

**GLOUCESTER TOWNSHIP COUNCIL MEETING
JULY 26, 2021
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Statement: Mr. Mercado read a statement setting forth the time, date and place of this meeting, that it was properly advertised, posted and filed in the Office of the Township Clerk pursuant to the Open Public Meetings Act.

Roll Call:	Ms. Grace	Mr. Carlamere, Solicitor
	Mr. Hutchison	Mr. Cardis, Business Administrator
	Mr. Mignone	Mrs. Power, Township Clerk, RMC
	Mrs. Stubbs-abs.	Mr. Lechner, Community Development
	Mrs. Winters	Chief Harkins, Police
	Mrs. Trotto	Mr. Chadwell, Engineer
	Mr. Mercado	

PUBLIC PORTION:

Mr. Mercado opened the public portion.

There being no comment, the public portion was closed.

ORDINANCES:

O-21-09

ORDINANCE AMENDING THE GLOUCESTER TOWNSHIP LAND DEVELOPMENT ORDINANCE, THE VILLAGES OF GLOUCESTER TOWNSHIP REDEVELOPMENT PLAN, AND THE NEW VISION REDEVELOPMENT AREA PLAN

WHEREAS, during the November 3, 2020 General Election, New Jersey voters passed Public Ballot Question Number 1, amending the State Constitution to legalize the possession and use of marijuana for persons age 21 and older, and to legalize the cultivation, processing, and sale of retail marijuana pursuant to strict statutory and regulatory licensing standards (the “Constitutional Amendment”); and

WHEREAS, pursuant to the Constitutional Amendment, the New Jersey Legislature introduced and enacted the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16 (the “Marketplace Modernization Act”), which amended existing laws governing medical marijuana to establish, among other things, a framework for the licensure, regulation, taxation, and oversight of marijuana businesses; and

WHEREAS, Section 31 of the Marketplace Modernization Act authorizes municipalities to enact certain ordinances governing the use, licensure, and taxation of marijuana businesses at the local level, and requires municipalities that wish to enact zoning ordinances governing the marijuana industry to do so within 180 days of the law’s passage; and

WHEREAS, if a municipality does not enact local zoning ordinances within 180 days of the Marketplace Modernization Act’s passage, uses pertaining to the marijuana industry will be deemed permitted in certain zones in accordance with the law, which may not align with the variety of specialized zoning districts within Gloucester Township; and

WHEREAS, according to official results provided by the Camden County Board of Elections, Gloucester Township residents voted in favor of the Constitutional Amendment by a vote of 22,665 to 7,948, representing over 74 percent of voters; and

WHEREAS, Gloucester Township therefore wishes to enact this ordinance to appropriately integrate marijuana business uses within the Township, and to establish responsible local licensing and taxation structures; and

WHEREAS, this Ordinance, including the terms utilized herein and any interpretation of its provisions, is intended to be consistent with the terms and intent of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act P.L. 2021, c.16, and its associated regulations, *N.J.A.C. §8:64-1, et seq.*, as amended from time to time; and

WHEREAS, this Ordinance is intended only to operate in accordance with and pursuant to the Township’s authority under State Law, and is not intended to authorize nor encourage any activity pertaining to the cultivation, processing, distribution, sale, or use of marijuana and marijuana products in a manner that violates State law or Federal directives; and

WHEREAS, matter intended to be deleted from the Code shall be stricken ~~thus~~, matter

intended to be added as a new section of the Code shall be identified as a “(New Section),” and new matter inserted into existing text of the Code shall be italicized *thus*; and

SECTION I – ZONING

WHEREAS, the Township of Gloucester, in consultation with the Township Department of Community Development and Planning, and upon the recommendation of the Township Planning Board, desires to incorporate uses specific to the marijuana industry into certain zoning districts as outlined herein, in a manner which is consistent with the intent of existing Zoning Districts and the Township Master Plan; and

NOW THEREFORE, the Gloucester Township Land Development Ordinance shall be hereby amended as follows:

A. **Marijuana Retail Dispensaries**

1. Conditionally Permitted Use in the Highway Commercial Zone. Article IV, §416 of the Gloucester Township Land Development Ordinance (Highway Commercial) shall be amended to add the following language:

(New Section)

§416(D)(9). Marijuana Dispensaries operating under a Class 5 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility’s main entrance.
 - b. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility’s main entrance.
 - c. Dispensaries may utilize a drive-through window, so long as:
 - i. The drive-through window is not the sole method of conducting retail sales;
 - ii. Drive-through windows shall be utilized for appointment-based pickups only; and
 - iii. The site provides for a queuing capacity of at least five (5) vehicles.
 - d. No closer than 500 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility’s main entrance.
 - e. The facility may be open to customers from 8:00am through 10:00pm.
 - f. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance.
 - g. Consumption Area Endorsements are prohibited.
2. Conditionally Permitted Use in the Commercial Residential Zone. Article IV, §414 of the Gloucester Township Land Development Ordinance (Commercial Residential) shall be amended to add the following language:

