

Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on July 20, 2023, at 6:00 P.M., at the Township Hall at 1768 Main Street. Port Norris, NJ

Those Present:

Mike Vizzard	Mayor
Fletcher Jamison	Deputy Mayor
Joseph Klaudi	Committeeman
Heather Miller	Township Clerk
Thomas Seeley	Solicitor

Those Absent:

Clint Miller	Public Works Supervisor
Nick DiCosmo	Engineer

Mayor Vizzard presided and called the meeting to order with the announcement that the meeting had been advertised, it was being electronically recorded and being held in compliance with the Open Public Meeting Act.

Mayor Vizzard asked the attendees to join him in the flag salute and the Lord's Prayer.

Mayor Vizzard- I'm in my seventh year of doing this and I have never seen this room this full. Thank you for being here. I'm glad to see the room is full.

Mayor Vizzard asked if the State Police had a report. Officer responded that she did not.

Mayor Vizzard called on Robert Welch, OEM Officer.

Robert Welch- I tried to get a hold of Frank Broughton for an update on CRS. He hasn't got back to me yet. If I don't hear from him by the end of the week, I'm going to reach out to Tom Burke and see about the other individual and try to reach out to her. That's all I have at this time.

Mayor Vizzard called on Barney Hollinger, Riverfront Consultant.

Barney Hollinger – There is a video conference call, I sent you an e-mail, I don't know if you reached out to them.

Mayor Vizzard- I did. I'm signed up.

Barney Hollinger- (inaudible) With DEP, possibly as a result of letter from the Bayshore Council to discuss Node issues. Spoke to Army Core of Engineers about Peek of the Moon, that project was cancelled in 2022 because the state did not have the funds for non-structural projects. They recommend we reach out to Van Drew and Booker to discuss the Army Core's work plans. I talked to Todd Reeves at Harbor House. Mount Construction has been down cleaning the property up and putting dirt down there so it's not going to flood anymore. Mount is negotiating with the insurance company to replace the bulkhead and that should stop the flooding. The other

thing is on Berry Avenue, right in front of Old Yankee, that road is the new road, put in a year ago and is being destroyed. Pieces are just falling off. As the trucks are coming out of there, about a quarter of the way of new road that is destroyed. It's at least 20 feet wide. I did talk to Clint about it. They tried, somebody tried, and I think it was Old Yankee trying to fill it with some stuff. All it did was just push it out and now there is a big mound of stuff all the way across Berry Ave. That's all I have.

Mayor Vizzard- meeting minutes of the previous meeting, minutes of the Regular meeting June 15, 2023. Mayor asked for a motion to approve. Motion made by Committeeman Klaudi and seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor Vizzard- bill list for consideration for the month of July as prepared by the Chief Financial Officer, do I have a motion to approve the bills. Motion was made by Committeeman Jamison, seconded by Committeeman Klaudi, roll call vote, all were in favor.

Mayor Vizzard – The Engineer isn't here tonight. I have a copy of his report that I will read.

## **JULY 2023 ENGINEER'S REPORT**

### **Project Updates:**

1. Port Norris Riverfront Improvements – Phase 3: a. USACE permit issued.  
b. All 5 NJDEP Permit issued.  
c. **Final design to be completed by the end of month, followed by County and NJDOT review.**
2. FY2022 NJDOT Reconstruction of Cobb Street & Brown Street a. **NJDOT closeout. Final invoice to be issued shortly.**
3. FY2022 LFIF Reconstruction of Yock Wock Road and High Street a. **NJDOT review comments now expected by 7/21/23.**  
b. **Schedule: Advertise 7/27, Open Bids 8/10, Award 8/17**
4. FY2022 Mill & Overlay of Main Street a. **Shared Services Agreement approved, and draft agreement sent.**  
b. **Proceeding with final design.**  
c. **Plan to Award 9/21**
5. Mauricetown Riverfront Park Improvements A. Recommend replacing bulkhead.  
b. Investigating potential funding sources.
6. FY2023 North Avenue Pedestrian Safety Improvements A. Survey complete.  
b. Base plans complete and design pending.  
c. Need to submit letter to County to request 4-way stop at intersection to facilitate safe pedestrian crossing.
7. FY2023 LFIF Applications a. **Need to find out when trucks are running, and we will re-deploy counter for 2024 LFIF.**

8. FY2023 Local Aid Infrastructure Application A. **Application sent to Trenton for final review.**
9. FY2024 NJDOT Municipal Aid Applications a. Application submitted.
  - b. **Roadway and Drainage Improvements to Whittier Drive and Dandelion Road (Whittier from Palm to Begonia – 0.8 miles including Dandelion)**
10. Laurel Lake Water Distribution & Sanitary Sewer System A. Pending meeting with Millville City engineer to determine path forward.
  - b. **Meeting may be set up for next week.**
  - c. Millville requested funding review from I-Bank and Environmental Justice Overburden Community Program.
  - d. I-Bank loans have the possibility of being 100% grants.
11. Local Recreation Improvement Grant a. Need to submit grant revisions to use funds on Battle Lane Park.
  - b. Submit them by the end of August.
  - c. Design to include site clearing, fence, lighting, parking (possible).

