

WESTAMPTON TOWNSHIP COMMITTEE MEETING  
7:00 PM Regular Meeting Minutes  
August 8, 2023

The meeting was called to order and opened at 7:00 PM by Mayor Sandy Henley. Requirements of the Sunshine Law were read. This meeting was advertised in the Burlington County Times on January 6, 2023. This meeting was held in person in the Westampton Township Municipal Building Courtroom. The flag was saluted and there was a moment of silence.

The moment of silence was given to the late Police Officer John Polk.

**Roll Call:**

Committeewoman Burkley	Present
Committeeman Carr	Present
Mayor Henley	Present
Committeewoman Mungo	Present
Committeewoman Wright	Present

Township Administrator Wendy Gibson, Deputy Clerk Samantha Horton, Township Solicitor Robert Wright and Chief of Police Stephen Ent were also present.

**Proclamation:** Honoring Retired Police Officer John Polk

**Presentation:** Honoring Police Chief Stephen Ent

Chief Stephen Ent will be retiring on August 31, 2023. He was honored by his department and the Township Committee with a plaque. Chief Ent thanked everyone.

**Presentation Resolution:** 122-23 Resolution Appointing promotion of Sergeant Andrew Redfield

Motion to approve was made by Ms. Mungo; seconded by Mr. Carr.

Motion carried 5-0.

Ayes: Burkley, Carr, Mungo, Wright, Mayor Henley

Naye: none

Abstain: none

**Presentation:** Oath of Office for Sergeant Andrew Redfield

**Workshop:**

The Township Committee members discussed changes to the fence the fence Ordinance to allow other types of fences, other than board-on-board. The subject was presented to the Committee three years ago, but the Ordinance did not change. Mayor Henley stated

that residents would prefer a vinyl fence over a wood fence, because It's easier to maintain.

Resident, 17 Westwind Way, wants to put up a fence, but doesn't want to put up wood. It's too difficult to maintain, and he stated its time to change the ordinance.

Robert Fernholz, 19 Fieldcrest Drive, requested the fence ordinance be changed. He stated he was one of the first families in Spring Meadows. The ordinance was put in place because of the type of fencing available, and chain link was not preferred. He wants to change the fence, and utilize vinyl, as it's easier to maintain.

Committeewoman Burkley asked if the restrictions were only in the Ordinance, or if there were deed restrictions. Mayor Henley confirmed that there are deed restrictions, which will not change if the Ordinance is changed.

Township Administrator Wendy Gibson confirmed that if there are deed restrictions, the Township can write them into Ordinance, so that the deeds would not be violated. If fences are erected, it will be a violation of the Ordinance, which would then be a code enforcement violation.

Gary Berberian, 138 Winstead Drive, stated the Ordinance is not in the paper code book in the Clerk's office. If it is not there, it technically doesn't exist. He stated that only three developments that were affected were for low-income homes for affordability. He states that the Ordinance is discriminatory. He also states there are other types of fences erected illegally, and potential loopholes where certain homes wouldn't have to erect a fence, but a special wall to adjoining fences. He stated that Government oversight could be preventing people from purchasing fences that are cheaper, better for the environment or provide safety and aesthetic enhancements to increase property value. He stated that the neighboring development of Rolling Hills East has every type of fencing, but notes that the homes are not designated as affordable housing as the main difference.

Committeeman Carr asked if we should remove the prohibition of the wood-on-wood fencing while staying silent on deed restrictions, and who would be empowered to enforce the deed restrictions.

Township Solicitor Robert Wright stated that the Committee is empowered to change the Ordinance, but the neighbors would be empowered to enforce the deed restrictions. He stated that he feels the Township is imposing a negative economic impact on the residents.

Committeewoman Mungo agreed that it should be up to the homeowner. Mayor Henley asked for the deed restrictions to be reviewed for a discussion in the September meeting.

Committeewoman Burkley asked if there actually is an Ordinance that exists, because the paper she was given does not match up to an Ordinance that she could find. Mr. Wright

stated that the recodification renumbered the Ordinances, and it can be found in the Zoning section. He stated he will confirm and provide the Committee with the chapter and verse in the Code.