(New Section)

§414(D)(6). Marijuana Dispensaries operating under a Class 5 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility’s main entrance.
 - b. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility’s main entrance.
 - c. Dispensaries shall not utilize a drive-through window.
 - d. No closer than 500 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility’s main entrance.
 - e. The facility may be open to customers from 8:00am through 10:00pm.
 - f. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance.
 - g. Consumption Area Endorsements are prohibited.
3. Conditionally Permitted Use in the Neighborhood Commercial Zone. Article IV, §415 of the Gloucester Township Land Development Ordinance (Neighborhood Commercial) shall be amended to add the following section:

(New Section)

§415(D)(5). Marijuana Dispensaries operating under a Class 5 New Jersey State Conditional or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility's main entrance.
- b. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- c. Dispensaries shall not utilize a drive-through window.
- d. No closer than 200 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility's main entrance.
- e. The facility may be open to customers from 8:00am through 10:00pm.
- f. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance.
- g. Consumption Area Endorsements are prohibited.
- h. A Class 5 Marketplace license holder shall be permitted to operate within the Neighborhood Commercial District, so long as the Marketplace license is converted from an existing Conditional or Microbusiness license.
 - i. In the event of such a conversion, proof of the converted license shall be deemed sufficient for the Zoning Officer to issue and/or renew any permits or approvals, and variance relief shall not be necessary so long as the license holder remains compliant with the other provisions of this section.

4. Permitted Use in the Villages of Gloucester Township Rehabilitation District. Section 3.1(C) (Permitted Uses) of the Villages of Gloucester Township Redevelopment Plan shall be amended as follows:

§3.1(C)(2). COMMERCIAL USES, which include but are not limited to:

...

(New Section)

m. Marijuana Dispensaries operating under a Class 5 New Jersey State Conditional or Microbusiness License are permitted, so long as all of the following criteria are met:

- i. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility's main entrance.
- ii. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- iii. Dispensaries shall not utilize a drive-through window.
- iv. No closer than 200 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility's main entrance.
- v. The facility may be open to customers from 8:00am through 10:00pm.
- vi. Parking requirements shall be in accordance with §3.1(J) of the Redevelopment Plan.
- vii. Consumption Area Endorsements are prohibited.
- viii. A Class 5 Marketplace license holder shall be permitted to operate within the Rehabilitation District, so long as the Marketplace license is converted from an existing Conditional or Microbusiness license.
 - a. In the event of such a conversion, proof of the converted license shall be deemed sufficient for the Zoning Officer to issue and/or renew any permits or approvals, and variance relief shall not be necessary so long as the license holder remains compliant with the other provisions of this section.

5. Conditionally Permitted Use in the New Vision Business Park District. Article IX, Zone Plan and Zoning Regulations of the New Vision Redevelopment Plan shall be amended to add the following section:

(New Section)

3.0 Condition Uses

1. Marijuana Dispensaries operating under a Class 5 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.
 - a. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility's main entrance.
 - b. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
 - c. Dispensaries may utilize a drive-through window, so long as:
 - i. The drive-through window is not the sole method of conducting retail sales;
 - ii. Drive-through windows shall be utilized for appointment-based pickups only; and
 - iii. The site provides for a queuing capacity of at least five (5) vehicles.
 - d. No closer than 500 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility's main entrance.
 - e. The facility may be open to customers from 8:00am through 10:00pm.
 - f. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance.
 - g. Consumption Area Endorsements are prohibited.

6. Conditionally Permitted Use in the Blackwood West Redevelopment Zone. The Blackwood West Redevelopment Plan shall be amended as follows:

...
 Blackwood West Redevelopment Zone

...
 D. Conditional Uses Permitted....

...
 (New Section)

7. Marijuana Dispensaries operating under a Class 5 New Jersey State Conditional or Microbusiness License are conditionally permitted, so long as all of the following criteria are met:

- a. No closer than 2,000 feet to a lot containing any other retail dispensary facility, as measured by the radius from the facility's main entrance.
- b. No closer than 1,000 feet to any public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- c. Dispensaries shall not utilize a drive-through window.
- d. No closer than 200 feet to any lot containing a single, double, or multi-family residential use, as measured by the radius from the facility's main entrance.
- e. The facility may be open to customers from 8:00am through 10:00pm.
- f. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance.
- g. Consumption Area Endorsements are prohibited.
- h. A Class 5 Marketplace license holder shall be permitted to operate within the Rehabilitation District, so long as the Marketplace license is converted from an existing Conditional or Microbusiness license.
 - i. In the event of such a conversion, proof of the converted license shall be deemed sufficient for the Zoning Officer to issue and/or renew any permits or approvals, and variance relief shall not be necessary so long as the license holder remains compliant with the other provisions of this section.