Mayor Vizzard- At this time, we have three presentations. We have Val Forbes; he would like to utilize the ballfields for a youth program. Is Val here? Val was not present. Mayor moved on to the next guest.

Justo Lucena, is he here? Mayor asked Justo to come forward.

Mayor Vizzard- At this time, I think what we are going to do is, we are going to open it to the public after Justo is done giving us a report or I'll ask a couple questions then we will open it to the public. If anyone from the public has questions for Justo, they can ask them at that time.

Justo Lucena- I am the plant manager for U.S. Silica on Noble St. in Mauricetown, NJ.

Mayor Vizzard- Justo, we appreciate you being here tonight. There have been a lot of concerns that this committee has received regarding the Mauricetown plant. A couple questions I am going to start with. One of the most prominent questions is all the sand that is on people's vehicles, people's houses, yards. Is there anything that can be done to avoid that from happening. Is there something that can be done like putting a filter on the system or redirect the stack to go behind the plant instead of straight up in the air. Anything that can be done to avoid that.

Justo Lucena- We did have an upset condition at the plant, and we tried to trouble shoot it. It took us a little while to figure out what was going on. We feel it was a one-time issue. We shut the plant down for four or five days, and we repaired it. We feel we resolved it, and that issue should not come up again. We reached out and talked to one of our neighbors Eric. So, we are controlling that. We actually just hired two full-time employees just to run the water truck and to maintain the road on Noble Street. Those things are being taken care of now. We recently addressed Noble Street, got it all cleaned up, and had a couple guys pick up all the trash on that route. As far as the dust, we hope that we resolved that issue. Its hard for us to address when we have strong winds, but we think with the additional watering that will resolve that issue.

Mayor Vizzard- One of the biggest questions I have for you is the trucks coming through the center of town. We made an attempt to have the County put up signs at the base of the bridge telling trucks not to follow their GPS and not to go through the center of town, to follow the truck route. We believe that may have worked because we didn't get any complaints about trucks in town at that time. Is there anything you can do to help us to get signs up and stop these trucks from going through the center of town? To make sure these people know they cannot follow their GPS, that it does not show them the proper way and they must follow the truck route.

Justo Lucena- It's an issue in the truck industry, there are a lot of new hires in there. This is something that has come up year after year. I just want to address how we are going to address it now some stuff put in place to at least minimize the times that it happens. Right now, a customer places an order, we accept the order, and we give them a dispatch. On that dispatch, there is a map highlighting the bypass route to get you around. Once you give them an address of 8879 Noble St. Port Norris, NJ, it takes them one mile further from our entrance. So, from whatever direction you are coming, it forces you to get on that bypass, whether you are coming off the bridge or Buckshutem. We also placed about 15 signs around the plant entrance, at the intersection, at the bypass and at the plant entrance where they come to check in. There is actually a sign there that's says, please do not turn right at the exit of the plant; stay to your left. When we have an issue, when we get a complaint, or we have a customer come through and we spot them coming through the town 99% of the time, they will tell us, this is my first time here. I wasn't sure how to go and my GPS kept telling me to turn left. 99% of the time, that is what we hear. We usually contact the carrier that, that happened and ask them to please clarify for the next time they come in. We also keep track of everyone that that happens, and it doesn't happen very often, but we have had a few trucks where we discontinue business with if this continues to happen. I think recently we had one, I don't know if it was Joe, but someone showed us a picture of a truck that came through town. We immediately identified the trucking company and that was the second time, and they no longer do business with U.S. Silica. He was trying to save a minute or two coming through town. We weren't having that. There is a lot of stuff we have in place right now, but I'll tell you, 99% of the time, when we discuss it with them and stop them, they say they are a first-time driver, and they are just following their GPS. I tried to get the GPS to change those coordinates when you but the plant in, it's very difficult and I can't seem to get that done.

Mayor Vizzard- I do concur with that. I called Google Maps plenty of times and it's just not changing.

Justo Lucena- There is a website you go into but it's very confusing, I can't get it done.

Mayor Vizzard- That was the two major questions I had for you. Does anyone from the Committee have any questions? If not, can I have a motion to open up to the public?  
Committeeman Klaudi made the motion and was seconded by Committeeman Jamison.

Justin Lucena introduced April Sooy as the manager that deals with all the environmental issues. She has been with the company 26 years.

Jud Moore- Before I say anything about the sand company, I understand...to the township committee, that you had an agenda meeting Monday night and there was a group of residents here that wanted to speak and I understand they were denied, is that so?

Mayor Vizzard- That is so, yes.

Jud Moore- ok, these people have issues in this town, regardless of what it is...

Mayor Vizzard- We don't need a speech from you. Ask your question.

Jud Moore- It's a public meeting and these people deserve to talk at a meeting, and you denied them their first amendment rights.

Mayor Vizzard- Monday night is an agenda meeting.

Jud Moore- It's wrong Mike.

Mayor Vizzard- It's not wrong.

Jud Moore- Yes, it is. You are going to tell these taxpayers they can't talk at a public meeting about an issue.

Mayor Vizzard- They were all aware that it was an agenda meeting, it is not a public meeting.

Jud Moore- It is a public meeting and we done it for years down here in this township.

Mayor Vizzard- Just ask your question Jud.

