

**PILESGROVE TOWNSHIP
WORK SESSION MEETING
AUGUST 24, 2021
MINUTES**

Mayor Kevin Eachus called the work session meeting of the Pilesgrove Township Committee to order at 7:00 P.M. followed by the Pledge of Allegiance. Mayor Eachus directed the Clerk to read the following Notice:

This meeting is called pursuant to the provisions of the Open Public Meetings law. Notice of this meeting of August 24, 2021, was sent to the South Jersey Times and the Elmer Times on January 5, 2021, posted on the bulletin board at the Municipal Building on January 5, 2021 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Mayor Eachus advised that proper notice having been given; the Clerk is directed to include this statement in the minutes of this meeting.

Attendance: Kevin Eachus
David Bonowski
Joseph Crevino
Kelsey Mitchell, Temporary CFO
Niki Arbittier, Esq.
Randall Scheule, P.P.
James McKelvie, P.E.

Motion made by Bonowski, 2nd by Crevino to open the public comment portion of the meeting. Ayes all. Resident Travis Layton, 102 Featherbed Lane, addressed Committee on the possibility of the commercial marijuana licensing (for recreational and medicinal cannabis) being a permitted use in the Township. Mayor Eachus advised that at present, all license classes are prohibited, but regulations permitting certain licenses may be enacted when the State legislations are clear. Discussion on the growing and processing of cannabis, including security and limits on micro licenses. Mr. Layton asked when the Township could possibly enact regulations, and the Mayor advised that the Township Planning Board will start the process with a review of State regulations.

There being no further public comment, motion made by Crevino, 2nd by Bonowski to close this public comment portion of the meeting. Ayes all.

Motion made by Crevino, 2nd by Bonowski to approve the bill list as presented by the Treasurer. Ayes all.

Representatives of Richmans Center, LLC entered the meeting to discuss the redevelopment process on the site (Block 29, Lot 17). Representatives included Jeffrey Downs, Esq., Harry Golilly, Jason Golilly, David Kreck, P.E., Phil Ruggieri, Architect and John Lockman.

Mr. Kreck began the discussion by describing Phase I and Phase II of the project. Phase I is a wood working operation, and would include getting the building up to code and addressing the exterior of the building. Phase II would be the site improvements, and could possibly include a distillery, local artisan gallery, ice cream concession and event venue. To develop the property, sewer service is needed. This property is in a future sewer service area, and sewer is needed for Phase II.

Committeeman Crevino advised that sewer to this area will not happen any time in the near future. If sewer is not possible, what would happen with the property? Mr. Kreck advised that would require a DEP application for a package plant. Crevino asked how long the current owners have owned the property, and Mr. Golilly advised 2 ½ years. During that time, they have been cleaning up the property.

Mr. Crevino asked what is going on at the rear of the property – are they operating a business from the location? Mr. Golilly advised that the equipment is for the clean up process. Attorney Downs advised that no “for sale” business is being conducted on site.

Township Solicitor Arbittier advised she has reviewed the presentations from previous meetings that the principles attended and the presentations were impressive. Richmans Center was asked to submit a redevelopment plan for consideration by the Township, and the Township entered in to a Memorandum of Understanding with the property owners outlining the agreement. Without a redevelopment plan, the Township cannot work with the property owners, and despite repeated requests, the principles have not submitted a redevelopment plan.

Mr. Downs advised that the survey submitted to the Township Planner by Mr. Kreck was to open a dialogue with the Township, there was no response from the Township and when a 2nd MOU was requested, there was no response from the Township.

Mayor Eachus advised that a written plan would include an escrow agreement, which the Township does not have. Township professionals expect to be paid for their time, and without escrow from the property owners, the Township will have to pay the professionals. Mr. Downs advised that he asked the Township Zoning Officer to meet him on site to discuss the zoning violations, and the zoning officer refused. This process takes time, and of course, for the past 18 months, COVID has been an issue. Mayor Eachus asked when the Township will see a written plan in paragraph form – Mr. Kreck advised that the survey includes a written description of the proposed improvements.

Mayor Eachus asked Township Planner Randall Scheule to respond regarding the document submitted. Mr. Scheule advised that he takes exception to the statement from Mr. Downs that there was no response from the Township – he responded several times and stopped responding when the same document was resubmitted. State statute is not satisfied by the survey. There needs to be a narrative submitted with the survey. Mr. Scheule advised that he was reluctant to get in the middle of this situation because of other issues on the property.

Interested party John Lockman stated that good things have happen with the property – the property was used as a dumping site and a lot has been cleaned up. Mr. Lockman admitted that paperwork has not been done, but the property is in better shape. There will be no other takers on this property. The Township should think about the property for a change – and the last year and a half has been brutal.

Solicitor Arbittier advised that the Township could have pushed the zoning issues some long time ago, but held off trying to work with the owners. Arbittier asked what the time frame is for submission of a redevelopment plan. Mr. Kreck advised it could be submitted tomorrow. Mr. Downs advised that substantial work has been done. Ms. Arbittier advised that the Township will review what is submitted on August 25.

Mr. Kreck advised that in Galloway Township, the developer did an analysis of the zoning in the plan. Arbittier advised that is the type of information the Township needs in the draft redevelopment plan. Mr. Kreck advised they have not done that type of analysis – Ms. Arbittier advised that is needed to begin the dialogue, and asked when the Township could expect that information. Mr. Downs advised September 15. Committeeman Crevino advised that the draft plan should include a feasibility study on the sewer. Mr. Kreck advise that a NJ DEP permit will probably be needed. Mr. Downs asked who at the Township should receive the submission – Ms. Arbittier advised the Clerk, The Planner and the Solicitor.