B. Marijuana Cultivation Facilities

1. Conditionally Permitted Use in the General Industry Zone. Article IV, §417 of the Gloucester Township Land Development Ordinance (General Industry) shall be amended to add the following section:

(New Section)

§417(D)(7). Marijuana Cultivation facilities operating under a Class 1 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 1,000 feet to any other cultivation facility, as measured by the straight-line distance between main entrances.
- b. No direct-to-consumer sales shall take place at the facility.
- c. No closer than 1,000 feet to any residential use zoning district, public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- d. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance, as defined under the "Industrial, Manufacturing, Research, Testing Laboratory, or Similar Use" category.
- e. Delivery and pick-up operations may not occur at the facility outside the hours of 5:00am through 10:00pm.
- f. The facility shall utilize an air filtration system on all exhaust fans that vent to the outside, to minimize any odors resulting from the facility's operation.
- g. Class 1 Cultivators may operate within the same facility as Class 2 Manufacturers, so long as:
 - i. No more than one Class 1 and one Class 2 licensed operation may occur at and/or within the same facility or unit of a multi-unit facility.
 - ii. The site shall meet the parking obligations applicable to both Class 1 and Class 2 operations.

C. Marijuana Manufacturing Facilities

1. Conditionally Permitted Use in the General Industry Zone. Article IV, §417 of the Gloucester Township Land Development Ordinance (General Industry) shall be amended to add the following section:

(New Section)

§417(D)(8). Marijuana Manufacturers operating under a Class 2 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 1,000 feet to any other manufacturing facility, as measured by the straight-line distance between main entrances.
- b. No direct-to-consumer sales shall take place at the facility.
- c. No closer than 1,000 feet to any residential use zoning district, public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- d. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance, as defined under the "Industrial, Manufacturing, Research, Testing Laboratory, or Similar Use" category.
- e. Delivery and pick-up operations may not occur at the facility outside the hours of 5:00am through 10:00pm.
- f. The facility shall utilize an air filtration system on all exhaust fans that vent to the outside, to minimize any odors resulting from the facility's operation.
- g. Class 2 Manufacturers may co-locate with Class 1 cultivators, pursuant to the provisions of §417(D)(7).

D. Warehousing & Distribution

1. Conditionally Permitted Use in the General Industry Zone. Article IV, §417 of the Gloucester Township Land Development Ordinance (General Industry) shall be amended to add the following section:

(New Section)

§417(D)(9). Marijuana Wholesalers and Distributors operating under a Class 3 or Class 4 New Jersey State Marketplace, Conditional, or Microbusiness License are conditionally permitted, so long as all of the following criteria are met.

- a. No closer than 1,000 feet to any other Class 3 or Class 4 distribution facility, as measured by the straight-line distance between main entrances.

- b. No direct-to-consumer sales shall take place at the facility.
- c. No closer than 1,000 feet to any residential use zoning district, public or private school serving grades K-12, daycare facility, or public park, as measured by the radius from the facility's main entrance.
- d. Parking requirements shall be in accordance with Article V, §510 of the Gloucester Township Land Development Ordinance, as defined under the "Warehouse, Wholesale, Machinery or Large Equipment Sales" category.
- e. Delivery and pick-up operations may not occur at the facility outside the hours of 5:00am through 10:00pm.
- f. All marijuana and marijuana products shall be stored and secured indoors, within the licensed premises; no temporary storage containers are permitted to be located outdoors.

E. Licensed Laboratory Testing Facilities

1. Permitted Use in the General Industrial Zone. Article IV, §417 of the Gloucester Township Land Development Ordinance (General Industrial) shall be amended to add the following section:

(New Section)

§417(D)(10). Marijuana Testing Facilities licensed and accredited pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, as may be amended.

- (a) For purposes of calculating parking requirements, this use shall be deemed consistent with the "testing laboratory" category established within Article V, §510 of the Gloucester Township Land Development Ordinance.
- (b) All laboratories must utilize an air filtration system on all exhaust fans that vent to the outside, to minimize any odors resulting from marijuana testing operations.

2. Permitted Use in the Business Park Zone. Article IV, §418 of the Gloucester Township Land Development Ordinance (Business Park) shall be amended to add the following section:

(New Section)

§418(B)(9). Marijuana Testing Facilities licensed and accredited pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, as may be amended.

- (a) For purposes of calculating parking requirements, this use shall be deemed consistent with the "testing laboratory" category established within Article V, §510 of the Gloucester Township Land Development Ordinance.
- (b) All laboratories must utilize an air filtration system on all exhaust fans that vent to the outside, to minimize any odors resulting from marijuana testing operations.

3. Permitted Use in the New Vision Business Park District. Article IX, Zone Plan and Zoning Regulations of the New Vision Redevelopment Plan shall be amended to add the following section:

(New Section)

§1.0(D)(2)(h). Marijuana Testing Facilities licensed and accredited pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, as may be amended.

