OLDMANS TOWNSHIP

Regular Meeting Minutes

May 12, 2021

The regular monthly meeting of the Oldmans Township Committee was held on May 12 2021. Meeting was called to order by Mayor Bradford at 7:00 pm. This meeting was held in compliance with the Sunshine Law. All joined in the Pledge of Allegiance.

Approval of Minutes: April 14, 2021 Regular Meeting

 April 14, 2021 Executive Meeting

Mr. Sparks made a motion to approve, Mr. Musumeci seconded and all agreed.

FINANCE OFFICE:

**Ordinance 2021-01** Establishing a Cap Bank for 2021

State allows the municipal budget to increase by 1.0%. A cap allows a budget increase of 2.5%, if needed. Don’t have to use the full 3.5%. Funds can be banked up to two years.

**Public Hearing** No comment

**Resolution 2021-67** Final Adoption of Ordinance 2021-01

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

**Resolution 2021-76** Self-Exam of 2021 Municipal Budget

State permits municipalities to conduct a self-exam for two years. On the third year the budget must be submitted to the State for review. Oldmans Township has met the criteria for self-examination.

 Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

**Resolution 2021-77** Budget Hearing By Title Only

The budget is allowed to be adopted by title only since it was advertised in the South Jersey Times as well as being available at the Clerk’s office.

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

**Public Hearing** 2021 Municipal Budget

Matthew Cassidy What is the largest component of the budget in regard to the local purpose tax?

Diane Bowman 25% employee costs and 43% operating budget expenses. 2021 budget is $1,968,326. The local purpose tax is .169%.

**Resolution 2021-68** Adoption of 2021 Municipal Budget

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

**Ordinance 2021-02** Amending Chapter 42 of the Oldmans Township Code, Establishing the Salaries and Compensation of Various Officers and Employees of the Township of Oldmans for the Year 2021

There is no longer an interim tax collector as the current tax collector passed her exam and moved up into the tax collector position.

**Public Hearing** No comment

**Resolution 2021-69** Final Adoption of Ordinance 2021-02

 Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

ADMINISTRATIVE:

**Ordinance 2021-03** Prohibiting the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Amending the Code of the Township of Oldmans Specifically: 110-7 of the Land Use Code of the Township of Oldmans, Entitled “Right to Farm;” 110-17 of the Land Use Code of the Township of Oldmans, Entitled “Village Residential District and Village Commercial District;” 110-18 of the Land Use Code of the Township of Oldmans, Entitled “Commercial District” and 110-20 of the Land Use Code of the Township of Oldmans, Entitled “Commercial/Industrial District”

**Public Hearing**

Frank Hoerst, Esquire He along with Co-counsel David Avandizi and Jack Collins, former speaker of the NJ Legislature, represent Terrapin out of Colorado. They are requesting that the Township Committee table Ordinance 2021-03 in order to allow them time to give more information to the Township Committee regarding the possibility of building a facility for medical cannabis. There are six classes of cannabis; they are asking for approval of all classes with the exception of Class #5. Based on the 2020 NJ Referendum regarding legalization of marijuana, Oldmans Township residents voted in favor of legalization.

Terrapin would build a 50,000-100,000 sq. ft. warehouse. State Statute will not allow a PILOT program so building will be fully taxed at 100% assessed value. Proposed property is on US Route 130 in Commercial/ Industrial district. Would employ 100 people with starting salary of $17.00/hour plus medical insurance. Salaried employees would start at $50,000.

Terrapin would operate under an “alternative care license” for medical marijuana. The company is very involved with Veterans, education by offering workshops and working with the local Votech and community college for potential training. Wants to be part of the community.

Medical marijuana is a legalized operation. Two percent (2.0%) of gross income would be given to Oldmans, estimated to be $1.2 million/year. Township would also receive tax ratable.

Niki Abittier, Esquire The State placed restrictions on the municipalities to decide what their comfort level is in relation to cannabis; have 180 days to pass an ordinance. Currently the ordinance does not permit any of the classes. While the referendum was passed, the State is behind in its legislative duties in establish rules and guidelines. A regulatory agency was very recently established after the legalization of marijuana became law. The Township Committee has indicated that they are open to amending the ordinance in the future based on how the State rolls out the regulations and guidelines. Too many unknowns at the State level.

Frank Hoerst Cannabis is considered to be a legal crop.

David Avadizini Regulations at the State level are currently being drafted. Terrapin would be an alternative treatment which is a medical regulated industry. The facility would be closed to the public. All deliveries would be done inside the building. There would be no dispensary in Oldmans.