Jud Moore- Ok, this is my issue. (Displayed board with pictures) This is January 27<sup>th</sup>, you said the plant had a malfunction or whatever, but on April 11<sup>th</sup> the same thing happened. It is a serious concern about the people of Mauricetown that I have talked to, we do not want sand on our cars. Apparently, this has been happening over the years. I've had it happen before, I just didn't complain about it, but now I am. There are cancer issues with silica, so you come here, in good faith, and thank you for being here but, there is no apology to the people. There is no compensation, say give some money to the Environmental Commission to say the chairperson so they can get our cars washed. I mean, people have said they have sand on their house, deck and my cars, for years. It's like, when is it going to stop? I mean, that is a decent amount of sand on my car. On two different times within two months, this year.

Justo Lucena- Ok, so again, these are pieces of equipment (inaudible). I don't recall any issues in January. I do recall the one in April and we addressed it and took care of it. The neighbors that we talked to, we addressed it with them. Like I said we shut the plant down for 4 or 5 days until we got it repaired.

Jud Moore- Well, obviously, we are fired up about it. We are going to monitor the situation. I will continue to call the DEP, County Board of Health, Texas, your operations people down there, we are not going to let it go. The people are here for this issue and other issues that we want to address. The other thing I want to bring up to you is about the time of the plant. I have complained about this before. There is generally two shifts at that plant, and continually you want to work after 10 P.M. With the noise, you can't be out in your yard and not hear the machines, the water part of your operations, the dryers. It is very prominent at night. Not as much during the day, but at night. You run until midnight, 2 in the morning or 24/7. I mean, enough is enough ok, there is a lot these people have to put up with. I think if you just stick to two shifts, and let it go at that and be done with it. That's the way it always used to be. Then you got the noise of the loaders there. I know you tried to address it in the past, but you still hear the backup noise in some of the loaders. I heard it a couple months ago, it's just agitating. And when you put it on top of this, it just makes matters worse. So, I hope you can address some of these concerns and know that we are serious about it, and we are not going to let this go.

David Kinsey, 9567 Highland St.- Thank you for being here, I really do appreciate it. I used to work in the waste industry before I changed to health care, I'm a nurse by trade. I've worked in glass plants and B plants, so I'm familiar with the industry. Maybe more so than anyone else in this room, maybe not, but there is no dust mitigation system that is consistently working in your plant. Water suppression systems are required at your plant to be operational. To have a maintenance log to ensure they are working consistently. There are over 15 DEP complaints and you all have heard about these. I can get every single record of those DEP complaints. You know about this right. I believe you heard about them. SJ DEP has been contacted 15 times since February this year. So you do not have the water suppression system used at your plant consistently. It creates an un-safe air quality system. It exasperates those with asthma, COPD, Emphysema, and any pulmonary issue and as Mr. Jud said, it creates a risk of lung cancer among us. That's my number one concern. Right? Inconsistent. And you should have a process to make sure you manage that suppression system, that are inspected, reviewed and maintained. Do those logs exist?

Justo Lucena- They absolutely do.

David Kinsey- Can you bring them to the next meeting so we can review them.

Justo Lucena- I would have to discuss that with (inaudible).

David Kinsey- I would appreciate that. The area leading to the plant you said is being cleaned up. That is false. All along Noble Street is evidence of dumping sand. We all have driven by there. The sand has never been cleaned up. You have posted signs; we appreciate the signs. The sand has never been cleaned up. And adding to the dust issue in the air when cars drive through, the sand is in the air, it's everywhere. Some days it looks like Mad Max and the Thunderdome. I hate to say it but driving down the street that's what it looks like. I don't live in the desert, I live in Mauricetown NJ. You can clean up immediately all the sand that has been dumped and fine or suggest be fined, anyone who dumps on our land. It is also dumped in natural habitat. That's a problem for us. The environment is being destroyed, our wells are being destroyed and there is illegal dumping. I can't throw a candy wrapper out the window, but you

can dump tons of sand on the ground. That's unacceptable. Significant noise is coming from your plant, as Jud said, at all hours of the night. That's only recently stopped. I live on the other side of town by the post office and with my windows closed can hear your plant running. All hours of the night, every day of the week. You should be required to have stricter limitations to this Committee. Stricter limitations to the hours of operation that may not be operating on weekends and nights. We have families here, jobs. This is not a good quality of life for us and you're diminishing our property value. Tractor trailer traffic may not come through our community. We should look at having you place speed bumps all throughout town to slow the trucks down if they do come or damage them. Something or fine them or station police to do something about this traffic. It's dangerous, it's dangerous to our kids, it's dangerous to our health, the diesel fuel throughout our community and I'm just disappointed. You're not being a good neighbor. It is very disappointing to me. I only moved here 3 years; they have lived here their whole lives. I didn't move here to live next to a polluter. I appreciate what you do, you have to have a job. I've done this work, I know the laws requiring you to be in line and you got to do better. Ok, thanks.

Tom McKey, Highland St.- Another problem I've been trying to figure out is why the street is always covered in mud and dust every time a car went by. I talked to a couple of the truck drivers who were busy releasing their valves and letting sand go into the street. I said, why do you do that? Why don't you go onto the plant where the sand is supposed to be? They said they are forbidden by your rules to prepare their trucks, to onload sand, they are forbidden by your rules to secure their trucks before they go out onto the road. So, they go out onto the road, they sweep off all the sand that is on top of the truck before they batten down the hatches and take off. So, the rules you have for the truck drivers, are part of the problem. Can you tell me why that is?