- (a) For purposes of calculating parking requirements, this use shall be deemed consistent with the "testing laboratory" category established within Article V, §510 of the Gloucester Township Land Development Ordinance.

- (b) All laboratories must utilize an air filtration system on all exhaust fans that vent to the outside, to minimize any odors resulting from marijuana testing operations.

F. Vertically Integrated Alternative Treatment Centers & Co-Located Operations

- 1. Permitted Use in the New Vision Redevelopment Area. The New Vision Redevelopment Area Plan, Article IX, Zone Plan and Zoning Regulations shall be amended to add the following section:

§1.0 New Vision Business Park District (NVBP)

...

(D) Permitted Uses

...

(New Section)

5. Vertically Integrated and Co-Located Marijuana Operations.

a. The following uses will be permissible only as to Block 18403, Lot 20, and Block 18301, Lot 10.02 within the Redevelopment Area.

i. Development of a facility or facilities for the operation of a licensed Vertically Integrated Alternative Treatment Center, as defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, as may be amended.

ii. Development of a facility or facilities to be utilized for a holder or holders of any class or category of licensure pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, as may be amended. License holders of the same or different classes shall be permitted to co-locate within the same facility, and shall be permitted to operate within different facilities located on the same lot.

b. Development Regulations

i. With the exception of the additional standards outlined herein, all area, bulk, design, and performance standards applicable to uses under this section shall be governed as noted within the Redevelopment Plan.

ii. All development pursuant to this section shall provide for buffering, screening, as well as odor and noise mitigation, including air filtration systems, to minimize the impact of licensed marijuana-related uses on surrounding properties.

SECTION II – LOCAL LICENSING

WHEREAS, in accordance with Section 31 of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, the Township of Gloucester desires to establish local licensing procedures associated with the operation of a licensed marijuana business; and

NOW THEREFORE, the Gloucester Township Code shall be hereby amended to create a new “Chapter 26A,” entitled “Licensed Marijuana Establishments” as follows:

(New Chapter)

Chapter 26A (Licensed Marijuana Establishments)

Article I. Licensing Procedures.

A. Marijuana establishments licensed by the State of New Jersey shall be required to obtain a mercantile license in accordance with Chapter 63 of the Township Code prior to commencing operations. In addition to the requirements of Chapter 63, Mercantile License applicants under this Chapter shall be required to provide:

- i. A full copy of the license holder’s State application; and
- ii. An addendum to the Township’s Mercantile License application, containing contact information for the business owner, any applicable security service provider, and an additional emergency contact.

Article II. License Fees.

The annual fees for the issuance of the hereinafter named licenses, under the terms of the rules and regulations now enforced in the Township, shall be and are hereby fixed as follows:

A. Marketplace License Fees

1. Class 1 – Cultivator: \$2,400
2. Class 2 – Manufacturer: \$2,400
3. Class 3 – Wholesaler: \$1,200
4. Class 4 – Distributor: \$1,200
5. Class 5 – Retailer: \$600
6. Class 6 – Delivery: \$600
7. Marijuana Testing Facility: \$600

B. Conditional & Microbusiness License Fees

1. Class 1 – Cultivator: \$800
2. Class 2 – Manufacturer: \$800
3. Class 3 – Wholesaler: \$400
4. Class 4 – Distributor: \$400
5. Class 5 – Retailer: \$400
6. Class 6 – Delivery: \$400

Article III. Consumption in Public Prohibited.

A. The consumption by smoking, vaping, or aerosolizing of a marijuana item is prohibited in any place pursuant to law that prohibits the smoking of tobacco, including the “New Jersey Smoke-Free Air Act,” P.L.2005, c.383 (C.26:3D-55 et seq.), and is further prohibited in accordance with Chapter 70 of the Gloucester Township Code (“Smoking Regulations”).

B. The consumption by smoking, vaping, or aerosolizing of a marijuana item is prohibited in any indoor public place, as defined by the “New Jersey Smoke-Free Air Act,” P.L.2005, c.383 (C.26:3D-55 et seq.), even if such a place is otherwise permitted to allow the smoking of tobacco, unless the establishment holds a valid Marijuana Consumption Area Endorsement in accordance with State law.

C. It shall be unlawful for any person 21 years of age or older to consume (other than by smoking, vaping, or aerosolizing) any marijuana item in a public place.

D. The penalty for violation of this Article III shall be a civil penalty of up to \$200 per violation, or the maximum as permitted by law, in addition to any penalties which may be available under the “New Jersey Smoke-Free Air Act,” P.L.2005, c.383 (C.26:3D-55 et seq.), or other applicable State law. In the event any such violation occurs on school property, it shall be punishable as a disorderly persons offense.