Mr. Downs asked if there are any other timelines. The Clerk/Administrator asked about the outstanding construction code violations. Mr. Downs asked if the Township Committee would address that – Mayor Eachus advised that those violations are up to the Township Construction Code Official, and Township Committee will not go against the Construction Code Official.

Arbittier advised that court will be relisted for September 22 if the Construction Code Official has issues and the redevelopment plan has not been submitted. Deputy Mayor Bonowski recapped – submit the survey tomorrow (August 25), draft plan by September 15 and will review to determine if acceptable. Arbittier advised that Mr. Downs should Zoom in to the Court session tomorrow for the postponement. Mr. Kreck asked if the Township professionals will prepare the document for the September 15 deadline, and Mr. Scheule also asked for confirmation on that detail. Mr. Kreck advised he does not have the expertise for that document. Ms. Arbittier advised that generally, the draft redevelopment plan is done by the applicant because the Township does not always know what the developer wants included in the plan.

The Richmans Center LLC representatives left the meeting.

Rick Gessner, principle of Bailey Corner, LLC, entered the meeting to discuss the redevelopment project at the Old Acme, (Block 65). Mr. Gessner requested closed session for contract negotiations.

Motion made by Bonowski, 2nd by Crevino to go in to closed session to discuss matters in accordance with N.J.S.A. 10: 4-12, specifically contract negotiations. Ayes all.

While Planner Scheule and Engineer McKelvie were in attendance, Mayor Eachus moved ahead to the discussion item with regard to the response to the owner of 175 Avis Mill Road regarding plantings in the sight triangle. Mr. McKelvie advised that sight triangle standards are set by AASHTO (American Association of State Highway and Transportation Officials). Generally, the standard is 15 feet back from the edge of paving. Mr. McKelvie spoke with the property owner (Mrs. Robbins) on Friday, August 20, and explained all this to her. Mrs. Robbins also feels that the location of the stop sign on Fox Road was related to the sight triangle. Mr. McKelvie recommends that if Fox Road is going to be painted (because it was recently oil and chipped), the painting should include a stop line at the stop sign and the stop sign could be moved back a bit toward Avis Mill Road. Also, a "Stop Ahead" sign on Fox Road should be considered. The Clerk/Administrator asked for the standard on placement of a "stop ahead" sign. McKelvie advised that placement is based on the speed limit on the road, and he provided a table for the placement.

Mayor Eachus asked Mr. McKelvie and Mr. Scheule if they had any additional comments on the redevelopment project – McKelvie advised he has not been involved and Mr. Scheule advised he will become involved if needed.

McKelvie and Scheule left the meeting.

Motion made by Crevino, 2nd by Bonowski to authorize the execution of an agreement with American Red Cross to park one fire response vehicle and a small trailer at the Municipal Complex. Ayes all.

Motion made by Crevino, 2nd by Bonowski to authorize the execution of an employment agreement with Melissa Fackler. Ayes all.

Motion made by Eachus, 2nd by Bonowski to accept the proposal from Blauer Associates in the amount of \$1,800.00 for preparation of Fiscal Year 2022 DCA Grant Application and Execution of all grant agreement documents. Ayes all.

Consideration of request from John DiGregorio to change frequency of certificate of occupancy inspections for short term rentals. Solicitor Arbittier advised that if Committee would like to do this, the ordinance amendment would be similar to what shore towns do with rentals. The Clerk/Administrator advised that she has reviewed a few shore town ordinances, and the amendment to the Township Code is going to require some time to be sure it is done correctly. Committee directed the Solicitor and the Clerk/Administrator to move forward and for the Clerk/Administrator to advise Mr. DiGregorio of the Committee's decision.

Motion made by Crevino, 2nd by Eachus to introduce, on first reading

Ordinance 21-09

Capital Ordinance Providing for Various Stormwater Improvements, by and in the Township of Pilesgrove, in the County of Salem, State of New Jersey; appropriating \$150,000 Therefor From Grant Proceeds Received Pursuant to the Federal American Rescue Plan Act to Pay for the Cost Thereof

Roll Call: Bonowski yes, Eachus Yes, Crevino yes.

Motion made by Crevino, 2nd by Bonowski to open the public hearing on

Ordinance 21-08

An Ordinance Adding Chapter 21 of the Code of the Township of Pilesgrove Providing for Recovery of Costs Associated with Emergency Services to Clean Up or Abate Discharges of Hazardous Substances.

Ayes all.

Motion made by Eachus, 2nd by Bonowski to close the public hearing on Ordinance 21-08. Ayes all.

Motion made by Eachus, 2nd by Crevino to adopt, after second reading and public hearing, Ordinance 21-08.

Roll call: Crevino yes, Eachus yes, Bonowski yes

Motion made by Crevino, 2nd by Bonowski to open the public comment portion of the meeting.
There being no public comment, motion made by Eachus, 2nd by Bonowski to close this public comment portion of the meeting. Ayes all.

Motion made by Eachus, 2nd by Crevino to adjourn at 8:45 PM. Ayes all.

Maureen R. Abdill, Clerk