They would like to share with the Committee more information in the future. Mr. Avadizini offered to work with the Township in tailoring the ordinance to allow them to operate. Approval via a municipal resolution would be needed for operations of a cannabis facility.

Matthew Cassidy Can the ordinance be amended to allow a cannabis operation in the commercial/industrial zone for medical purposes only?

Niki Arbittier The Committee has the option of denying cannabis within Oldmans Township, as the ordinance stands now, and amending in the future. Concerned about August State deadline.

Matthew Cassidy Thought the proposed site location was good.

Frank Hoerst They have already hired Boston Seeberger as their land engineer to begin the paperwork for approval.

Matthew Cassidy Inquired about the federal prohibition on marijuana. Since it is considered to be illegal at the federal level, no backing from the FDIC, funds can’t be deposited into banks and business is done on a cash only basis.

Jennifer Dohner What else would Terrapin offer besides the 2% of gross funds?

Frank Hoerst 100,000 sq.ft. building would be fully taxable as well as Terrapin having a history of community involvement.

Jennifer Dohner Why choose Oldmans?

Frank Hoerst Location for a wholesale business. Route 130 is good for transportation. Land cost in Salem County is reasonable.

David Avadizini Will be a job creator.

Niki Arbittier Township Committee took a conservative approach toward cannabis because the State rules are unknown.

Kevin Norton Does Terrapin grow cannabis and/or process it?

David Avadizini The Oldmans facility would be for growing; indoor planters on dirt, no outside operation.

Kevin Norton Security?

David Avadizini 24 hour armed security present. All security measures have to be approved by the State.

Kevin Norton DEA involved?

David Avadizini Not involved.

Kevin Norton FDA involved?

David Avadizini Federal government not involved. The State is the regulatory agency. Dosages are regulated.

Frank Hoerst The proposed location is 13.5 acres, next to CST pavers.

Public Hearing Closed to the Public

Ms. Arbittier stated that if the Township Committee wanted to make any changes to the Ordinance, they could be done at the June meeting.

**Resolution 2021-70** Final Adoption of Ordinance 2021-03

Anthony Musumeci made a motion to table the Ordinance, George Bradford seconded and all agreed.

A red-lined version of the proposed changes to the Ordinance will be sent to Ms. Arbittier for her review within one week.

**Ordinance 2021-04** Approving the Finance Agreement for Tax Exemption for Matrix Gateway Business Park East Urban Renewal Lot 66, LC for the Construction of an Industrial/Warehouse Project Located Within the Industrial Park Redevelopment Area (Also Known as Gateway Business Park

**Public Hearing**

Jennifer Dohner Why tax exemption?

Michael Raio, Tax Assessor He has been the Tax Assessor/Pilot Administrator to Oldmans for sixteen years. Company would still be paying a type of tax but the money goes directly to the Township.

Jennifer Dohner Pay less?

Michael Raio Without an abatement, no buildings would have been built.

Jennifer Dohner Does Camp Pedricktown have a PILOT program?

Michael Raio Area has been declared a redevelopment area so a PILOT is available.

Niki Arbittier Taxes would go to the Township. There are State regulations as to how the PILOT programs are structured.

Michael Raio 95% of the PILOT goes to the municipality.

Robert List How much money does the Township receive from PILOTS?

Michael Raio Payments are phased. This PILOT starts at $77,000/year and goes up to $1.1 million.

Justin Adams Did Berkowitz receive an abatement?

Michael Raio Received two abatements over the years – one initially when built and the other abatement when they built an addition. The PILOT expired in 2019.

Dean Sparks Concerned about deviating from five year PILOT program for small buildings. This is a small warehouse with an eleven (11) year PILOT. Cost to school for years 6-11.

Michael Raio The eleven year PILOT was rejected twice by Oldmans – once by him and once by the Township Committee. Matrix came back with a 40% increase and would now be paying more than any other PILOT. PILOT programs have or will expire on the following years: 2012, 2013, 2019, 2022, 2026, 2035, 2038 and 2039. Municipality goes from 95% of tax income down to less than 8.0%. The eleven year PILOT program is in the middle of the abatement roll off schedule.

Dean Sparks Would an eleven year PILOT set a precedent?

Nkik Arbittier State laws regulate the number of years allowed depending upon the project size.

Michael Raio If an area has been declared a Rehabilitation or Redevelopment Area, a PILOT program has to be offered. He represents the best interests of the tax payers. For two 5-year Abatements Township would receive $700,000; with this Abatement Township will receive $1,000,000.

Diane Bowman Oldmans Township is a financially sound municipality. The Township Committee has not had to take out any loans and the local purpose has remained flat.

