

GLOUCESTER TOWNSHIP COUNCIL MEETING

AUGUST 9, 2021

PLEDGE ALLEGIANCE TO THE FLAG

COMMENCEMENT STATEMENT: Mr. Mercado

ROLL CALL:

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

PUBLIC PORTION: Public participation shall be for agenda items only. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

BID REPORT: 2021 ROAD IMPROVEMENT PROGRAM

WAIVE THE READING AND ACCEPT THE MINUTES:

Executive Session - July 12, 2021
Regular Session - July 12, 2021
July 26, 2021

ORDINANCES: SECOND READING – PUBLIC HEARING

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

CONSENT AGENDA

R-21:08-232 RESOLUTION AUTHORIZING PAYMENT OF BILLS

R-21:08-233 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-234 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-235 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-236 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-237 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-238 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-21:08-239 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

- R-21:08-240 RESOLUTION GRANTING PERMISSION TO MAINSTAGE CENTER FOR THE ARTS TO CLOSE A PORTION OF THE BLACK HORSE PIKE IN THE TOWNSHIP OF GLOUCESTER FOR THE ANNUAL PUMPLIN FESTIVAL
- R-21:08-241 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND THE GLOUCESTER TOWNSHIP FOP LODGE 206 – SUPERIOR OFFICERS
- R-21:08-242 RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE GLOUCESTER TOWNSHIP BICYCLE TRAIL OAK AVENUE TO EVESHAM ROAD
- R-21:08-243 RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE FY 2021 MUNICIPAL AID – RECONSTRUCTION OF KELLY DRIVER ROAD PHASE 4
- R-21:08-244 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND BLAU & BLAU
- R-21:08-245 RESOLUTION AUTHORIZING THE PETTIT GROUP, LLC FOR ENGINEERING SERVICES FOR PLAYGROUND IMPROVEMENTS FOR THE STURBRIDGE OAKS PLAYGROUND STRUCTURE
- R-21:08-246 RESOLUTION AUTHORIZING THE PETTIT GROUP, LLC FOR ENGINEERING SERVICES FOR PLAYGROUND IMPROVEMENTS FOR THE MULBERRY STATION PLAYGROUND STRUCTURE
- R-21:08-247 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND ASPHALT PAVING SYSTEMS, INC. FOR THE 2021 ROAD IMPROVEMENT PROGRAM
- R-21:08-248 RESOLUTION AUTHORIZING AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A DESIGNATION IN THE NEIGHBORHOOD PRESERVATION PROGRAM AND APPOINTING AUTHORIZED REPRESENTATIVES FOR MATTERS INVOLVING DOCUMENTATION FOR THE SAME
- R-21:08-249 RESOLUTION CERTIFYING MATCHING FUNDS FOR AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NEIGHBORHOOD PRESERVATION PROGRAM (NPP)

GT E-GOV ACCESS

PUBLIC PORTION: Public participation, which shall be any item the public chooses to address to the Township Council. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

POLLING OF DIRECTORS

POLLING OF COUNCIL

(If needed)

RESOLUTION TO EXCLUDE THE PUBLIC FROM DISCUSSION OF EXEMPTED SUBJECT MATTER AT A REGULAR OR SPECIAL SESSION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER PURSUANT TO N.J.S.A. 10:4-6 ET SEQ. OF THE OPEN PUBLIC MEETINGS ACT

ADJOURN



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

Adopted:

Mayor
David Mayer

ATTEST:

Township Clerk
Nancy Power, RMC

President of Council
Orlando Mercado

**GLOUCESTER TOWNSHIP
2021 ROAD IMPROVEMENT PROGRAM
BIDS RECEIVED JULY 27, 2021 @ 10:00 AM**

<u>CONTRACTOR</u>	<u>BASE BID NO.1</u>	<u>BASE BID NO.2</u>
Asphalt Paving Systems	\$736,400.00	No Bid

Respectfully Submitted,

Michelle Botsford, RMC/CMR
Assistant Municipal Clerk

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:

<u>CURRENT ACCOUNT</u>	
Per attached computer readout of the claims presented in the amount of	\$ 9,372,568.27
<u>CAPITAL ACCOUNT</u>	
Per attached computer read out of the claims presented in the amount of	\$ 147,424.38
<u>TRUST</u>	
Per attached computer readout of the claims presented in the amount of	\$ 2,563.50
<u>OPEN SPACE TRUST</u>	
Per attached computer readout of the claims presented in the amount of	\$ 20,830.16
<u>ANIMAL</u>	
Per attached computer readout of the claims presented in the amount of	\$ 12,955.00
<u>DEVELOPERS ESCROW</u>	
Per attached computer readout of the claims presented in the amount of	\$ 21,391.25
<u>MANUAL CHECKS</u>	
Per attached computer readout of the claims presented in the amount of	\$ 228,626.81

Adopted: August 9, 2021

ATTEST:

President of Council
Orlando Mercado

Township Clerk,
Nancy Power, RMC

R-21:08-233

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20201048, 48 Cedar Grove Dr: \$238.00

Payable to: Vivint Solar, Inc.
 Attn: AR Department
 1800 W. Ashton Blvd.
 Lehi, UT 84043

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-234

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20190289, 37 Red Bank Dr: \$126.00

Payable to: Solar City DBA Tesla Energy
Attn: Lisa Ronca
1001 Lower Landing Rd. #601
Blackwood, NJ 08012

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-235

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20210790, 10 Breckenridge Dr, Berlin NJ 08009:\$164.00

Payable to: Ambient Comfort
1790 Gallagher Dr.
Vineland, NJ 08360

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-236

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20190851, 226 Ridge Ave:	\$238.00
Permit #20191661, 40 Springlane Dr :	\$288.00
TOTAL:	\$526.00

Payable to: Sunrun, Inc
Attn: Stacey Williams-Eway
20 West Stowe Rd, Suite 2
Marlton, NJ 08053

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-237

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20171198(B), 2405 Plantation Dr: \$342.00

Payable to: Bonnie Howatt
2405 Plantation Dr
Glendora, NJ 08029

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-238

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20201760, 1309 W Trace Dr: \$152.00

Payable to: Hutchinson Plumbing Heating & Cooling
 Attn: Carl W. Canfield Jr.
 621 Chapel Ave
 Cherry Hill, NJ 08034

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-239

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

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

Refund for Building Permits:

Permit #20200732, 4 Stowe Ct: \$288.00

Payable to: SunnyMac Solar, LLC
 Attn: Debbie Fowler
 413 8th Ave
 Wilmington, DE 19805

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-240

RESOLUTION GRANTING PERMISSION TO MAINSTAGE CENTER FOR THE ARTS TO CLOSE A PORTION OF THE BLACK HORSE PIKE IN THE TOWNSHIP OF GLOUCESTER FOR THE ANNUAL PUMPKIN FESTIVAL

WHEREAS, Mainstage Center for the Arts requests permission from the Township Council of the Township of Gloucester to close a portion of the Black Horse Pike from Church Street to Lake Avenue to hold its annual Pumpkin Festival, on Sunday, October 3, 2021 beginning at 6:30 am through 6:00 pm; and

WHEREAS, pursuant to State Law, the Governing Body of the Township of Gloucester must grant permission by Resolution authorizing the closing of a State Road, before a permit is issued by the State of New Jersey; and

NOW, THEREFORE, IT IS HEREIN RESOLVED, that Mainstage Center for the Arts is hereby granted permission by the Township Council of the Township of Gloucester to close a portion of the Black Horse Pike, from Church Street to Lake Avenue for the Annual Pumpkin Festival.

Adopted: August 9, 2021

Council President
Orlando Mercado

ATTEST:

Township Clerk, RMC
Nancy Power

I hereby certify that the foregoing is a true copy of a document adopted by the Township Council of the Township of Gloucester on the _____ day of _____, 2021.

Township Clerk
Nancy Power, RMC

R-21:08-241

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF
AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND THE GLOUCESTER
TOWNSHIP FOP LODGE 206 - SUPERIOR OFFICERS**

BE IT RESOLVED, by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that the Agreement between the Township of Gloucester and FOP Lodge 206 "GTSO" Gloucester Township Superior Officers effective January 1, 2021 through December 31, 2024 be and is hereby approved and accepted and the appropriate officials be and are hereby authorized to execute and deliver same.

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk, RMC
Nancy Power

I hereby certify that the foregoing is a true copy of a document adopted by the Township Council of the Township of Gloucester on the _____ day of _____, 2021.

Township Clerk
Nancy Power, RMC

R-21:08-242

**RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE
GLOUCESTER TOWNSHIP BICYCLE TRAIL
OAK AVENUE TO EVESHAM ROAD**

WHEREAS, the 2021 Budget provides funds for the purchase of certain materials and supplies and equipment whose aggregate value will exceed \$44,000.00, and

WHEREAS, the State Statutes require that items exceeding \$44,000.00 be properly advertised and bids received.

NOW, THEREFORE, BE IT RESOLVED that the Advertising of Bids is hereby authorized, in accordance with the respective specifications for the following items:

**GLOUCESTER TOWNSHIP BICYCLE TRAIL
OAK AVENUE TO EVESHAM ROAD**

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-243

**RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE
FY 2021 MUNICIPAL AID – RECONSTRUCTION OF
KELLY DRIVER ROAD PHASE 4**

WHEREAS, the 2021 Budget provides funds for the purchase of certain materials and supplies and equipment whose aggregate value will exceed \$44,000.00, and

WHEREAS, the State Statutes require that items exceeding \$44,000.00 be properly advertised and bids received.