SECTION III – LOCAL TAXATION

WHEREAS, in accordance with Section 40 of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, the Township of Gloucester is permitted to enact a local transfer tax for certain marijuana business activities that occur within the municipality; and

NOW THEREFORE, the Gloucester Township Code shall be hereby amended to create a new Article IV (Local Taxation) within new “Chapter 26A,” entitled “Licensed Marijuana Establishments” as follows:

Chapter 26A (Licensed Marijuana Establishments)
(New Article)

Article IV. Local Taxation.

A. Transfer Tax & User Tax Rates. The following transfer taxes are to be imposed on marijuana sales that occur within the municipality, including a user tax imposed on non-sale transactions between a concurrent license holder operating more than one cannabis establishment:

- i. 2% of the receipts from each sale by a marijuana cultivator.

- ii. 2% of the receipts from each sale by a marijuana manufacturer.
- iii. 1% of the receipts from each sale by a marijuana wholesaler.
- iv. 2% of the receipts from each sale by a marijuana retailer.

B. Tax Collection Procedures.

- i. The tax imposed by this section shall be paid, for a given calendar year, to the Chief Financial Officer of the Township no later than the first business day in February of the following year.
- ii. Payments pursuant to this section shall be accompanied by a report certified as true and accurate by the Chief Financial Officer, Controller, or a licensed accountant for the marijuana establishment, showing the gross revenues for the licensed marijuana establishment for each month of the preceding year, and the corresponding tax obligation for each month.

SECTION IV – SCOPE, SEVERABILITY, REPEALER, EFFECTIVE DATE

NOW THEREFORE, be it ordained, that pursuant to Section 31 of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16, all license classes and categories of cannabis establishments shall be prohibited within the Township of Gloucester, unless and in the manner specifically permitted by this Ordinance, and any amendments hereto; and

BE IT FURTHER ORDAINED, if any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance; and

BE IT FURTHER ORDAINED, that all ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency; and

BE IT FINALLY ORDAINED, that this Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: July 26, 2021

 Mayor
 David Mayer

ATTEST:

 Township Clerk
 Nancy Power, RMC

 President of Council
 Orlando Mercado

Mrs. Trotto made a motion to adopt on first reading, to have a second reading and public hearing on August 9, 2021 and to advertise by synopsis, seconded by Ms. Grace. Roll call vote: All in favor. Motion carried. 6-0.

CONSENT AGENDA:

R-21:07-222

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE Township Council of the Township of Gloucester, in the County of Camden, that the following bills are approved by the Township Council in accordance with the provisions of Ordinance 0-82-16 and certified by the Chief Financial Officer that the claims are proper obligation of the township, that adequate funds are available to honor these claims in the account indicated and the claim should be paid:

CURRENT ACCOUNT

Per attached computer readout of the claims presented in the amount of	\$ 658,323.77
<u>CAPITAL ACCOUNT</u>	
Per attached computer read out of the claims presented in the amount of	\$ 67,152.93
<u>TRUST</u>	
Per attached computer readout of the claims presented in the amount of	\$ 40,972.30
<u>OPEN SPACE TRUST</u>	
Per attached computer readout of the claims presented in the amount of	\$ 13,488.48
<u>ANIMAL</u>	
Per attached computer readout of the claims presented in the amount of	\$ 124.20
<u>DEVELOPERS ESCROW</u>	
Per attached computer readout of the claims presented in the amount of	\$ 36,444.25
<u>MANUAL CHECKS</u>	
Per attached computer readout of the claims presented in the amount of	\$ 298,130.97

Adopted: July 26, 2021

ATTEST:

 President of Council
 Orlando Mercado

 Township Clerk
 Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-223

**RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE
 CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

WHEREAS, the Tax Collector of Gloucester Township has previously issued a tax sale certificate to Trystone Capital Assets, LLC, which certificate is dated December 27, 2019 covering premises commonly known as and referred to as Block 1305, Lot 7 as set out on the municipal tax map then in use which certificate bears number 19-00042,

WHEREAS, the lienholder has indicated to the Tax Collector that the original certificate was lost and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto;

NOW THEREFORE, BE IT RESOLVED by the Council of the Township of Gloucester, that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed notarized Loss Affidavit and the payment of a fee of \$100, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997;

BE IT FURTHER RESOLVED, that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

Adopted: July 26, 2021

 President of Council
 Orlando Mercado

 Township Clerk

Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-224

**RESOLUTION AUTHORIZING THE SOLICITATION OF RFP/RFQ'S VIA THE
GLOUCESTER TOWNSHIP
WEBSITE FOR ONLINE TAX SALE HOSTING SERVICES**

WHEREAS, the laws of the State of New Jersey pursuant to Public Contracts and Pay-to-Play legislation authorizes requests for proposals/qualifications for various professional services; and

NOW, THEREFORE, BE IT RESOLVED that the Soliciting of RFP/RFQ'S via the Gloucester Township Website is hereby confirmed, in accordance with the respective specifications provided through the office of the Business Administrator for the following:

ONLINE TAX SALE HOSTING SERVICES

Adopted: July 26, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-225

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF VITAL STATISTICS**

BE IT RESOLVED, by the Township Council of the Township of Gloucester that the following refunds be and are hereby authorized:

Non-resident Marriage License Application

Mary DeStefano
6 Bayholl Court
Blackwood, NJ 08012

Total Amount - \$28.00

Brittany Forgrove
12 Glamis Rd.
Blackwood, NJ 08012

Total Amount - \$28.00

Adopted: July 26, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-226

**RESOLUTION AUTHORIZING REDUCTION OF SECURITIES FOR
THE RESERVES AT INDEPENDENCE SQUARE PHASE 1B
BLOCK 18302 LOT 3
IN THE TOWNSHIP OF GLOUCESTER**

WHEREAS, the developer of The Reserves at Independence Square Phase 1B has supplied the Township of Gloucester with securities for site improvements; and

WHEREAS, the Engineer has inspected this project and has given his report to the Township Council of the Township of Gloucester; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Gloucester does hereby authorize the reduction of securities for The Reserves at Independence Square Phase 1B as follows:

	<u>Original Guarantee</u>	<u>Reduction #1</u>
Public Facilities	\$664,239.60	\$327,390.60

Adopted: July 26, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-227

**RESOLUTION ESTABLISHING THE EXTENSION OF THE THIRD QUARTER
GRACE PERIOD FOR THE YEAR 2021**

WHEREAS, property taxes are payable on August 1, 2021; and

WHEREAS, the Township Tax Collector under normal circumstances mails tax bills prior to July 15 of each year; and

WHEREAS, delays in the release of State Aid Certification precluded the Township from printing the Tax Bills on a timely basis; and

WHEREAS, it is the intention of the Mayor and Township Council to grant property owners adequate time to pay third quarter taxes due August 1, 2021; and

WHEREAS, the Original Tax Bills will be mailed to Property Owners on July 30, 2021.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Township Council of Gloucester Township, County of Camden is directed not to charge interest on the third quarter taxes received by the close of business on Tuesday, August 31, 2021.

BE IT FURTHER RESOLVED, by the Mayor and Township Council of Gloucester Township, County of Camden, State of New Jersey that the tax collector is directed to charge

statutory interest from August 1, 2021 on all third quarter taxes received later than close of business on Tuesday, August 31, 2021.

Adopted: July 26, 2021

President of Council
Orlando Mercado

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-228

RESOLUTION AUTHORIZING THE TREASURER TO CANCEL GRANT BALANCES

WHEREAS, there exists various Grant Receivable and Grant Appropriations on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel Federal and State Grant Receivable balances and Federal and State Grant Appropriation balances from the balance sheet; and

NOW, THERFORE, BE IT RESOLVED that the Township Council of the Township of Gloucester authorizes that the following grant receivables and grant appropriation balances be cancelled:

Cancel Receivable Balances

Hazardous Materials Preparedness Grant	\$ 500.00
Summer Expansion Grant	354.15
Municipal Alliance	48,064.59
NJDOT – Stone Bridge Drive	43,071.89

Cancel Appropriation Balances

Hazardous Materials Preparedness Grant	\$ 500.00
Summer Expansion Grant	3,796.13
National Crime Victims Right Week	151.50
Municipal Alliance	64,842.37
NJDOT – Stone Bridge Drive	40,290.84

ADOPTED: July 26, 2021

Orlando Mercado
President of Council

ATTEST:

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor.
Motion Carried. 6-0.

R-21:07-229

RESOLUTION CANCELLATION OF OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks which have been outstanding for over one year; and

NOW THEREFORE, BE IT RESOLVED that the following checks be cancelled and the expenditure be deposited into the proper fund:

<u>Payee</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Current Fund</u>			
Street Cop Training	10/02/18	100805	\$ 149.00
Pronto Print, LLC	11/20/18	101220	95.00
Tammy Dash	11/20/18	101235	10.00
Pronto Print, LLC	01/28/19	101790	340.00
Street Cop Training	02/25/19	102064	199.00
Street Cop Training	03/11/19	102207	597.00
Amerihealth Casualty Ser	03/25/19	102242	2,177.21
Sunpower Corp Systems	04/24/19	102646	526.00
Patricia Carroll	07/22/19	103438	25.00
Lowes, Inc	08/12/19	103600	57.30
Edward Stuckert	08/12/19	103687	3.30
Salvatore Amoroso	08/12/19	103696	37.79
Bluewire Media	08/26/19	105014	90.00
Ria Walkins	08/26/19	105084	20.00
Riegel Truck & Bus Parts	09/23/19	105327	341.25
Villa Russo Pizza	09/23/19	105351	346.00
Center for Family Services	10/15/19	105333	26.32
Street Cop Training	11/14/19	105771	190.00
Street Cop Training	12/09/19	106120	398.00
Joseph Norman	12/10/19	106058	250.00
Dylan Hiotakis	01/14/20	106294	5.02
Blue Wave Pools	03/24/20	106924	2,952.96
Kelly Ann Weaver	04/13/20	107133	215.00
Danielle Ritz	05/11/20	107294	60.00
Georbital	07/28/20	107935	231.10
Ialeia	07/28/20	107939	50.00
Total			<u>\$ 9,392.25</u>
<u>Developers Escrow</u>			
Cross Keys MZL, LLC	03/10/20	15921	\$ 692.50
PSE&G	06/29/20	15944	16.50
South Jersey Gas	06/29/20	15945	1,525.25
Total			<u>\$2,234.25</u>
<u>Trust Other</u>			
Comcast	08/12/19	23378	\$ 729.83
Total			<u>\$ 729.83</u>
<u>General Capital</u>			
HP Inc	02/11/19	17867	\$ 746.46
HA De Hart & Son	08/12/19	18121	550.48
Total			<u>\$ 1,296.94</u>

Animal Control Trust

North Star Vets, LLC	07/14/20	4514	\$ 217.28
Total			<u>\$ 217.28</u>

Adopted: July 26, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-230

RESOLUTION TO ALLOW DISABLED VETERAN OR OTHER EXEMPTIONS AND CREDITS FOR TAX YEAR 2021 3RD & 4TH QUARTERS AND 2022 AND TO AUTHORIZE THE TAX COLLECTOR TO CREDIT TAXES AND REFUND ANY OVERPAYMENTS

WHEREAS, the following names are owners and residents of property in the Township of Gloucester, and

WHEREAS, they have made proper application for Total and Permanent Service-Connected Disability tax exempt status on their property designated with the block and lots listed below and,

WHEREAS, they have submitted proper evidence of Total and Permanent Disability rating from the U.S. Veterans Administration in accordance with State Regulations.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said exemption, credit property taxes as stated 2021 and 2022 and refund any resulting credit balances.

Block	Lot	Name	Comment	Amount to be Credited
4401	59	William Jenson	Add Disabled Veteran Tax Exemption As Of 07/12/21	2021 QTR 3 – 1,934.89 2021 QTR 4 – 2,232.55 2022 – 4,465.12 Assessment – 221,100
4701	8	John Burke	Add Disabled Veteran Tax Exemption As Of 06/29/21	2021 QTR 3 – 1,469.29 2021 QTR 4 – 1,469.29 2022 – 2,938.58 Assessment – 151,700
12101	32	Devin Carter	Add Disabled Veteran Tax Exemption As Of 07/18/21	2021 QTR 3 – 1,869.58 2021 QTR 4 – 1,869.57 2022 – 3,736.36 Assessment – 186,000
12807	6	James Leonetti	Add Disabled Veteran Tax Exemption As Of 05/03/21	2021 QTR 3 – 1,853.13 2021 QTR 4 - 1,853.12 2022 – 3,703.58 Assessment – 178,400
13401	12	Luis Negron	Add Disabled Veteran Tax Exemption As Of 06/03/21	2021 QTR 3 – 2,546.97 2021 QTR 4 – 2,546.97 2022 – 5,090.16 Assessment – 252,300

13701 29	Roberto Rosado	Add Disabled Veteran Tax Exemption As Of 05/17/21	2021 QTR 3 – 2,490.35 2021 QTR 4 – 2,490.35 2022 – 4,852.09 Assessment – 240,500
15818 12	Joseph Vassallo	Add Disabled Veteran Tax Exemption As Of 05/05/21	2021 QTR 3 – 1,883.73 2021 QTR 4 – 1,883.73 2022 – 3,764.66 Assessment – 186,600
15821 2	Robert Buggs	Add Disabled Veteran Tax Exemption As Of 04/29/21	2021 QTR 3 – 2,256.24 2021 QTR 4 – 2,256.23 2022 – 4,509.12 Assessment – 223,500
16106 17	Timothy Hall	Add Disabled Veteran Tax Exemption As Of 05/19/21	2021 QTR 3 – 1,422.38 2021 QTR 4 – 1,422.38 2022 – 2,842.66 Assessment – 140,900

ADOPTED: July 26, 2021

President of Council
Orlando Mercado

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

R-21:07-231

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
GLOUCESTER, COUNTY OF CAMDEN, STATE OF NEW JERSEY
AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO
N.J.S.A. 40A:11-12 – STATE CONTRACT
FOR THE 2021 MICROSURFACING PROGRAM**

WHEREAS, Township Council of the Township of Gloucester has determined the necessity for the 2021 Microsurfacing Program of Maynard Drive, Edinshire, Brookshire, and Yorkshire Roads; and

WHEREAS, N.J.S.A. 40A:11-12, of the laws of the State of New Jersey permits a contract for purchase to be awarded without prior advertising when said purchase is pursuant to an existing State Contract for supplies, materials or equipment provided that a State Contract number is provided and available for the material, supplies or equipment to be purchased; and

WHEREAS, Township Council has determined that it is in the best interest of the Township of Gloucester to award the purchase pursuant to the State Contract.

