF WINFIELD RESOLUTION #23-48 COUNTY OF UNION, STATE OF NEW JERSEY AUTHORIZING A GRANT APPLICATION TO BE SUBMITTED IN CONNECTION WITH THE STORMWATER INFRASTRUCTURE MAP

WHEREAS, the New Jersey Department of Environmental Protection, Division of Watershed Protection and Restoration is offering a Notice of Funding Availability to assist New Jersey municipalities in upgrading their MS4 Stormwater Programs to comply with the requirements of the 2023 Tier A MS4 Permit renewal, which was issued November 30, 2022, with an effective date of January 1, 2023;

**WHEREAS,** as part of its comprehensive efforts to improve water quality and migrate the working impacts of flooding caused by climate change, the New Jersey Department of Environmental Protection wishes to modernize stormwater management systems, that will focus on strategies to better manage the impacts of stormwater; and

**WHEREAS,** the Department of Environmental Protection has allotted \$25,000 in funding available for each Tier A municipality to help assist with a Stormwater Infrastructure Map; and

**WHEREAS,** the Township of Winfield is desirous to make an application provided by the Department of Environment Protection; and

**BE IT RESOLVED,** that the Mayor/Township Clerk/Township Engineer is hereby authorized to:

- (a) Make application for such grant through DEP System
- (b) Submit necessary documentation
- (c) Provide additional application information and furnish such documents as may be required, and

Act as the authorized correspondent of the above-named applicant;

**BE IT FURTHER RESOLVED,** by the Township of Committee of the Township of Winfield:

- 1. That the applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance
- 2. That this resolution shall take effect immediately upon adoption.

Dated: September 18, 2023			_	_			8 - 15 -
	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on September 18, 2023.
MAYOR ADAM D. KOOMER			L				
COMM. JOSEPH P. BYRNE	╀	L	L	L	L	L	Melanie Slowik, Acting Twp. Clerk
COMM. ROBERT F. REILLY	L	L	L	L	L		

Resolution # 23-49 MOU BETWEEN THE UNION COUNTY PROSECUTOR'S OFFICE AND THE TOWNSHIP OF WINFIELD POLICE DEPARTMENT: Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.



TOWNSHIP OF WINFIELD RESOLUTION #23-49
COUNTY OF UNION, STATE OF NEW JERSEY
MEMORANDUM OF UNDERSTANDING BETWEEN
THE UNION COUNTY PROSECUTOR'S OFFICE
AND

#### THE TOWNSHIP OF WINFIELD POLICE DEPARTMENT

WHEREAS, this Memorandum of Understanding (MOU) is entered into by the Union County Prosecutor's Office and all the law enforcement agencies in the County of Union for the purpose of setting forth the terms and conditions for when an agency participates in the Union County Municipal Task Force; and

WHEREAS, it has been recognized that there is a need to systematically combat an increase in criminal activity that is affecting the county; and

**WHEREAS**, all operational activities and investigations conducted by the Municipal Task Force will be completed in accordance with the policies and procedures of the Union County Prosecutor's Office and the Attorney General's Office; and

**BE IT RESOLVED,** this MOU shall be effective for the duration of Municipal Task Force Operations; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WINFIELD AS FOLLOW:

- The Township Committee authorizes the Winfield Chief of Police to take all actions reasonable and necessary in connection with all duties and obligations as authorized in the Memorandum of Agreement and herein.
- This resolution shall take effect immediately.