Justo Lucena- So the rules are, they are supposed to come in between trucks so what they are doing is trying to bypass the rules, instead of going to the wash station. They are trying to do it somewhere along the road before they get to their plant. If you stop in the plant with the carrier's name, they will be delt with because they are not supposed to....

Tom McKey- They're not supposed to do it, but they are doing it regularly. You should have a station on your plant where they can prepare their trucks.

Justo Lucena- The problem with that is they bring stuff in that we cannot have.

Tom McKey- I know, some of the sand is black and green, so instead they are dumping it on the road.

Justo Lucena- They should not be dumping it at all, all the carriers know that, and they have fired people over dumping on that road. If you see that happening, please come into the plant and let us know who it is, and we will deal with it immediately.

Tom McKey- What about them securing their trucks before leaving the plant?

Justo Lucena- they are not to get on top of their trucks. We have an access rack.

Tom McKey- Then why aren't they using it?

Justo Lucena- they say it saves them a minute to do it on the road. Every year someone falls off a truck...

Tom McKey- Can you not impose a rule that says before you leave this plant you must clean and secure your truck.

Justo Lucena- We definitely do but we can't catch them every time they leave, or they come in and they do it outside there. They are supposed to use our safe rack, but they bypass it and do it out on the road. Every time we catch them, we contact the company they are not supposed to be on top of the trucks outside on the road.

Tom McKey- Have you solved the problem though?

Justo Lucena- It really comes down to the carriers, discipline, firing, but they are hesitant to fire because of the current labor.

Tom McKey- But if you refuse them service for the behavior, they are not going to do it again.

Justo Lucena- Exactly, it doesn't usually happen again once we contact their safety officer. It usually stops with that person.

Tom McKey- You put up about 200 yards of signs that say do not dump here so what they do is pull up in front of the signs and do it in the next 200 yards.

Justo Lucena- Yeah, we have been cleaning as they go along and patch it as they come along. They usually do it very early in the morning. We are going to try and put someone out there to try and catch them.

Tom McKey- I think you need an engineering solution to this where you can actually allow them to come onto the plant, clean their trucks and do whatever they need to do on the plant where all the materials that come off from that cleaning are dealt with in an environmentally sound way.

Justo Lucena- We can take a look at another area. The problem is....

Tom McKey- You have 760 acres up there. You have plenty of room to do it.

Justo Lucena- We just have to be aware of what is being dumped on the ground. We can't have that black stuff dumped on the ground.

Tom McKey- You are experts in sand materials, you know exactly how to do it.



Justo Lucena- We will take a look at it again but again they are required to come in with a clean truck.

Tom McKey- and another thing, you have this water curtain on the path where the trucks come and go. What that results in is 200 yards of mud on Noble Street. Why are you doing that?

Justo Lucena- The drain is actually plugged, we actually worked on it today, there is a culvert, the township was there today. I don't know if they were able to get it unplugged. Normally it just goes down the culvert, but it's plugged right now, and we are trying to get that resolved now.

Tom McKey- But it wets the sand, it sticks to the tires, and they drag it down the road.

Justo Lucena- We are trying to keep the dust down at the entrance.

Tom McKey- But it is actually a dust enhancement system because after the dust dries up in the road, it becomes dust.

Justo Lucena- Alright. We also run the water truck up and down that road also.

Tom McKey- Not very frequently.

Justo Lucena- We do quite a bit.

Tom McKey- ok, (inaudible)

Freddy Hundt- Mauricetown, almost a lifetime resident. I live right on Noble Street. I lived on Noble St. almost my whole life. The conditions of that sand plant and the cooperation with the community is about as worse as I've ever seen it since I've lived there. I was fire chief there, 35, 37 years. That sand plant worked with the fire department worked with the community, they were there to help the town out with snow removal, they did a tremendous amount of things. Seems like now since we got a different corporation, operation, there's not a person one in that sand plant that is from the community. It's like tell them what they want to hear and move on. Nothing is getting done. In the old day if there was an issue it got taken care of right away. You could have gone to any 5-6 people in the community that worked in that sand plant. We don't have that anymore. That's the way of life, we just don't have it down here.

Justo Lucena- Can I just make a point to that real quick? We employ 35 people of those 35, almost all are from Commercial Township. There is one that lives outside the area, and he moved from Port Elizabeth.