Mayor Henley wanted to make sure that the public meeting would be publicized prior to any changes being made.

All in favor to close the workshop.

**Approval of Minutes:**

a. July 11, 2023 Regular Meeting Minutes

Motion to approve was made by Ms. Burkley; seconded by Mr. Carr.

Motion carried 3-0-2.

Ayes: Burkley, Carr, Mayor Henley

Naye: none

Abstain: Mungo, Wright

b. July 11, 2023 Executive Session Minutes

Motion to approve was made by Mr. Carr; seconded by Mayor Henley.

Motion did not carry 2-1-2.

Ayes: Carr, Mayor Henley

Naye: Burkley

Abstain: Mungo, Wright

Ms. Burkley stated she wouldn't vote on the minutes, because the other members of the Committee were not present for the discussion.

**Monthly Reports:**

a. Construction

b. Police

c. Fire/EMS

d. Public Works

e. Tax Collector

**Open Meeting for Public Comments on Agenda Items Only:**

Anthony Goetz, 109 W. Maple Tree Drive, stated that his wife was happy about Ordinance number 10-2023. He stated that she wanted to have chickens under the current ordinance, and that other areas are following the same, due to the increase in egg prices.

All in favor to close public comment.

**Ordinances, First Reading:**

- a. 9-2023 An Ordinance Amending Ordinance 12-1992: An Ordinance Amending the Code of the Township of Westampton to Provide for Licensing and Regulation of Towing and Storage Services

Motion to approve was made by Ms. Mungo; seconded by Ms. Wright.

Motion carried 5-0.

Ayes: Burkley, Carr, Mungo, Wright, Mayor Henley

Naye: none

Abstain: none

Ms. Burkley asked to discuss the Ordinance, but misspoke about a resolution regarding the Emergency Operations Plan, stating that she will not take responsibility for voting on the plan without having receipt of the plan.

- b. 10-2023 An Ordinance Amending Chapter 88 of the Township Code of Westampton

Motion to approve was made by Mr. Carr; seconded by Ms. Mungo.

Motion carried 4-1-0.

Ayes: Carr, Mungo, Wright, Mayor Henley

Naye: Burkley

Abstain: none

Ms. Burkley feels that the Ordinance requires more refinement and restriction for proximity to neighbors and free range. She stated it was a good idea and she's not against it but wants more written in the Ordinance. She also asked where the request came from and motioned to table the introduction of the Ordinance to have it rewritten. There was no second.

#### **Resolutions:**

- a. 119-23 Payment of Vouchers – this resolution approves the payment of bills through 08/08/2023.

Motion to approve was made by Ms. Mungo; seconded by Ms. Burkley.

Motion carried 5-0.

Ayes: Burkley, Carr, Mungo, Wright, Mayor Henley

Naye: none

Abstain: none

**CONSENT AGENDA RESOLUTIONS** - RESOLUTIONS NOTE: Consent Agenda items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certification of Availability of funds; any items requiring discussion will be removed from the Consent Agenda.

- a. 120-23 Resolution Appointing BURLCO JIF Fund Commissioner

- b. 121-23 Resolution Appointing BURLCO JIF Alternate Fund Commissioner
- c. 123-23 Resolution Cancelling Taxes for 100% Total Disabled Veteran
- d. 124-23 Resolution Appointing Deputy Court Administrator
- e. 125-23 Resolution Approving Emergency Operations Plan
- f. 126-23 Resolution Approving Storm Drain Repair – Bloomfield Drive and Russo Drive
- g. 127-23 Resolution Authorizing Tax Overpayment Refund
- h. 128-23 Resolution Imposing Tax Lien
- i. 129-23 Resolution Extending Tax Payment Due Date

Motion to approve consent agenda resolutions letters A, B, D, F, G, H & I was made by Mr. Carr; seconded by Ms. Mungo.

Motion carried 5-0.

Ayes: Burkley, Carr, Mungo, Wright, Mayor Henley

Naye: none

Abstain: none

Committeeman Carr requested to remove consent agenda resolution letter C. 123-23

Motion to approve was made by Ms. Mungo; seconded by Mayor Henley.

Motion carried 4-0-1.

