

**GREENWICH TOWNSHIP
MINUTES OF THE TOWNSHIP COMMITTEE MEETING
JULY 21, 2020
7:30 p.m.**

Mayor Reinhart called the virtual meeting to order stating “adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the South Jersey Times on January 6, 2020.”

Roll Call: Mayor Reinhart, Committeeman Werley and Deputy Mayor Orr were present. Also present were Lisa Garrison, Clerk; Thomas Seeley, Solicitor and Kim Fleetwood, CFO/Treasurer

Flag Salute: Mayor Reinhart

Approval of Minutes: On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the minutes of June 16, 2020, unanimously carried.

Public Hearing

On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to open the public hearing. On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to close the public hearing. On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to adopt the following ordinance, unanimously carried upon roll.

ORDINANCE NO. 50-2020

AN ORDINANCE AMENDING PREVIOUS ORDINANCES AUTHORIZING PARTICIPATION IN THE JOINT MUNICIPAL COURT KNOWN AS THE CUMBERLAND-SALEM REGIONAL MUNICIPAL COURT AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR THE OPERATION OF A JOINT MUNICIPAL COURT BETWEEN THE TOWNSHIP OF DEERFIELD TOWNSHIP OF DOWNE, TOWNSHIP OF GREENWICH, TOWNSHIP OF HOPEWELL, TOWNSHIP OF LAWRENCE, TOWNSHIP OF PITTSGROVE, BOROUGH OF SHILOH, TOWNSHIP OF STOW CREEK AND TOWNSHIP OF UPPER DEERFIELD

WHEREAS, Greenwich Township did previously adopt an Ordinance authorizing the participation in the Joint Municipal Court (hereinafter “Joint Municipal Court”) by the Township of Deerfield, Township of Greenwich, Township of Hopewell, Township of Lawrence, Township of Pittsgrove, Borough of Shiloh, Township of Stow Creek and Township of Upper Deerfield (hereinafter the “Participating Municipalities”); and

WHEREAS, in furtherance of the establishment of the Joint Municipal Court, the Participating Municipalities entered into an Agreement for the Operation of the Joint Municipal Court dated January 9, 2012; and

WHEREAS, the Joint Municipal Court has become known as the “CS Regional Municipal Court”; and

WHEREAS, pursuant to the January 9, 2012 Agreement between the Participating Municipalities, the CS Regional Municipal Court Committee was established; and

WHEREAS, in 2015, the Township of Greenwich adopted an amending Ordinance authorizing the participation of Downe Township in the CS Regional Municipal Court; and

WHEREAS, in furtherance of the establishment of the CS Regional Municipal Court , the participating municipalities entered into an Agreement authorizing the participation of Downe Township in the operation of the CS Regional Municipal Court dated July 1, 2015; and

WHEREAS, Commercial Township has requested to become a participant in the CS Regional Municipal Court; and

WHEREAS, the CS Regional Municipal Court Committee has reviewed the request from Commercial Township; and recommended to the participating municipalities that Commercial Township be admitted as a participant to the CS Regional Municipal Court; and

WHEREAS, the Township Committee of Greenwich Township has determined to admit Commercial Township as a Participating Municipality in the CS Regional Municipal Court and to take the action necessary to amend the existing CS Regional Municipal Court Agreement dated January 9, 2012 and the amended agreement dated July 1, 2015.

NOW, THEREFORE, be it ordained by the Township Committee of the Township of Greenwich as follows:

1. Previous ordinances adopted in 2011 and 2015 be and the same are hereby amended to authorize participation by Commercial Township in the Joint Municipal Court known as CS Regional Municipal Court.
2. The Participating Municipalities, following the adoption of this Amendment to Ordinance No. _____, will be Commercial Township, Downe Township, Township of Deerfield, Township of Greenwich, Township of Hopewell, Township of Lawrence, Township of Pittsgrove, Borough of Shiloh, Township of Stow Creek and Township of Upper Deerfield.
3. The terms and conditions associated with the admission of Commercial Township to the CS Regional Municipal Court are that Commercial Township shall agree to be bound by the

terms and conditions of the January 9, 2012 Agreement and further that it shall remain a member of the CS Regional Municipal Court for a period of not less than three (3) years from July 1, 2020, (the "Effective Date") of the Amendment to the Joint Municipal Court Agreement and shall have no right to withdraw prior to the expiration of three (3) years from the Effective Date.

4. The Greenwich Township Mayor and Clerk are hereby authorized to execute an Amendment to the Joint Municipal Court Agreement to permit the participation by Commercial Township and to amend that Agreement to provide that Commercial Township's participation shall be for a period of not less than three (3) years from the Effective Date of July 1, 2020.
5. This Amended Ordinance shall be conditioned upon, and shall not take effect unless and until all Participating Municipalities adopt an Ordinance authorizing participation in the CS Regional Municipal Court by Commercial Township and further authorizing and joining in the Amendment to the Joint Municipal Court Agreement dated January 9, 2012 and the amended agreement dated July 1, 2015.