Freddy Hundt- Ok, that's cool and every one of them must go to work by my house in the morning. I just want to say, and these guys took a lot of my thunder, that smoke, dust isn't coming from the road, that dust was coming out of those stacks. It's a mess. My car on Noble Street was as bad if not worse than Jud's that morning, or a couple mornings. And you know what, you learn to live with it until you get tired of it and want to do something about it. The

sand is terrible. In front of that sand plant, I thought only thought there was supposed to be a buffer zone of trees and stuff to stop the sand from blowing out. You can't call it a buffer zone. It looks like a wildfire went through there. Those trees are dead, there is no buffer zone there. I imagine it is probably difficult to water them and keep them alive but there should be some kind of buffer zone there to stop that dust from coming out of that area East of the main entrance. It's ugly and it's not doing its job. There is supposed to be a buffer there and that is a sorry excuse for a buffer. I don't know what the committee or the land use or whoever is in charge of DEP giving you your approvals, what they are doing because they need to turn around and look at the site before they just arbitrarily give approvals to continue operation. I just wanted to say too, I feel your pain, I sit on my porch, I guess you know where I live, I live right on the corner of Noble and Bateman. I sit on my porch in the morning with my wife, we have a cup of coffee, and usually one minute to 6, 3 or 4 cars will go past there doing 60 or 70 miles per hour it scares me to death. It has to stop. They are going to kill somebody. This town, and I get emotional, my town, you know, this town is full of people walking, pushing handicap children, helping people that need help, that are special needs people, they ride their bicycles, people come to our town to walk, to jog, they come down to the park and park and then I'm sitting on my porch drinking my tea and I see these idiots come racing through town. It's ridiculous. They don't give a darn about the residents and let me tell you, I lived through a young kid getting hit in our town, 13 years old got his head smashed in, killed by a car. One of our fireman's sons. I know what it is like to pick up somebody that's been run over. There is just no regard from your employees going in and out of that plant with the way that they travel. It's disgusting and it's ridiculous that they get away with it. I've been down here arguing with the mayor about it. Nobody seems to want to do anything about it, not even the cops, they just turn around and let them go through town at that speed in the mornings and it is disgusting. And the truck drivers, I feel bad for them, they come down my other street, they come down Bateman Street, which is about 12 feet wide, and here they are in this great big 42 footer trying to figure out whether they are supposed to go left or right. I go out to the street and try to give them directions, not that any of this is your concern but this is the stuff that is happening. It's the truck drivers, most of them don't even speak English. So, I'm out there trying to give them directions and their handing me a phone in Spanish or Arabic and there is 3 or 4 kids up in the sleeping part and they are jibber jabbing and I'm showing them the map and they don't know where to go, they are lost. How they even got their license is beyond me. As far as the trucks being lost, I'll give the sand plant that. It's not all your fault. But these people don't even know where they are going, they don't have a clue. I have truck drivers wanting to know where the port is. There is no port, there looking for the port of Newark not the port of Elizabeth. That's not all your fault and I understand that. But the noise, the pollution, the noise at nighttime, the backup bells. I sit in my sunroom that have panes in them and they just rattle. I have to stick paper in behind the louvers, so they won't rattle while I'm watching the ball game. I never had to do that before. There is something wrong with the way that plant is being run or there is something wrong with your equipment. It's just not right, and it really needs to be fixed because people are just getting fed up with it. This all started with me years ago, I just want to tell you because a lot of people in this room don't know it, but Jim Perrelli created that highway to bring the trucks out of the township years ago. We always called it the Jim Perelli Bypass. That's the bypass road off the bridge. It was done for one particular reason why but when I lived on the corner of Noble and Highland, a tractor trailer went right through my house when I was living in the house at 4:30 in the morning and my wife and I were upstairs sleeping and a tractor trailer barreled through my house on the corner of the house where

Darlene Kates currently lives in now, laid over on its side, you know, sometimes these truck drivers when they run, they don't care. They are all on a mission to get done real quick and sooner or later, somebody is going to get killed. One of these innocent people coming to our nice town is going to get killed. It's just a matter of time. We have to find a way to get these trucks out of Mauricetown permanently.

Tracey Richardson, 1712 Main St. Port Norris- Are there any chemicals in any aspect of your operation?

Justo Lucena- Our plant uses absolutely zero chemicals. It is all fresh clean water.

Tracey Richardson- Do you know about the other sand plants?

Justo Lucena- I can't speak to that.

Tracey Richardson- How deep and how much sand are you allowed to gather?

Justo Lucena- The Mauricetown plant does do any mining at all.

Tracey Richardson- Ok, I understand. What do you do?

Justo Lucena- We bring sand in from different sand plants.

Tracey Richardson- Ok, just the last thing. That stop sign that is there at the bypass from your plant, could you just remind the drivers it is not a suggestion. It's for real, it means stop.

Justo Lucena- I agree with you 100%. Trucking has just been an issue and we'll keep working on it.

Eric Ostrow, 9571 Noble St. – I'm just down the road from you, I live across from the church (inaudible). You are getting a lot of grief, and a paster probably shouldn't say this but rightfully so. However, that's really not why I'm up here. I would like to take a moment to say thank you to U.S. Silica because we just put a new steeple on our church, and you made a donation to us so I just wanted to say thank you.

Christopher Finch, 9558 Noble St. – I think it took longer for me to walk up here than to say what I have to say but I have one suggestion for the truck traffic coming through town. The stream that they cross has a 4 ton weight limit. Maybe your company could work with the state police, and provide overtime to have an officer sit there a couple days to ticket trucks as they come in, because once that happens to a couple trucks, and those companies pay those fines, the word will get around and they will get on their drivers to not do it again. That's a hefty fine. I think that will go a long way at stopping the trucks from coming through town. Once that word gets around, and companies pay those large fines they will tell ever one of their drivers, look, go the other way or you're going to pay the fine, it will come out of your check.