	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on September 18, 2023.
MAYOR ADAM D. KOOMER		I	L				
COMM. JOSEPH P. BYRNE	$\perp$	L	L	L	L	L	Melanie Slowik, Acting Twp. Cler
COMM. ROBERT F. REILLY							The state of the s

#### Resolution # 23-49 MOU BETWEEN THE UNION COUNTY PROSECUTOR'S OFFICE AND TRINITAS MEDICAL

**CENTER:** Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.



# TOWNSHIP OF WINFIELD RESOLUTION #23-50 COUNTY OF UNION, STATE OF NEW JERSEY MEMORANDUM OF UNDERSTANDING BETWEEN WINFIELD POLICE DEPARTMENT AND TRINITAS MEDICAL CENTER

**WHEREAS,** pursuant to N.J.S.A. 30:4-27.1, et seq and NJAC 10:31-1-.1 et seq, it is the policy of this State to provide for a public mental health system that delivers treatment consistent with a person's clinical condition, and that screening services be developed as the public mental health system's entry point in order to provide accessible crisis intervention and referral services to persons with mental illness clinically appropriate alternatives to inpatient care, and, when necessary, to provide means for involuntary commitment to treatment; and

**WHEREAS**, this MOU is intended to memorialize the relationship and delineate the responsibilities of the Parties in this cooperative joint effort; and

**WHEREAS**, law enforcement officers may request the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screenings; and

**WHEREAS,** the Parties agree that in the performance of the MOU and the Program, they will comply will all applicable federal, State, and local laws, statutes, and regulations, including all requirements of the Screening Law and Regulations and the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and

**WHEREAS,** Addendum Two was created to amend the existing Agreement and supplement Addendum One to include additional municipalities as participants in the pilot program as permitted by Paragraph 17 of that Agreement; and

**WHEREAS,** the Winfield Police Department is desirous of participating in the program pilot; and

### NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WINFIELD AS FOLLOW:

- The Township Committee authorizes the Winfield Chief of Police to take all actions reasonable and necessary in connection with all duties and obligations as authorized in the Memorandum of Agreement and herein.
- 2. This resolution shall take effect immediately.

	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on September 18, 2023.
MAYOR ADAM D. KOOMER			L				
COMM. JOSEPH P. BYRNE	$\perp$	L	L	L	L	L	Melanie Slowik, Acting Twp. Clerk
COMM. ROBERT F. REILLY							

**Resolution # 23-51 MOU BETWEEN THE UNION COUNTY PROSECUTOR'S OFFICE AND FLOCK GROUP, INC.:** Motion was made by Commissioner Byrne and Seconded by Commissioner Reilly, with all members present voting in the affirmative.



# TOWNSHIP OF WINFIELD RESOLUTION #23-51 COUNTY OF UNION, STATE OF NEW JERSEY MEMORANDUM OF UNDERSTANDING BETWEEN WINFIELD POLICE DEPARTMENT AND FLOCK GROUP, INC.

**WHEREAS,** the Winfield Township Police Department desires to access Flock's Group Inc's technology platform and Flock Safety dashboard for investigative purposes;

**WHEREAS,** Flock desires to share such supplemental data with the Township of Winfield pursuant to the terms and conditions listed within the MOU; and

**WHEREAS,** no financial commitment by the Winfield Township Police Department is required to access Flock's services; and

WHEREAS, this MOU will commence once executed by both parties and shall continue for a period of five (5) years; and

WHEREAS, prior to expiration of the Term, either party may terminate this MOU by providing thirty (30) days prior written notice of termination; and

### NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WINFIELD AS FOLLOW:

- The Township Committee authorizes the Winfield Chief of Police to take all actions reasonable and necessary in connection with all duties and obligations as authorized in the Memorandum of Agreement and herein.
- 2. This resolution shall take effect immediately.

	MOVED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	I hereby certify that the above Resolution was adopted by the Township Committee of the Township of Winfield at a meeting held on September 18, 2023.
MAYOR ADAM D. KOOMER							
COMM. JOSEPH P. BYRNE		L	L	L	L	L	Melanie Slowik, Acting Twp. Clerk
COMM. ROBERT F. REILLY							

#### > WVFD Volunteer Prospective Discussion

offered to get additional information from his attorney if needed.

Chief Dustin said candidate was on his way, sent him a text message. Mayor Koomer stated we will come back prior to end of meeting. Candidate showed up just before going to public forum.