Niki Arbittier The Township Committee is working within the land development laws and tax code.

Justin Adams How does the extra five years effect County/School? County tax goes up.

Michael Raio Currently the County receives more than the School. Six PILOTS have already expired so the County and School are already receiving extra money.

Matthew Cassidy Oldmans Township was designated as the “smart growth” area within Salem County due to its location. The County knew what this would entail.

Michael Raio With all long term PILOTS, 5% goes to the County. All PILOT properties pay full tax on the value of the land which is shared between the County, School and Township.

David Murphy How many pilots are five years or less?

Michael Raio All property owners within a Rehabilitation area had the right to apply for a longer term but some chose not to.

Robert List Concerned that this will set a precedent for other tenants.

Niki Arbittier Yes and no; Township Committee has to look at each property and must conform to State laws.

Kevin Norton Are there guidelines on how the PILOT money is used?

Dean Sparks Goes into the General Capital Fund.

Michael Raio Funds can be used for anything. Developers have attorneys, planers and engineers who don’t want to put out an illegal PILOT Agreement, the developer would be at risk.

Niki Arbittier The developer has to pay roll back taxes which goes to the County and School.

Michael Raio Tenants want security in what they pay for taxes so a long term PILOT is more desirable whereas an owner occupied buildings prefers a five year PILOT.

Justin Adams Would warehouses be built if there was no PILOT?

Michael Raio The PILOT is an incentive for the builders.

Niki Arbittier If Redevelopment Zone, it qualifies for PILOT program. Criteria needs to be met. The Dept. of Community Affairs also approves the Redevelopment Area. In order to obtain a PILOT program the land has to be approved as well as the finance side.

Michael Raio Owners have to submit to the Dept. of Community Affairs for redeveloper approval. Financial statements are audited by the State and Tax Assessor.

Dean Sparks Manfredi built without a PILOT.

Michael Raio Manfredi’s attorney contacted him last week requesting a PILOT for their building but the area is not in a Redevelopment Zone so doesn’t qualify.

David Murphy How does the expiration of a PILOT effect the budget?

Michael Raio That is part of the budgeting process. Right now the PILOTS are rolling off, not dropping off all at once.

Public Hearing Closed

**Resolution 2021-71** Final Adoption of Ordinance 2021-04

Anthony Musumeci made a motion to approve, George Bradford seconded and bot agreed. Dean Sparks voted no.

Public Park(s) within Oldmans Township – Received e-mail requesting consideration of establishing a municipal park. Currently there is the County playground with ball fields, play equipment, walking path and open space as well as the School playground with athletic fields, tennis court, basketball court, baseball and soccer fields and play equipment. Township would have to purchase land to develop a park. Mr. Bradford asked that the Committee review the e-mail and get back to him.

AUBURN WATER:

**Ordinance 2021-05** Bond Ordinance Authorizing Various Improvements to the Water Utility System – Auburn Water Well #2 – In and For the Township of Oldmans; Appropriating the Sum of $60,000; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Township of Oldmans in the Aggregate Principal Amount of up to $55,000; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing

Well number 2 casing needs to be replaced since there is an air leak. Must pull the assembly out and replace.

**Public Hearing** No comment.

**Resolution 2021-72** Final Adoption of Ordinance 2021-05

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

PLANNING BOARD:

**Ordinance 2021-06** Authorizing a Special Emergency Appropriation for the Preparation of a Master Plan

 Mr. Musumeci requested that the Ordinance be tabled in order to consider sending out a new RFP. The contract is old and would like to receive other bidders. The Township has not heard from the County Ag Board since it submitted the paperwork to the County for their approval. Oldmans is hoping to be included in the County Ag Development Area. Ms. Arbittier stated that the ordinance is authorizing the appropriation of funds. Ms. Bowman stated that the ordinance allows funds to be spent but doesn’t authorize who it’s spent on. The Municipality will pay 1/5 per year for the next five years. Ms. Arbittier stated that a new contract would have to be signed since most contracts are on an annual basis, but she will review the contract.

**Resolution 2021-73** Introduction of Ordinance 2020-06

Anthony Musumeci made a motion to table the ordinance, George Bradford seconded and both agreed. Dean Sparks voted no.

STREETS & ROADS:

**Resolution 2021-74** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Helen Avenue Resurfacing Project

 Mr. Sparks made a motion to approve, Mr. Musumeci seconded and all agreed.

**Resolution 2021-75** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for New Road Resurfacing Project

 Mr. Sparks made a motion to approve, Mr. Musumeci seconded and all agreed.

