

BOROUGH OF PITMAN
WORK SESSION MINUTES
APRIL 26, 2021

Call to Order

Time: 7:01 p.m.

Open Public Meetings Act Statement – Pursuant to the Open Public Meetings Act, I hereby announce that adequate notice of the time and date of this meeting was published in the South Jersey Times on January 7, 2021, posted on the Borough Hall front door, and advertised on the Borough of Pitman website continuously since January 7, 2021.

Roll Call

Council President Blass: Present
Councilwoman James: Present
Councilwoman Rudley: Present
Mayor Razzo: Present
Clerk O'Donnell: Present

Councilman Fitzpatrick: Present
Councilman Mazzola: Present
Councilman Weng: Present
Borough Solicitor Krachun: Present

Discussion

Motion to Open Discussion: James
Time: 7:01 p.m.

Second: Blass

Backyard Chicken Pilot Program/Proposed Ordinance

Councilman Fitzpatrick introduced a draft of the proposed “Backyard Chicken Pilot Program” to members of Council for their review. Councilman Mazzola referenced Section 1(C) and stated that he would like to keep the number of licenses issued limited to ten, saying that there should be a cap on the number because it is a pilot program. Councilman Weng, referencing the same section, stated that he feels that any additional licenses should be approved by Council, not by the Chicken Advisory Board members. Mayor Razzo agreed with Councilman Weng on the additional license approval coming from Council not the Advisory Board.

In response to a question from the Borough Clerk pertaining to the requirement to have those keeping chickens attend a class, Councilman Fitzpatrick said that a resident of Haddonfield teaches classes, and that those interested in taking a class should be responsible for paying all fees associated with it.

The amended ordinance draft will be sent to the Borough’s Combined Planning and Zoning Board for their review and suggestions. Their next meeting is on Monday, May 17, 2021 at 7:00 p.m.

Potential Site for a Nature Sanctuary

Councilwoman James stated that the suggestion has come to designate Block 141 Lot 5, owned by the Borough of Pitman, as a conservation area rather than as a park. This would keep the expectations of the public at a reasonable level, as there will not be landscaping or paved trails. Rather, it will remain in its natural state. Borough Solicitor Krachun stated that the Borough would be always held liable for the existing conditions and recommended a risk management assessment be performed of the area. He said that he does not see where there would be any additional liability based on if it is a preserve and not a park. Mayor Razzo advised that regular inspections of the property take place and remediation efforts should be performed on unsafe conditions found at the site.

Councilman Weng asked if this was one of the sites being considered for the dog park, and Councilwoman Rudley said that the members of the Environmental Commission support conservation of the area due to the rare trees found growing there.

Councilwoman James responded to Councilman Fitzpatrick’s question about who would maintain the area by saying that the area would require minimal maintenance and that a regular inspection schedule would be established by the

Parks and Recreation Department. She said that she will consult with Solicitor Krachun on how to proceed with the preserve designation of the area.

Cannabis Legalization

Councilman Fitzpatrick expressed his opinion that Council needs to address the recent New Jersey Legislative action legalizing marijuana for various uses and for its' cultivation for those uses. He stated that the Bill was signed by Governor Murphy on February 22, 2021, and that municipalities have 180 days from that date to opt out of the licensing program or establish an ordinance regulating the industry within their jurisdiction. Councilman Fitzpatrick reported to Council that the members of the Borough's Combined Planning and Zoning Board advise not to rush into deciding right away. Rather, the Borough should opt out at this time with the knowledge that they can opt back in at any time. This would give the Borough time to have a public non-binding referendum question added to the ballot, which is what the Planning and Zoning Board recommends.

Councilman Weng said that he sees the logic in waiting, but doesn't feel that a local referendum is necessary, as the state referendum was overwhelmingly in favor of the legalization of marijuana.

Councilwoman Rudley said that she feels differently than Councilman Weng because this is a new revenue source for municipalities. Towns are not permitted to restrict delivery, so it is coming regardless of what Pitman decides to do, and that to delay action could cause Pitman to miss an opportunity. She stated that the Borough should move forward without a public referendum.

