

**REGULAR COUNCIL MEETING  
BOROUGH OF WOODBURY HEIGHTS,  
500 ELM AVENUE, WOODBURY HEIGHTS, NJ 08097  
APRIL 21, 2021 7:30 P.M.**

Members of the public can make public comment by audio or by audio and video during the remote public meeting. In advance of the remote public meeting, the public may submit public comment by electronic mail to the Borough Clerk ([janetpz@bwhnj.com](mailto:janetpz@bwhnj.com)) or by written form to the Municipal Building, 500 Elm Avenue, Woodbury Heights, NJ by April 19, 2021.

**TO JOIN THE ELECTRONIC MEETING FROM A LANDLINE OR MOBILE PHONE TOLL FREE TELEPHONE#: 1(877) 853-5257 Meeting ID: 85052574708 Passcode: 849031**

Mayor William C. Packer called the meeting to order with the following note: Adequate notice of this meeting has been provided by adopting a schedule of meetings for 2021 which was emailed to the South Jersey Times and Courier Post on January 6, 2021, faxed on January 15, 2021 and posted on the bulletin board in the Municipal Building conforming to the directives of the "Open Public Meetings Act". Adequate notice was also posted on the Borough of Woodbury Heights website ([www.bwhnj.com](http://www.bwhnj.com)). Adequate notice of electronic meeting was published in the South Jersey Times on April 8, 2020, and was posted on the Borough of Woodbury Heights website ([www.bwhnj.com](http://www.bwhnj.com)) conforming to the directives of the Governor's Executive Order 107.

Mayor Packer led everyone in the Pledge of Allegiance.

**ROLL CALL:** The call of roll showed the following to be present: Councilman Joseph Getsinger, Councilman Robert Morison, Councilman Harold "Hap" Pye, Councilwoman Cara Witasick, Councilman Richard Gambale and Councilman Jeffrey Pitzo. Also in attendance were Borough Solicitor Brian Lozuke, Borough Engineer Mark Brunermer, Borough Planner Tiffany Morrissey and Janet Pizzi, Clerk/Administrator.

A motion to approve the minutes of the Regular Council Meeting March 17, 2021 was made by Councilman Pye and seconded by Councilman Gambale. A roll call vote in favor was unanimous. The minutes were approved.

Mayor Packer turned the meeting over to Brian Lozuke and Tiffany Morrissey for a presentation pertaining to the New Jersey Regulatory Enforcement Assistance, and Marketplace Modernization Act, which legalizes the retail and personal use of the sale of cannabis. Solicitor Lozuke stated there are (6) licenses available, and noted the only one that cannot be regulated by the Municipality is Class 6-Delivery:

<b>Class 1 License:</b>	<b>Cannabis Cultivator (growing cannabis)</b>
<b>Class 2 License:</b>	<b>Cannabis Manufacturer (preparing and packaging)</b>
<b>Class 3 License</b>	<b>Cannabis Wholesaler (selling to other wholesalers and retailers)</b>
<b>Class 4 License</b>	<b>Cannabis Distributor (selling between cultivators/establishments)</b>
<b>Class 5 License</b>	<b>Cannabis Retailer (selling to retail customers)</b>
<b>Class 6 License</b>	<b>Cannabis Delivery (delivery from retailers to retail customers)</b>

Tiffany Morrissey stated that if the Municipality opts to do nothing by August 22, 2021, then they must permit the land uses, such as cultivating, manufacturing, and distributing in any industrial zone, and they must permit retail sales in any zones that permit retail sales. The municipality cannot change regulations for 5 years. Her recommendation is to adopt an ordinance, as of now, to prohibit the land uses throughout the municipality. This will allow the municipality time to go back, make changes, and evaluate fully, once the state sets the regulations. Councilwoman Witasick asked if CBD oil is the same, and Mrs. Morrissey stated no, it is protected because it does not contain THC. Councilman Pye stated he agrees with Mrs. Morrissey's recommendation. The only license which cannot be changed is the delivery license. Councilman Morison asked the Solicitor if there any legal ramifications if the Borough makes a complete denial. Solicitor Lozuke stated there will be no legal exposure because the law allows, within a certain window, the ability to "Opt-Out" and also stated that Mrs. Morrissey's recommendation is the prudent way to proceed. Mayor Packer asked Council if there were any objections to having Mrs. Morrissey and Solicitor Lozuke draft an ordinance for Council's consideration to opt out, and upon hearing none, it was authorized.