NOW, THEREFORE, BE IT RESOLVED that the Advertising of Bids is hereby authorized, in accordance with the respective specifications for the following items:

**FY 2021 MUNICIPAL AID – RECONSTRUCTION OF
KELLY DRIVER ROAD PHASE 4**

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-244

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN
THE TOWNSHIP OF GLOUCESTER AND BLAU & BLAU**

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for a Special Tax Appeal Counsel

WHEREAS, sufficient funds have been provided, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Gloucester that the proper Township Officials are hereby authorized to enter into an agreement with Blau & Blau for Special Tax Appeal Counsel.

Adopted: April 9, 2021

President of Council
Orlando Mercado

Township Clerk
Nancy Power, RMC

R-21:08-245

RESOLUTION AUTHORIZING THE PETTIT GROUP, LLC FOR ENGINEERING SERVICES FOR PLAYGROUND IMPROVEMENTS FOR THE STURBRIDGE OAKS PLAYGROUND STRUCTURE

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for engineering services for the Grant Application for the playground improvements for the Sturbridge Oaks Playground Structure; and

WHEREAS, sufficient funds have been provided, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Gloucester authorize The Pettit Group, LLC to perform Professional Engineering Services for the Sturbridge Oaks Playground Structure.

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-246

RESOLUTION AUTHORIZING THE PETTIT GROUP, LLC FOR ENGINEERING SERVICES FOR PLAYGROUND IMPROVEMENTS FOR THE MULBERRY STATION PLAYGROUND STRUCTURE

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for engineering services for the Grant Application for the playground improvements for the Mulberry Station Playground Structure; and

WHEREAS, sufficient funds have been provided, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Gloucester authorize The Pettit Group, LLC to perform Professional Engineering Services for the Mulberry Station Playground Structure.

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk
Nancy Power, RMC

R-21:08-247

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN
THE TOWNSHIP OF GLOUCESTER AND ASPHALT PAVING SYSTEMS, INC.
FOR THE 2021 ROAD IMPROVEMENT PROGRAM**

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for the 2021 Road Improvement Program, and

WHEREAS, sufficient funds have been provided, and

WHEREAS, the Township Council received bids or quotes

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the proper Township Officials are hereby authorized to enter into an agreement with Asphalt Paving Systems, Inc. for the 2021 Road Improvement Program in the amount of \$736,400.00 which was the lowest bid or quote received.

Adopted: August 9, 2021

President of Council
Orlando Mercado

ATTEST:

Township Clerk, RMC
Nancy Power

I hereby certify that the foregoing is a true copy of a document adopted by the Township Council of the Township of Gloucester on the _____ day of _____, 2021.

Nancy Power
Township Clerk, RMC

RESOLUTION AUTHORIZING AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A DESIGNATION IN THE NEIGHBORHOOD PRESERVATION PROGRAM AND APPOINTING AUTHORIZED REPRESENTATIVES FOR MATTERS INVOLVING DOCUMENTATION FOR THE SAME

WHEREAS, the Township of Gloucester desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$125,000 per year for five years to fund a Neighborhood Preservation Program designation in the Blackwood neighborhood.

WHEREAS, that the Township of Gloucester does hereby authorize the application for such a grant; and

NOW, THEREFORE, BE IT RESOLVED, that the Township of Gloucester recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Gloucester and the New Jersey Department of Community Affairs; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

(signature)

(print name)

Mayor

(signature)

(print name)

Clerk

Adopted: August 9, 2021

President of Council
Orlando Mercado

Township Clerk
Nancy Power

CERTIFICATION

I, Nancy Power, RMC, Clerk of Council of the Township of Gloucester in the County of Camden and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of Township Council at its meeting of _____.

Township Clerk
Nancy Power, RMC

Seal

**RESOLUTION CERTIFYING MATCHING FUNDS FOR AN APPLICATION TO THE
NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS NEIGHBORHOOD PRESERVATION
PROGRAM (NPP)**

WHEREAS, the Township of Gloucester desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$125,000 per year for five years to fund a Neighborhood Preservation Program (NPP) designation in the Blackwood neighborhood; and

WHEREAS, the Neighborhood Preservation Program (NPP) requires a commitment of matching equal to twenty percent (20%) of funding provided by the New Jersey Department of Community Affairs (NJDCA) for the Neighborhood Preservation Plan (NPP) designation.

NOW, THEREFORE BE IT RESOLVED, that the Township of Gloucester does hereby certify matching funds equal to twenty per cent (20%) of funding provided by the New Jersey Department of Community Affairs for the Neighborhood Preservation Plan designation.

Adopted: August 9, 2021

President of Council
Orlando Mercado

Township of Gloucester
Nancy Power, RMC

CERTIFICATION

I, Nancy Power, RMC, Clerk of Council of the Township of Gloucester in the County of Camden and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of Township Council at its meeting of _____.

Township Clerk
Nancy Power, RMC

Seal