Ayes: Burkley, Mungo, Wright, Mayor Henley

Naye: none

Abstain: Carr

Committeewoman Burkley requested to remove consent agenda resolution letter E. 125-23, stating she cannot vote on something she didn't have a copy. Ms. Gibson stated there was a full copy put into the Dropbox earlier that day. Ms. Burkley stated that 300 pages was a lot to read in two hours.

Motion to approve was made by Ms. Mungo; seconded by Mr. Carr.

Motion carried 4-0-1.

Ayes: Carr, Mungo, Wright, Mayor Henley

Naye: none

Abstain: Burkley

**Open Meeting for Public Comment:**

Michelle Miller, from American Legion Post at 781 Rancocas Road, received a grant to repair and paint the outside of the building and the porch. The laborers they found to do the repairs also noted that they needed a new roof, which would not be covered under the grant. She asked if the Township had funding they could provide to repair the roof.

Meredith Dunn, 1117 Lambert Drive, stated her neighbor Kevin lee spoke about the basketball courts, and the Mayor stated he would assist in the enforcement of the basketball courts. She stated that every Sunday there are leagues that play with no enforcement. There is excessive noise, drug use, and illegal parking. She stated she

wanted to spend her weekends outside of her home with her family and is unable to currently due to the ongoing problems.

Mayor Henley said he spoke to the Superintendent of the schools, as it is not Township property. The municipality received money from a PILOT, where the schools do not benefit, so the municipality donated the funds as the resurfacing of the courts. He stated that the Superintendent met with the league organizer and was planning to meet with the school board to discuss rules and regulations. He also urged Ms. Dunn to attend the school board meeting or call the police whenever she feels it is necessary.

Ms. Dunn asked if the league requires a permit to use the courts, and Mayor Henley confirmed that a permit is required. Mayor Henley also stated that he would reach out to the Superintendent to follow up on the progress.

Mr. Harper, 682 Woodlane Road, stated he has known the police officers for over forty years, and that they do an outstanding job. He commented that John Polk was a good cop. He stated that he attended Mr. Polk's funeral, and the Governing body was not in attendance. He stated he wanted to make sure that it didn't happen again, and that any officer who has passed in the township deserved respect and attendance. He stated he wanted to make sure that any veterans in the township are recognized for their service.

Gary Berberian, 138 Winstead Drive, extended his congratulations to everyone in the Police Department and to Chief Ent. He stated he enjoys seeing the township veterans and suggested that they give the honor of the pledge of allegiance to attending veterans. He stated that in Canada on Armistice Day, a reenactment takes place to honor deceased veterans. He suggested that it would be a nice idea to have Westampton veterans' names read aloud at meetings to honor them. He stated his father was a Korean War veteran, and thanked the attending veteran.

He stated the moment of silence was very appropriate, but asked if the moment could be extended to our late Lieutenant Governor.

He wanted to speak about the accident that occurred outside his home on July 28th. He stated that Police and Fire/EMS did a great job. He stated that all of the residents were trying to assist, and everyone remained calm and in control. He stated that no one cleaned up the debris from the accident, as he was told that the tow truck was responsible. He stated he called the Township to have someone come clean up but was told to contact the Police Department. He suggested that the Township staff be more proactive in assisting the residents.

He appreciated the fence workshop and thanked the Committee for the opportunity.

Terrance Brown, 9 Pine Tree Drive, congratulated the Police Chief on his retirement, and for planning a great National Night Out. He stated it was wonderful for the entire community to come out. He asked about planning more community events. He suggested that the Township hold Town Hall meetings, to make suggestions and to hear concerns.

He stated that he loves chickens, but some residents have concerns about the Ordinance change, and that there needs to be some discussion around parameters.

A resident from the back stated that there used to be a Westampton Day that stopped during the pandemic. He suggested that it be brought back.

Anthony Goetz, 109 W. Maple Tree Drive, congratulated the Chief and stated that the future Chief has big shoes to fill. He stated that it was great seeing everyone back together again at National Night Out. He was also happy to see the new Public Works equipment. He stated that everyone did a good job.

All in favor to close public comment.