EMERGENCY SERVICES:

Auburn Volunteer Fire Company - Membership Application for Christopher Lach

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

PAYMENT OF BILLS: Mr. Sparks made a motion to approve, Mr. Musumeci seconded and all agreed.

Sgt. Shawn Kulik of the Woodstown Barracks, State Police introduced himself and answered questions from the audience. The State Police monitor postings on the Facebook website in order to be able to respond to problem traffic areas.

LIAISON REPORTS:

Dean Sparks Arts in Bloom will be held May 15th and 16th

 Tire Amnesty – collected 180 tires for a total cost of $1,072.50.

Jim Nipe Suggestions for next time:

 Cut back to four times rather than six.

 Tires need to be cleaned

 Rims off tires

 1st or 2nd week of April works best for timing

Dean Sparks School – budget passed. School taxes will go down.

 School nurse submitted her resignation; replacement needed.

 School will be holding an outdoor field day, outdoor 8th grade dance and outdoor picnic.

 MAPSA – summer camp will be a one (1) day virtual camp.

 He contacted Senator Sweeney’s office concerning warehouse sprawl. Legislation was introduced for more control by neighboring municipalities.

Anthony Musumeci Thanked Jim Nipe and Kenny Cole for working the tire amnesty.

 Met with John Crawford, County Engineer, about a blinking stop sign at the intersection of Pedricktown-Woodstown Rd. and Pennsville-Auburn.

 Also met with John Crawford and Jim McKelvie about the truck traffic through town and the causeway bridge. Still a work in progress to alleviate the truck traffic.

 Straughns Mill Road repaving – bids should be going out in June/July with the hope that construction will commence in the fall.

 Part of Perkintown Road will also be resurfaced.

George Bradford Tax Collection Rate 97.78%. Homestead benefits were released and applied to the second quarter tax bills. June 29th is the on-line tax sale.

 Chemours installed three test wells at Auburn Water – shallow, medium and deep, which will tested regularly.

 The County held a court meeting (Vicinage 15) with all municipalities. The County will be adding to the court house and wanted to know if any municipalities would be interested in a shared court service. The State is willing to pay for a study about municipal share court services.

PUBLIC COMMENT:

David Murphy Where are they paving on Perkintown Road?

Anthony Musumeci Route 295 to Straughns Mill.

David Murphy Intersection at Pedricktown-Woodstown Road and Pennsville-Auburn Road is dangerous with numerous accidents.

George Bradford Blinking stop signs could be installed similar to other intersection. The County would have to conduct a traffic study since both roads are County owned.

Jennifer Dohner Is there information available as to the number of accidents that occurred before the blinking light in comparison to now to see if the blinking stop sign works?

George Bradford Believes that it hasn’t stopped all accidents but has helped.

Niki Arbittier Would be considered a high traffic area. The State Police might be able to run some data for the past five years.

Arthur Maurizio Straughns Mill and Perkintown Road intersection in poor condition. Would like the Committee to deal with the truck traffic.

Anthony Musumeci John Crawford was out at the intersection, did he meet with Mr. Maurizio?

Arthur Maurizio Hasn’t met with Mr. Crawford.

Antony Musumeci Will follow up with Mr. Crawford.

Nancy Bond Concerned about tractor trailers coming through town and crossing the causeway bridge.

Anthony Musumeci They discussed with Salem County possible ways to deter truck traffic. Gloucester County is not cooperating.

Matthew Cassidy Thanked Sgt. Kuhlik for attending the meeting.

 N. Railroad has parking on both sides of street which is tight for traversing vehicles. Each house is supposed to have 2 car parking spaces but some lots only have spacing for one car.

 Roads are built with tax payer dollars. Laws are in place so that commerce between communities cannot be restricted.

Robert List Cherry Hill installed signs prohibiting truck through traffic.

Arthur Maurizio Wanted to know if “jake breaking” was illegal?

Sgt. Kulik Yes and no. County would have to install a sign prohibiting.

CLOSED TO PUBLIC

EXECUTIVE: **Resolution 2021-78** (9:50 pm)

Mr. Musumeci made a motion to approve, Mr. Sparks seconded and all agreed.

Contract Negotiations – Camp Pedricktown

Contract Negotiations – Old Elementary School

SUMMARY OF EXECUTIVE SESSION: (10:15 pm)

Camp Pedricktown – Ongoing negotiations regarding the proposed Sales Agreement.

Old Elementary School – Township will seek clarification of the title report.

There being no further business, on a motion from Mr. Musumeci, seconded by Mr. Bradford and agreed to by all, meeting was adjourned at 10:16 pm.

Respectfully Submitted,

Melinda Taylor
Municipal Clerk