Justo Lucena- I agree. I'll talk to the state police about it.

John Boyle, 1207 Front Street- I have a suggestion for the employees. 5:30-6 am.

Justo Lucena- Yes that's when they start.

John Boyle- I'm right on the street, it's just a flood of those cars and pick-ups that go by. Maybe you could re-direct your employees to go around like the trucks do, get them out of town too because they come around barrel assing through Front Street. I hear them hitting the bumps, then they make that turn then they gas it and fly. And I hear them every morning. I think a truck came through there maybe yesterday morning.

Justo Lucena- I like that suggestion... (inaudible, several people speaking)

John Boyle- Yes, maybe get your employees out of town.

Katie Dayton, 9582 Highland St. – I live right on the corner of Highland and Front. It's more of a question than anything, we are fairly new to the neighborhood. I have a bird's eye view to that corner; I see the cars and trucks come into town. I literally see the trucks come at my house because of the way the road curves. They literally fly. I wasn't living there at the time, but I've heard stories of the trucks coming into our house. If we notice this, should we be calling you, should we be calling the carriers? Who do we direct these to because I can give you license plate numbers. There was a truck two mornings ago, a big sand truck that was stuck trying to make the turn. Actually, that was this morning.

Justo Lucena- I would appreciate you contacting us because I think we could react faster than the police. If it's a customer, we will deal with it. In a route matter, those issues can be solved real quick.

Katie Dayton- I can't begin to tell you how terrifying it is seeing one of those big sand plant trucks coming straight at your living room window when you're sitting there watching tv.

Justo Lucena- If you have pictures of that please send it to me, I'll give you my information and we will take care of it.

Katie Dayton- Ok, perfect. Thank you.

Eric Errickson, 9096 Noble St. – 30-year resident of Mauricetown, 30-year neighbor to you. The biggest thing with the trucks, and everybody wants me to say what's going on, this is a long struggle. I met with the county and the county has put up signs and now they have pretty much stepped away from it. Justo has implemented some new protocols and policies and he is trying. The best thing was the address, and they just don't do the address anyway. If they would just put the proper address that you give them that would send them down further, so you tried to do something. I met with the mayor; can I ask you a question? What have you done in the last 3 years? You know this has been a problem and I have talked to you and a lot of this stuff was going on 3 years ago. What have you done, what has the committee done, what has the township done or has there been anything forwarding?

Mayor Vizzard- Like I stated at the beginning of the meeting, I worked with the county to try and get those signs out there, they did that for us, and they did a good job with getting that sign out there. I've talked to Justo about every one of your concerns. I've made him aware that a lot of your concerns are part of the ordinances. We have the power to pull those ordinances and do that. I refuse to do that until we absolutely have to do that. He knows where I stand with all this. Just because you think I'm not doing anything; doesn't mean I'm not doing anything.

Eric Errickson- That's why I'm here asking. I don't think you haven't done anything, but I don't know what is transpiring because you know I've done a lot of leg work on this.

Mayor Vizzard- And I have addressed every concern you have given me. I've written every one of them down and addressed them.

Justo Lucena- I appreciate Eric. When he has concerns, he comes to my office and April's. He came to my office back in March sometime about the signs. A different set of signs, something with no words on it, just a diagram saying no trucks. I think we got them on that Friday, and we put them up. If we get the feedback right away, we can act on it faster.

Eric Errickson- I just want to say to everyone here, the more feedback you give him, his number is on the website for U.S. Silica. You can leave a voice mail. This gives him some teeth and power with the more complaints he gets so he can implement things there. I'm sure your hands are tied too.

Justo Lucena- Sometimes you have to wait on the law stuff but the employee things, I can guarantee they will be taken care of, and we aren't going to have that issue again. I first heard of that reading minutes of another meeting but if you have issues, please call my office or stop in. Say hey, this morning there was a truck with loud exhaust, and it won't be hard to identify who that is. We will take care of it right away.

Eric Errickson- One other thing Mr. Mayor, where do we go going forward to remedy the truck issue? Do we need to go to the state, do we need to go to DOT?

Mayor Vizzard- I will leave that up to Justo. If he needs to go to the state to address the truck issue, that's up to him. He is the one that needs to control the trucks. It's his plant and it's his trucks. He's got the control.

Eric Errickson- And you're saying you're not responsible for the trucks at all.

Mayor Vizzard- I said he has to control his trucks; I didn't say I'm not responsible for nothing. I said he has to control his trucks.

Eric Errickson- I'm just clarifying so I know who is in charge, where we are at and I'm willing to do whatever, whether I've got to go to DOT, go to Google personally, that's fine. But when we do this, we need to do it as a community and have the committeeman behind me to tell me what they want. We have to have Justo on board. We have to have the state police on board.

Mayor Vizzard- It all starts with Justo. He has to control his trucks.

Eric Errickson- I do have one question, what's the rumor with a possible new dryer?

Justo Lucena- A new dryer? no. I wish.

Eric Errickson- So you're going to keep the same dryer and maintain it?

Justo Lucena- Yes, I have no plans for a new dryer right now.

Eric Errickson- Ok, that's just what I heard. Thank you.