Resolutions:

RESOLUTION NO. 7-29-2020

**RESOLUTION DECLARING GREENWICH TOWNSHIP A SECOND AMENDMENT
TOWNSHIP**

WHEREAS, the Constitution of the United States of America is the supreme law of our nation,
and

WHEREAS, the Second Amendment of the Constitution states, "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.", and

WHEREAS, the U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed that the Second Amendment right to keep and bear arms is not connected in any way to the service of the militia, and

WHEREAS, the U.S. Supreme Court in the United States v. Miller, 307 U.S. 174 (1939) stated firearms that are part of ordinary military use (weapons of common use) that can contribute to the common defense and are protected by the Second Amendment, and

WHEREAS, there are an estimated 12 million Americans who lawfully carry concealed firearms,
and

WHEREAS, abridging the rights of lawful gun owners does not reduce the criminal use of firearms by violent offenders, and

WHEREAS, New Jersey Second Amendment Society and Mark Cheeseman v. Christopher S. Porrino U.S. District Court 3rd, stated "The Second Amendment extends, prima facie to all instruments that constitute bearable arms, even those not in existence at the time of the founding.", and

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WHEREAS, New Jersey Attorney General Burton Sills, who “close[ly] participated[ed] in the drafting and presentation of the [1966] Gun Control Law,” and whose views New Jersey has relied upon to decide close interpretive questions concerning that legislation. See *Service Armament Co. v. Hyland*, 362 A.2d 13, 18, 70 N.J. 550, 560 (1976). In the lead-up to the 1966 Gun Control Law, Attorney General Sills had publicly explained that there was presently “no law against walking down the street with a weapon in your hand or on your body so long as it isn’t concealed,” and that individuals without concealed-carry permits were free to carry guns “in plain view”, and

WHEREAS, in the A-165 Debates of 1966, Attorney General Sills explained that under the new law, “standards are set forth to determine if the issuance of a permit to ... carry a pistol or revolver would be in the interest of public health, safety or welfare,” and “(f)or those who wish to carry a pistol or revolver, permits will be required as they are under present New Jersey law, and

WHEREAS, violations of existing laws, statutes and regulations are already criminal offenses, many being felonies, and

WHEREAS, gun control laws, including a plethora of current proposed legislation, are not evidence-based, and

WHEREAS, New Jersey’s Gun Control Law is highly purposed and conscientiously designed toward preventing criminal and other unfit elements from acquiring firearms while enabling the fit elements of society to obtain them with minimal burdens and inconveniences.” [*Burton v. Sills* 53 N.J. 86 (1968) 248 A.2d 521 at 105.], and

WHEREAS, a law abiding citizen of the State of New Jersey who possess a N.J. Firearms Purchaser Identification Card has met the burden of proof to be a law-abiding citizen and is immune from further legislation and laws that are in violation of the Constitution of the Unites States of America.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich, County of Cumberland and State of New Jersey as follows:

The Township Committee declares the Township of Greenwich to be a 2nd Amendment / Lawful Gun Owner Township as defined herein:

a. The Township Committee supports the rights of lawful gun owners to lawfully use firearms; to defend themselves, their loved ones and other innocents; to lawfully hunt to provide sustenance for their families; and to lawfully participate in shooting sports up to and including Olympic sports.

b. The Township Committee opposed further interference with, or abridging of, the rights of lawful gun owners.

c. The Township Committee opposes gun control, “gun safety” legislation, or “red flag laws”, State, Federal or local. Agenda No. XI 26, Page 2 of 2.

d. The Township Committee espouses holding accountable the violent criminal offenders, rather than irrational and/or disproven attempts to control lawful tools of self-defense, hunting and sport.

e. The Township of Greenwich recognizes said Township is not immune from past, present or future laws and/or legislation passed by the N.J. Legislature regarding State and local firearm laws or

statutes. Therefore, all residents of Greenwich Township can be prosecuted for ignoring or breaking present State laws in force.

On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to approve the foregoing resolution, unanimously carried.

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the following resolution, unanimously carried.

RESOLUTION NO. 7-30-2020

AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF GREENWICH AND THE TOWNSHIP OF HOPEWELL FOR ASSISTANT TAX ASSESSOR SERVICES

WHEREAS, the Township Committee of the Township of Greenwich wishes to enter into a Shared Services Agreement with the Township of Hopewell to share services and reduce costs by working together to provide assistant tax assessor services for the Township of Greenwich; and

WHEREAS, by entering into the Agreement, Hopewell Township and Greenwich Township agree that the shared use of the aforementioned services benefits each public entity equally; and

WHEREAS, Greenwich Township shall pay Hopewell Township for the provision of Assistant Tax Assessor services as defined in the Shared Services Agreement; and

WHEREAS, all contractual provisions have been negotiated in the aforementioned Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes and empowers Greenwich Township and Hopewell Township to enter into this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich, that the Mayor and Township Clerk be and are hereby authorized to execute this Shared Services Agreement with the Township of Hopewell.

RESOLUTION NO. 7-31-2020

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WIBLE DRIVE RESURFACING.