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**CLERK'S REPORT:** The Clerk stated that the Financial Disclosure Statements due date has been extended and advised everyone to be on the look-out for the Local Finance Notice. Mayor Packer stated that this was the Clerk's last report, and last meeting, and presented her with a Proclamation honoring her 25 years of service to the Borough of Woodbury Heights. Mayor Packer read a letter from former Mayor Robbie Conley. Former Mayor Harry Elton, members of Council, and members of the public thanked the Clerk for her years of service. Mayor Packer announced that later in the evening Shannon Elton will be appointed Acting Municipal Clerk and Vikki Holmstrom will be appointed as Temporary Administrator.

**PUBLIC PORTION:** Mayor Packer opened the public portion for questions or comments:

On behalf of the Fire Department, Charlie Crompton thanked the Mayor for supporting the fire department hoagie sale.

9/11 Committee Members Julianne Thurber and Robert Torrissi, gave a brief update on the status of the installation of the 9/11 Memorial, which will be completed in time for the 20<sup>th</sup> anniversary of 9/11. Mrs. Thurber asked why the Borough cannot give deposits to vendors and the CFO explained to her, that with certain exceptions, it is against New Jersey Purchasing Laws. Discussion ensued.

Jessica Cross, Cherry Avenue, asked about the steps to be taken to reopen the Community Center. Discussion ensued.

Hilda Ferrante, Lake Association, asked if there will be a fishing derby this year and Councilman Morison replied that, due to regulations, at this point, it is unknown.

Upon hearing no additional comments, a motion to close the public portion of the meeting was made by Councilman Pye and seconded by Councilman Gambale. All of Council agreed. Motion carried.

**ENGINEERS REPORT:** Mr. Brunermer provided an update on the Fordham Road Project. Mr. Brunermer stated that field work at Veterans Memorial Park is complete, and as it appears, flag poles and everything else are within the West Jersey ROW. However, over by the Christmas tree, a couple of feet of the sidewalk that wraps around the back of the tree falls within the Conrail ROW. The survey should be complete within the next few weeks.

Mayor Packer stated that he received a second complaint of ground water percolation on Park Avenue. Discussion ensued.

**SOLICITOR'S REPORT**

**ORDINANCES  
FINAL READING/PUBLIC HEARING**

**ORDINANCE 3-2021**

**ORDINANCE ESTABLISHING SALARIES AND COMPENSATION OF VARIOUS BOROUGH OFFICERS AND EMPLOYEES OF THE BOROUGH OF WOODBURY HEIGHTS FOR THE CALENDAR YEAR 2021**

Solicitor Lozuke read Ordinance 3-2021 by title only. Mayor Packer opened the public hearing for this ordinance, and upon hearing no questions or comments, a motion to close the public hearing was made by Councilman Morison and seconded by Councilwoman Witasick. All of Council agreed. Motion carried. A motion to adopt Ordinance 3-2021 was made by Councilwoman Witasick and seconded by Councilman Getsinger. A roll call vote in favor was unanimous. Ordinance 3-2021 was approved.

**ORDINANCE 4-2021**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Solicitor Lozuke read Ordinance 4-2021 by title only. Mayor Packer opened the public hearing for this ordinance, and upon hearing no questions or comments, a motion to close the public hearing was made by Councilman Pye and seconded by Councilman Pitzo. All of Council agreed. Motion carried. A motion to adopt Ordinance 4-2021 was made by Councilwoman Witasick and seconded by Councilman Gambale. A roll call vote in favor was unanimous. Ordinance 4-2021 was approved.