Freddy Hundt- I noticed the big sign that's off the entrance by the bypass road, maybe something like that could be put down by the intersection of Highland and Noble. At the intersection of Highland and the bypass there are two signs no trucks left and right. It's an arrow with a line through it. If a sign like that was put on the south east corner out of their way where it doesn't cause any interference with the cars going through the intersection in that wooded area with a big sign that says U.S. Silica with an arrow and an address, it may help with these guys before they try to make that turn. They will say U.S. Silica, that's where I'm going. Across from the Veteran's Park. I'm just suggesting that, yeah, there are signs there, but these truck drivers, like I said, they hardly speak English. There are signs with arrows are small ones and there is one a little further up that says no trucks going through town. They already come up there at 50-60 or 65 miles an hour at the intersection but the sign there, it's going to point you in the right direction. Because what's happening is they are turning down Highland, then they are in the middle of town, and they are stuck. Maybe another sign there may help.

Justo Lucena- Freddy, if you get a chance, maybe next week get a hold of me and we'll meet up and take a look at it.

Freddy Hundt- I don't know if the county will allow it or not but it's something to look at.

Mayor Vizzard- I agree with that Fred, that's why I mentioned at the beginning that maybe Justo could work with the county as far as getting more signs put up.

Barney Hollinger- I'm from Port Norris, this is not a new issue. This has been going on like Fred said for years. I can remember when the land use board required the sand company to build that berm at the entrance and maintain it but they were also supposed to have a street sweeper. When I go by there i don't see a street sweeper. Also, every year, if it's still happening, there used to be an engineer's report and I don't know if it's with the land use board or the township. The engineer goes out and looks at your plant and he makes a list of deviations based on what's been agreed upon with everyone. I don't know if that is happening but that may be something you want to get a hold of. It's the township engineer or the land use engineer. But there is supposed to be an inspection once a year on all the sand plants, not just on theirs and they pay for it, but it's our engineer that does it. So those are something to get a hold of and see

if they are doing what they are supposed to do. That was something we definitely made sure got done each year and we reviewed those reports every year and would send it back and say you have to fix this. I don't see any of that.

Mayor Vizzard- If that's a practice, I know nothing about that practice other than every five years when they renew their license.

Justo Lucena- I'll let April talk to that.

April Sooy- Yes, the engineer of the land use board does come out every year.

In response, multiple people spoke over each other. Inaudible.

An unidentified person spoke out- Isn't there an operating agreement, or permit or covenant that talks about the limitations of the plant and the rules you have to abide by? If one exists, we should see that. I think we need to know what is in compliance and what's out of compliance. And when this comes up for renewal, the community expects to be invited here to have a say in what those limitations are.

Mayor Vizzard- There are ordinances that the township has. I can tell you that every one of the complaints that you have talked about is part of that ordinance. There is supposed to be dust mitigation as part of the ordinance. The berm is required per the ordinance.

Justo Lucena- The berm is there it's just the trees died.

Mayor Vizzard- Hours of operations are defined in the ordinance. I believe it is supposed to be done by 10:00 unless there is an emergency that allows you to continue because of an emergency. I believe that's what the ordinance says.

An unidentified person spoke out- Where are the fines!

Mayor Vizzard- Don't shout out questions. Let me talk. Road cleaning is required by ordinance, that is part of the actual ordinance. As far as your question as to where the fines are, there is no actual fines on this until someone comes in and signs a complaint with the housing/zoning inspectors. Someone has to come in and sign a complaint. If someone calls me with complains I will address them as I have done. Until you come in and sign a complaint and tell the housing or zoning officer to do an inspection, there won't be a fine.

An unidentified person spoke out- I spoke to you in March about this. I wasn't told that was the process I had to follow for a formal complaint. DEP has been called 15 times. That's not enough complaint for you? I have to come to you. Well then can you write that down and put it in the minutes and we will follow that report.

Mayor Vizzard- It's going to be in the minutes, and it's being recorded.

Unidentified person- Very disappointing leadership.

A different unidentified person spoke out- Come to Laurel Lake if you want to see cars and trucks all day.

Barney Hollinger- That's not entirely true because whenever the township engineer makes their report, if there is any deviation, they can pull the license.

Mayor Vizzard- As I said, I have not seen those reports. I don't know what those reports are. I've never been a part of that.

Barney Hollinger- Wow, I can't believe that. That must have fallen apart because every year they came out and we got a copy of that report.

Mayor Vizzard- This is the first I've heard of it.

Emmett Vandergrift, 1441 Main St. Port Norris- Just based on several of the comments I've heard here tonight, a suggestion or something that could be done, I heard you ask some of the residents here, that they catch the trucks in the act of disposing of sand that might not be permitted to come into the plant before loading or therefore after. Then that falls on the resident's responsibility to actually catch the driver and furthermore, you're not permitted to have those particles come into the plant. Maybe a solution to this would be if you were to have an additional regulatory compliance who would be inspecting trucks as they came in and within your facility, allocated an area, if they did have particles that weren't welcome in the plant and were prohibited to adequately dispose and rather than rely on us to catch them in the act doing it on the side of the street, they would be caught red handed right there. It can be itemized what they are disposing of at your plant then that trucking outfit can pay for the disposal in addition to a fine for bringing it into your plant. I think that may be a reasonable solution to try and regulate them. It seems like you're asking everyone here to try and catch a truck driver doing something on the side of the road when they are coming to your plant to load and unload.