NOW, THEREFORE, IT IS HEREIN RESOLVED, that a contract for the 2021 Microsurfacing Program of Maynard Drive, Edinshire, Brookshire, and Yorkshire Roads is hereby awarded to Asphalt Paving Systems (APS) Vendor Number V00004929 pursuant to State Contract Number T2507, State Blanket Order Number 17-GNSV2-00181 in the amount of \$178,879.00.

Adopted: July 26, 2021

President of Council
Orlando Mercado

Township Clerk
Nancy Power, RMC

Mr. Hutchison made a motion to adopt, seconded by Ms. Grace. Roll call vote: All in favor. Motion Carried. 6-0.

GT E-GOV ACCESS:

Aces Carwash of Blackwood Clementon Road asked council the following question:

1. *There seems to be a bigger corporate carwash entity coming into the area, at least 3 new locations that are listed on their website (ModWash). This could potentially hurt our existing small business and wanted to have our concerns addressed.*

Mr. Lechner stated one was approved on Berlin-Cross Keys Road. Mr. Mercado will reach out to Aces Carwash

Denise Coyne of Chews Landing Road asked council the following questions:

1. *Does designating an area as a Redevelopment Area allow developers and/or the redevelopment entity to apply for grants or to issue bonds which are not available in other areas?*

Mr. Mercado explained redevelopment areas affords special funding and grants that are not available in other areas.

PUBLIC PORTION:

Mr. Mercado opened the public portion.

Brian Burns of Erial asked council for an update regarding the Roselin Bridge property. Mr. Carlamere provided an update. Mr. Burns asked if council has made a decision regarding the Hayes and Murray property. Mr. Carlamere stated the administration is in favor and provided an update. Mr. Lechner described the appraisal process.

Leslie Soto-Munoz of Erial expressed her concerns regarding marijuana permits. As a preschool teacher, Ms. Soto-Munoz stated she works with many children who are victims of substance abuse. Ms. Soto-Munoz believes decisions regarding marijuana permits will affect our community.

Elizabeth Dugan of Blenheim asked if quotes were solicited for the Microsurfacing Program. Mr. Chadwell explained this contract was awarded under State Contract and quote/bids are not solicited. Mrs. Dugan asked how it is determined the cost is competitive. Chief Harkins explained the state vets services and contractors and compiles a list of approved vendors. Mrs. Dugan asked if the work can be completed another way in place of microsurfacing. Mr. Chadwell explained.

Ray Polidoro of Erial asked which entity controls the population relocation of Canadian Geese. Mr. Cardis stated Game and Wildlife. Mr. Polidoro asked if the county is addressing the Lantern Fly infestation. Mr. Cardis stated the county only sprays for mosquitos. Mr. Polidoro asked if political contributions were made by any individuals who plan to bring marijuana facilities into the township. Mr. Mercado stated he is not aware of any.

Paul Krugg of Blackwood Estates asked if the marijuana ordinance allows for retail and cultivation in the designated redevelopment areas. Mr. Mercado explained. Mr. Krugg asked for clarification regarding the Villages of Gloucester. Mr. Lechner clarified. Mr. Krugg asked what preempted this ordinance. Mr. Carlamere explained there is a deadline set by the state and that if the township does not take action prior to this deadline, any permit holder can operate within the township. Mr. Mercado explained some of the restrictions outlined in the ordinance. Chief Harkins explained that the police department and administration worked together to develop this ordinance.

Sam Sweet of Erial asked Mr. Carlamere to clarify marijuana permits. Mr. Carlamere and Chief Harkins explained. Mr. Sweet inquired into depleted funds for the small business grant. Mr. Mercado clarified there are funds available. Mr. Sweet asked who maintains the website. Mr. Mercado stated Blue Wire Media. Mr. Sweet asked if the website can be updated.

There being no further comment, the public portion was closed.

POLLING OF COUNCIL:

Mr. Hutchison thanked everyone for coming out this evening.

Ms. Grace updated council on the most recent Housing Authority meeting. Ms. Grace asked if the curriculum regarding drug education in schools has been addressed. Chief Harkins explained.

Mr. Mignone thanked everyone for attending this evening.

Mrs. Winters discussed the Delta Variant.

Mrs. Trotto thanked everyone for coming out.

Mr. Mercado thanked everyone for attending and updated council that prayer will return to council meetings in September.

Mr. Hutchison made a motion to adjourn, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

Respectfully Submitted,

Nancy Power, RMC
Township Clerk

Council President
Orlando Mercado