ORDINANCES (CONTINUED)

**ORDINANCE 5-2021**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 101, SECTIONS 101-1 AND 101-2 (A) OF WOODBURY HEIGHTS CODE ENTITLED "SHARED SERVICES" AND "CONSTRUCTION FEES," RESPECTIVELY**

Solicitor Lozuke read Ordinance 5-2021 by title only. Mayor Packer opened the public hearing for this ordinance, and upon hearing no questions or comments, a motion to close the public hearing was made by Councilman Morison and seconded by Councilwoman Witasick. All of Council agreed. Motion carried. A motion to adopt Ordinance 5-2021 was made by Councilman Gambale and seconded by Councilman Getsinger. A roll call vote in favor was unanimous. Ordinance 5-2021 was approved.

**ORDINANCE 6-2021**

**AN ORDINANCE APPROPRIATING THE SUM OF \$25,000 TO BE USED FOR IMPROVEMENTS TO MUNICIPAL OWNED PARKS OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

Solicitor Lozuke read Ordinance 6-2021 by title only. Mayor Packer opened the public hearing for this ordinance, and upon hearing no questions or comments, a motion to close the public hearing was made by Councilman Pye and seconded by Councilwoman Witasick. All of Council agreed. Motion carried. A motion to adopt Ordinance 6-2021 was made by Councilman Gambale and seconded by Councilman Getsinger. A roll call vote in favor was unanimous. Ordinance 6-2021 was approved.

**FIRST READING/INTRODUCTION**

**ORDINANCE 7-2021**

**AN ORDINANCE APPROPRIATING THE SUM OF \$ 25,000 TO BE USED FOR THE ACQUISITION OF VARIOUS PUBLIC SAFETY EQUIPMENT WITHIN THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

Solicitor Lozuke read Ordinance 7-2021 by title only. A motion to approve this ordinance on first reading/introduction was made by Councilman Getsinger and seconded by Councilman Pye. A roll call vote in favor was unanimous. Ordinance 7-2021 was approved on introduction.

**RESOLUTIONS**

**2021 MUNICIPAL BUDGET**

**RESOLUTION 53-2021: RESOLUTION TO READ BUDGET BY TITLE ONLY**

Solicitor Lozuke read Resolution 53-2021 by title only. A motion to adopt this resolution was made by Councilwoman Witasick and seconded by Councilman Pye. A roll call vote in favor was unanimous. Resolution 53-2021 was approved.

**RESOLUTION 54-2021: SELF-EXAMINATION OF BUDGET RESOLUTION**

Solicitor Lozuke read Resolution 54-2021 by title only. A motion to adopt this resolution was made by Councilman Getsinger and seconded by Councilman Pye. A roll call vote in favor was unanimous. Resolution 54-2021 was approved.

**PUBLIC HEARING OF THE 2021 MUNICIPAL BUDGET:** A motion to open the public hearing of the 2021 Municipal Budget was made by Councilwoman Witasick and seconded by Councilman Getsinger. All of Council agreed. Motion carried. Upon hearing no questions or comments from the public, a motion to close the public hearing was made by Councilman Pye and seconded by Councilman Gambale. All of Council agreed. Motion carried.

**RESOLUTION 55-2021: ADOPTION OF THE 2021 MUNICIPAL BUDGET**

Solicitor Lozuke read Resolution 55-2021 by title only. Vikki Holmstrom, CMFO, provided a brief overview of the 2021 Municipal Budget. A motion to adopt Resolution 55-2021 was made by Councilman Getsinger and seconded by Councilman Gambale. A roll call vote in favor was unanimous. Resolution 55-2021 was approved.