Mayor Razze asked if it is known what decisions neighboring communities have made and Councilman Fitzpatrick said that he only knows of Mantua Township opting out at this time. He also stated in response to Councilwoman Rudley that in his opinion, the 2% of sales that would be revenue for the Borough is not a large amount.

Solicitor Krachun recommended that the Planning and Zoning Board review the available options provided by the Bill and viable areas for the production and sale of cannabis. He also advised Council that if they choose to permit some or all of the types of operations in the Borough, an ordinance will have to be Introduced by the June 28, 2021 meeting. His recommendation is to have the opt out ready to go in the event the Borough cannot come up with a plan within the set time frame, and with the knowledge that it can opt in at any time in the future.

Councilwoman James asked if the Planning and Zoning Board would discuss how long the Borough should wait before deciding and said that she does not feel a referendum is needed due to the overwhelming positive response to the State's referendum question on the 2020 General Election ballot.

Mayor Razze said that he would provide Solicitor Krachun with a sample ordinance provided by the Municipal Excess Liability Insurance Company to be used for opting out. He stated his opinion that the question should be placed on the ballot for the taxpayers to voice their opinion as was done when the alcohol question was presented.

Solicitor Krachun asked if Council should authorize the Borough Planner at this time to explore the potential sites and types of licenses that the Borough might consider, saying that any Borough ordinance presented must be consistent with the Borough's Master Plan. Councilwoman James agreed that the Borough should be proactive in determining locations and types of licenses offered. Councilman Mazzola said that he supports the involvement of the Planning and Zoning Board at this time.

Mayor Razze called on Planning and Zoning Board Chairman Nick Aspras who asked Councilwoman Rudley if she knew the average amount of sales of marijuana. Councilwoman Rudley replied that her research has shown \$3.75 million in sales, with the amount increasing annually. Mr. Aspras suggested that the property owned by Bri-Scot could be a possible location for retail and cultivation but warned that marijuana sales are not included in the Borough's Master Plan. Because of that, he said that it would be advisable to include the Borough Planner in discussion going forward.

Miscellaneous

Summer Playground

Councilwoman James said that Recreation Director Andy Fox is asking Councilmembers to discuss and decide on whether they are comfortable with having the Summer Playground program take place this year. Mayor Razze

stated that kids are already not separating themselves from each other, and that because it is held outdoors, and the Borough has the authority to require masks to be worn, it would be good to get the kids back together. Councilman Weng agreed with the Mayor, saying that it is a positive activity for the kids.

Councilman Blass expressed concern for the pressure that would be placed on the high school aged Counselors to enforce the parameters and restrictions put in place by the program. Councilwoman James suggested limiting the number of children attending. Councilwoman Rudley asked if the TRICO Joint Insurance Fund provides policies for these types of programs and Councilwoman James said that she feels confident that the State of New Jersey will provide guidelines for these types of gatherings.

Motion to close discussion: Weng
Time: 7:55 p.m.

Second: Rudley

Public Portion

Motion to open to the public: James
Time: 7:55 p.m.

Second: Blass

Barry Owen, 508 Pitman Avenue – Mr. Owen asked if Council knows when the 2020 Census figures will be released. Councilman Weng replied that count estimates were released today, and the actual numbers will not be released until the fall. September 30, 2021 is the deadline given to have the numbers in place.

Debra Higbee, 147 N. Brentwood Avenue – Mrs. Higbee said that she would like to have a copy of the ordinance for the Backyard Chicken Pilot Program for review. Mayor Razze said that he will send her a copy of the current draft ordinance.

Bill Ritzler, 517 N. Broadway – Mr. Ritzler asked where the agendas for Borough Council meetings can be found on the Borough's website as he could not find tonight's agenda. Councilwoman James explained how to find the location and suggested that if it was not available that its' omission was an oversight.

Motion to close public portion: Mazzola
Time: 8:03 p.m.

Second: Rudley

Adjournment

Motion: Mazzola
Time: 8:03 p.m.

Second: Blass

Respectfully Submitted,

Judith O'Donnell
Borough Clerk/Administrator