**Dates to Remember:**

Next Township Committee Meeting Sept 5th @ 7PM, Historic Commission August 23rd @ 7PM, Land Development Board Meeting Sept 6th @ 7PM, Recreation Committee Meeting August 9th @ 7PM, Timbuctoo Advisory Committee Meeting Aug 12th @ 10AM, Timbuctoo Day Sept 23rd Time TBD.

**Administrator's Report:**

Township Administrator Wendy Gibson issued a huge thank you to Chief Ent and offered congratulations on his retirement. She said he has always gone above and beyond and is always willing to drop everything and assist anyone at any time. She stated that he will be missed, but the department is falling into good hands and that his successor will be well trained by him.

The Report a Concern button was added to the Township website home page for residents to have direct access to report a code enforcement concern.

She stated that the Spring Meadows playground equipment is still delayed in delivery, but the Township is leaning on the company to rush it. The Public Works employees have been addressing safety issues so that there are no liabilities.

She stated National Night Out was a great event, and thoroughly enjoyed having it in one static location this year, and that she hopes it will continue every year.

**Committee Liaison Reports/Comments:**

Committeewoman Mungo congratulated Chief Ent on his retirement and stated that he has made a great impact on the community. She congratulated Sergeant Redfield on being sworn in and seeing our officers moving up. She stated that National Night Out was a great event, she thanked the Police for organizing it, and that she loved having it all in one spot.

Committeeman Carr congratulated Chief Ent on his long career as a public servant. He also congratulated Sergeant Redfield. He highlighted that Director Taylor is working with PSE&G for tree trimming in the community and came to a resolution on the process.

Committeewoman Wright congratulated Chief Ent on his retirement, remembering, and appreciating times when he assisted her. She also congratulated Sergeant Redfield. Committeewoman Burkley stated that Chief Ent will be missed. She congratulated Sergeant Redfield and stated that she was happy that residents worked for the township. She stated that she was sad that Samantha was leaving.

She stated that there is a low impact exercise class for senior citizens at 1:00PM on Tuesdays for five dollars a class, open to anyone to attend.

She stated that she was the liaison between the Township and the schools, and that during a school board meeting, there were concerns about recreational programs utilizing the facilities. She stated that school Superintendent Jim DiDonato assured her that the Township and schools come first when using the facilities, and then outside organizations have the last opportunity.

She stated that the school board has enacted restrictions on the use of the basketball courts, which prohibit smoking and drinking. They will also be adding trash cans and portable bathrooms. She stated it is the school's responsibility to enforce the rules.

She commented that she met the new Deputy Court Administrator and welcomed her.

Mayor Henley asked whose responsibility it was to pay for the portable toilets. She stated that it would be the responsibility of whoever is renting the area. Mayor Henley stated that she should confirm with the schools, because he was under the understanding that either the school or the Township Recreation Department would be responsible for the cost.

Mayor Henley congratulated Chief Ent on his retirement. He stated that any time he had to reach out, Chief Ent was always available. He stated that the new Chief will do the same, as the example has always been passed along. He congratulated Sergeant Redfield and new police officers coming into the Township. He stated that in the past, officers would be hired, trained, and then would leave and go to another township. He said that we are now taking officers from other departments and says something about our leadership.

He stated that he was embarrassed about the Officer Polk situation, and he gives Mr. Harper credit and respect for his passion in speaking about the situation. He apologized for the situation and stated that he would try to put procedures in place so that it doesn't happen again.

Mayor Henley commented on the Township activities, stating he advertised the community kickball tournament, and no one signed up. He stated that it was open to the residents, and the admission fee was for a good cause. He also mentioned that the Timbuctoo Advisory Committee held an event, "If These Stones Could Talk", noting that only a few people attended.



He commented that the Committee is currently trying to do the best they can, but they are residents just like everyone else.

He commented on the issue of higher taxes, and that his have increased as well. He stated that roughly eighty percent of the budget was to pay Township employees, who continue to receive raises under contractual agreements.

He asked that we have a discussion at the next meeting to talk about the American Legion, and how the Township can assist with repairs.

Motion to adjourn was made by Ms. Burkley; seconded by Ms. Mungo.  
All in favor of adjourning the meeting. The meeting adjourned at 8:24 pm.

Respectfully submitted,

Wendy Gibson, Acting Municipal Clerk