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**By Consent Agenda, a motion to approve Resolution 56-2021 through and inclusive of Resolution 69-2021 was made by Councilman Getsinger and seconded by Councilwoman Witasick. A roll call vote in favor was unanimous. The Resolutions were approved.**

**RESOLUTION 56-2021  
GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE  
JULY 1, 2021 –JUNE 30, 2022**

**RESOLUTION 57-2021  
RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN  
THE BUDGET OF THE BOROUGH OF WOODBURY HEIGHTS PURSUANT TO N.J.S. 40A:4-  
87 (CHAPTER 159, P.L. 1948)**

**RESOLUTION 58-2021  
RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT**

**RESOLUTION 59-2021  
RESOLUTION APPOINTING ACTING MUNICIPAL CLERK**

**RESOLUTION 60-2021  
RESOLUTION APPOINTING CLAIMS COORDINATOR FOR THE GLOUCESTER, SALEM,  
CUMBERLAND COUNTIES MUNICIPAL JOINT INSURANCE FUND IN THE BOROUGH OF  
WOODBURY HEIGHTS**

**RESOLUTION 61-2021  
RESOLUTION APPOINTING PUBLIC AGENCY COMPLIANCE OFFICER PURSUANT TO  
PUBLIC LAWS, 1975, CHAPTER 127**

**RESOLUTION 62-2021  
RESOLUTION APPOINT DEPUTY TREASURER**

**RESOLUTION 63-2021  
RESOLUTION CONFIRMING NEW APPOINTMENT OF TEMPORARY BOROUGH  
ADMINISTRATOR**

**RESOLUTION 64-2021  
CASH MANAGEMENT PLAN**

**RESOLUTION 65 -2021  
A RESOLUTION EXEMPTING TAXES FOR DISABLED VETERAN AND REFUNDING  
OVERPAYMENT**

**RESOLUTION 66-2021  
RESOLUTION AUTHORIZING THE PURCHASE OF A CONTAINMENT FILL STATION  
WITH CASCADE CONTROL PANEL INCLUDING THE TRADE IN OF A COMPRESSED AIR  
CASCADE SYTEM PURSUANT TO N.J.S.A. 40A:11-36**

**RESOLUTION 67-2021  
RESOLUTION AUTHORIZING PARTIAL PAYMENT NO. 2 FOR THE FORDHAM ROAD  
ROADWAY IMPROVEMENTS PROJECT**

**RESOLUTION 68-2021  
RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE  
WOODBURY HEIGHTS POLICE ASSOCIATION AND PBA LOCAL #122**

**RESOLUTION 69-2021  
RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH  
LOCAL #3858-A OF THE AMERICAN FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES, NEW JERSEY DISTRICT COUNCIL 63**

**BILL LIST: A motion to approve the bill list as presented this evening was made by Councilwoman Witasick and seconded by Councilman Gambale. A roll call vote in favor was unanimous. The bill list was approved.**

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**Councilman Pye stated he will be calling a committee meeting to discuss the future of the Borough trash service. Councilwoman Witasick commented that Council needs to make changes for the benefit of the town.**

**Councilman Gambale noted that the Woodbury Heights sign on West Jersey and Elm Avenues looks great and thanked Public Works.**

**Chief Moline commented that he worked with Councilman Getsinger and Mark Brunermer to get speed enforcement signs in place to reduce the speed on Elm Avenue. Training is beginning to open up again for the officers.**

**Councilman Morison stated that hydrant flushing will begin the first week of May. Ryan Wells is working with the Boy Scouts to repaint the hydrants in town.**

**Councilman Pitzo commented that with COVID regulations in place, the field clean up was a success this year.**

**PUBLIC PORTION: Mayor Packer opened the public portion for questions or comments.**

**Julianne Thurber, 9/11 Committee thanked Mayor and Council for helping with the 9/11 Memorial Park. The Memorial will be ready in time for the 20<sup>th</sup> Anniversary of 9/11**

**Robert Torrissi, 9/11 Committee thanked the Director of Public Works for all of his assistance.**

**Hearing no additional comments from the public, a motion to close the public portion was made by Councilman Getsinger and seconded by Councilwoman Witasick. All of Council agreed. Motion carried.**

**ADJOURNMENT: With no further business at hand, a motion to adjourn was made by Councilman Pye and seconded by Councilwoman Witasick. All of Council agreed. Motion carried.**

**Respectfully submitted,**

**Janet Pizzi, Clerk/Administrator**