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Greenwich formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the (Mayor/Committee) and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Wible Drive Resurfacing-00124 to the New Jersey Department of Transportation on behalf of the Township of Greenwich.

BE IT FURTHER RESOLVED that Mayor/Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Greenwich and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the foregoing resolution, unanimously carried.

Unfinished Business:

Flag Pole - The Committee discussed the purchase of a flag pole for the fire department. Prices would be obtained and determined if it is in this year's budget.

Fire House Doors - Mayor Reinhart will have quotes for the next meeting.

New Business:

Mayor Reinhart indicated the Fire Department is requesting to purchase a used vehicle from the City of Bridgeton. Mr. Seeley indicated he had spoken with the auditor and it was recommended the Township purchase the truck through an ordinance and the fire company will reimburse the Township. After review and discussion, on motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the following proposed ordinance with the public hearing to be held on August 18, 2020, unanimously carried upon roll call vote. Ayes: Orr, Werley, Reinhart, Nays: None Abstain: None

PROPOSED ORDINANCE NO. 51-2020

AN ORDINANCE OF THE TOWNSHIP OF GREENWICH, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A USED 2006 FORD-350 TRUCK IN THE AMOUNT OF \$18,500 INCLUDING THE APPROPRIATION OF \$18,500 FROM THE CAPITAL IMPROVEMENT FUND FOR THE AFORESAID PURPOSE

BE IT ORDAINED by the Mayor and Township Committee of the Township of Greenwich, County of Cumberland, State of New Jersey (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. The Township Committee hereby authorizes for the purpose set forth in Section 3 of this ordinance an appropriation in the amount of \$18,500.

Section 2. For the financing of the cost of said purpose, the Township Committee has received approval of an allotment in the amount of \$18,500 from the Capital Improvement Fund available therefore by virtue of provision in a budget or budgets of the Township previously adopted.

Section 3. The purpose herein referred to and hereby authorized is as follows:

Purchase of a 2006 Used Ford-350 Truck	\$ 18,500
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Section 4. It is hereby found, determined and declared that:

- (a) The purpose described in Section 3 hereof is not a current expense and is an improvement which

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the Township of Greenwich may lawfully make as a general improvement, and no part of the costs thereof has been or shall be specifically assessed on property specifically benefited hereby.

(b) The average period of usefulness of the purpose for which the obligations authorized by this ordinance are to be used is 5 years.

(c) The aggregate amount included in the estimated cost of the improvements or purposes for the payment of interest on such obligations, accounting, engineering and inspection costs, legal expenses, architect's fees, cost of authorizing, selling and issuing obligations, preliminary planning, test and survey expenses, and a reasonable proportion of the compensation and expenses of employees of the Township of Greenwich in connection with the construction or acquisition of such improvements or property shall not exceed \$1,000.

(d) No debt is authorized by this ordinance.

Section 5. This ordinance shall take effect twenty days after the first publication thereof after final passage as provided by law.

ABC Renewal - Ms. Garrison indicated the State has extended the renewal of licenses until September 30th to assist those businesses that have not been able to be open. If not renewed by the end of September the applicant must apply with the State for an interim permit. Discussion ensued and the Committee concurred. Ms. Garrison indicated she would send a letter to the licensee advising of the deadline extension.

2019 Audit - The 2019 audit has been disbursed. The affidavit is in the office for the governing body's signature. Ms. Garrison indicated she will place the 2019 Audit on the next agenda for the Committee's approval.

Vacation Wurtzle Lane - Mayor Reinhart indicated he had spoken with Mr. Marks who had an interest in vacating Wurtzle Lane. Discussion was held as to the procedure required to vacate the road. The Committee did not authorize the expenditure.

Solicitor's Report: The Solicitor reviewed his written report.

Committee Comments: Committeeman Werley reported he has been attending the COVID19 meetings and was forwarding information to the Fire Department. The Committee extended a welcome to Mr. Seeley as the new solicitor.

Payment of Bills:

After review and discussion on motion by Deputy Mayor Orr, seconded by Committeeman Werley to approve the bill list in the amount of **\$555,812.71**, unanimously carried.

Public Comment:

On motion by Mayor Reinhart, seconded by Deputy Mayor Orr and unanimously carried the public comment was opened. Mr. Carluzzo indicated the agenda was not posted. Ms. Garrison indicated it was forwarded to be posted on Sunday. Upon checking the website Ms. Garrison advised Mr. Carluzzo it was posted on the website. Mr. Carluzzo welcomed Mr. Seeley and questioned if Wurtzle Lane was vacated would the owner be responsible for reimbursing the Township on the recent expenditure on the repair.

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Mr. Carluzzo further indicated there is a No Trespassing Private Property sign posted at the road. Mr. Seeley indicated the Township was not at this time close to vacating the road to discuss reimbursement of the expenditure. There being no comment forthcoming, on motion by Deputy Mayor Orr, seconded by Committeeman Werley to close the public comment, unanimously carried.

Adjournment. A motion to adjourn was made by Deputy Mayor Orr, seconded by Committeeman Werley and unanimously approved.

Respectfully Submitted,

Lisa Garrison
Borough Clerk