Vincent Cannady – trying to be a Fireman & EMT. Twp has questions about the background check. PD did not recommend. Mayor Koomer, we passed an ordinance that relates to not accepting a candidate that the PD doesn't recommend. Chief Dustin stated he wanted to talk to Committee – case happened so long ago, was never found guilty, and what it was would be legal now. Township attorney will take a look into the ordinance. Candidate

#### CITIZEN'S FORUM:

(Trish Donahue) (Housing Manager) – Would like to know about Shared Services, and what have we done to cut back on cost services on SSA. What are costs and savings? (Mayor Koomer) we will research agreements. We have BOH – (Attorney Colicchio) suggested to do an OPRA request to be better served. (Ms. Donahue) no problem to complete. (Mayor Koomer) we are always looking for other ways to save money – have found other avenues that were more expensive. (Ms. Donahue) aske about cost savings to merge with courts – why are we outsourcing when the court doesn't want to handle certain cases. Why are we shifting to different townships. Does not help community when the cases are outsourced and why that happens. It does not benefit the community. (Attorney Colicchio) asked for further details on if a conflict with Judge, would need more details. The judiciary is independent from oversight of the mayor and committee. If they recluse themselves or not, it is entirely up to the judge.

- Time went over the 5 minutes, discussion was ended

(Trish Donahue) (resident) - Who is responsible for roads, sidewalks, etc. if township is going to continue then we (WMHC) want to take everything back and under that. You cannot do roads and if there is a defect, why would you bring in engineer and consultant to do roads; WMHC does not have a line item for, who will be responsible, because she will bring to the membership meeting in November. (Mayor Koomer) we are not pushing back, was told it was a pot hole. We were not aware it was a sinkhole. Once we found out it was a sinkhole, we let WMHC know. Agreement states that Housing is responsible and lists the details. Twp sent a copy of the agreement. Ordinance was sent back to us. Consulted with attorney and responded to it. Simple agreement with WMHC and Twp, - it is MH responsibility. Ordinance states same. We do have the agreement. (Ms. Donahue) What about dedication? (Attorney Colicchio) Mayor gave the position of the TWP. Made a comment, asked a question, was responded to. Possibly further meetings to be had. But this is the Township's position.

- Time has reached 5 minutes

(John Diorio)(resident/WMHC Board Member) – Has there ever been any resolution or ordinance to overturn agreement? Has ever been a time when TWP paves road? (Mayor Koomer) there has been no change. It stands. No agreement between the two that would affect this agreement. (Commissioner Reilly) Grant from State of NJ for road repairs is applied for by Twp. No line item in budget for road services or repairs. (Mr. Diorio) If something happens to the road tomorrow, a big truck tears up road. (Commissioner Reilly) Twp cannot repair – what would cause him to tear up road? We do not have a budget for roads. This would then be an insurance matter on the person who destroys road.

(Chief Dustin)- Can we allow any longer than 5 minutes? (Attorney Colicchio) 5 minutes is what time frame is allowed for Winfield Twp.

(Robin Kluse)(resident)- People from Pacific received a letter about garbage. Have several neighbors that leave garbage out on the curb without a can. Why were they singled out. (Commissioner Reilly) we received numerous complaints on that street. We did not target entire town, sent a letter for units in that area telling people to use garbage can. (Clerk Slowik) BOH is looking into seeing if they can drive around, but would need to catch residents putting garbage at curb.

(Chief Dustin) Black bags? (Commissioner Reilly) all to go in garbage cans.

Mayor Koomer, suggested a meeting with Board of Trustees and Commissioners.

**ADJOURNMENT:** There being nothing further to come before the Township Committee, Mayor Koomer called for a motion to adjourn; Roll call vote, unanimous, affirmative.

TIME: 7:46 p.m.

Respectfully submitted

Melanie Slowik Acting Township Clerk