Justo Lucena- Emmitt, agreed. I'm not asking them to do it but if they do happen to pass by it, we want them to let us know because it's the quickest way to take care of it. As trucks come in, we do inspect them or if we catch them there, we do reject them flat out and they have to go to the wash station to get a wash ticket or if we know something is fine, we will allow them to come out. Part of the problem is the guys that don't come to the scale first. They just go out on the road and do their own thing. Those are the ones we are trying to catch and stop. I do think we have done a better job for the last few months. We put it out to the carriers that it will be zero tolerance, if we catch you, you will be done, you won't come over here anymore. The think its stopped, I think it's only been one instance since then. We just need to stay on top of it. Yes, trucks do come in, they open up the hatch, we take a look, it depends on our customer. We've had guys come in, they tell us the truck is clean but when we open it, there is corn feed in there. Obviously, they are lying to us, but they try to get away with it and save some time. It's the ones that come in and don't take the time to be honest and say look, I do have something in my truck, they just go out in the road and dump it wherever they find a spot. We are trying to stop that right now.



Emmett Vandergrift- It just sounds like you have protocols in place and compliance that needs to be followed and it's an oversight by the individuals when they get there to implement that oversight.

Justo Lucena- Remember they could be a mile, two miles off the road on Noble, we don't have someone sitting out there watching. We try to catch them right at the plant. We are just trying to make sure they are coming in clean in the first place. If they do their job and come it clean It would happen in the first place.

Emmett Vandegrift- Another question I have, Tracey asked a question in regard to the chemicals in the sand I understand you don't do any mining. To the best of your knowledge of the plants that do mine, do they have an active chemical in the sand? Is there any mining that is done with the use of chemicals? And then would sand then be brought into this town to then be washed causing those chemicals to be dispersed into the air.

Justo Lucena- No, the plants we deal with do not use any chemicals. They strictly provide raw mining materials.

Emmitt Vandergrift- But with also with what you just said, there are trucks that come in with just anything, it could be corn, (inaudible), or anything.

Justo Lucena- That's why we (inaudible) on our site, we clean it up and (inaudible) that's why we try to stop it before they hit the scale.

Emmitt Vandergrift- Another question in regard to the dust and pollution. This is one of my biggest grips with the newer sand plant that I have had issues with on Main St. with the trucking and so forth, typically with the mining, they told me they aren't required to have an air filter system that provided quality of air set by regulatory body such as the DEP but in your circumstance, it sounds like you do dry it with safe air. Do you have a monitoring system that monitors the air for pollutants?

Justo Lucena- Yes, we have several (inaudible) they come inspect, the inspector reports on it quarterly (inaudible)

An Unidentified person spoke out- Is there any reason for a truck driver to be parked or standing on Noble Street?

Multiple people speaking – response inaudible.

Kathy Gogliuzza, Port Norris- I'm not completely familiar with the process but where you are, the sand gets put on the truck correct?

Justo Lucena- Yes.

Kathy Gogliuzza- Is there some kind of thing you can put in like a gate to stop the trucks before they leave the property until they are covered? Because they are constantly going down

the road without the covers on and if they think they are being filmed, I caught a guy one day, he caught me filming him, all of a sudden, he stopped there and put his top up.

Justo Lucena- I think by law, before they hit the road, they are required to be covered.

Kathy Gogliuzza- On North Ave. they are not, coming through town they are not.

Justo Lucena- I don't think there is any allowance for it.

Kathy Gogliuzza- Well, that's what I'm saying, isn't there a way you can make them cover it once they have the sand on it before they leave.

Justo Lucena- I can put another notice up there but it's common knowledge. It's not normally something I see coming from our plant. As far as uncovered trucks. They normally once they are out in the field they are raising their thing and by the time they are hitting the scale, they are already covered.

An unidentified person spoke out- There is also usually excess sand on top of the tanker trucks as they leave the plant and that blows all over as they go down the road.

Kathy Gogliuzza- So there is now way of you making sure it is covered before they come out.

Justo Lucena- Maybe we will just set it up and shoot them a reminder but it's not usually something I see coming out of our plant. But I'll take a look again. They all know they have to cover their trucks up.

Mayor Vizzard- Alright Justo, I don't see any other questions. Thank you very much for coming here tonight and trying to answer all these, these are definitely legitimate complaints that need to be addressed. This was the simplest and easiest way to try to get that word to you. These are the people who have to live with it so they need to express that concern to you.

Justo Lucena- Mike, I appreciate your time and appreciate the opportunity to come down here. Again, any concern, please reach out. I'm usually there until 4:30- 5:00. Just come on it and knock on the door and we'll talk. We will try to deal with it quickly before a month goes by and something happens.

Mayor Vizzard- Do I have a motion to close the meeting to the public? A motion was made by Committeeman Klaudi and seconded by committeeman Jamison.

Mayor Vizzard- Next we have Emmitt Vandergrift. He is going to do a presentation for Pigment Holdings concerning the retail facility in Mauricetown.

Emmitt Vandergrift- Good evening, everyone. My name is Emmitt Vandegrift. I'm sure some of you have heard my name by now and know what we are looking to do. I just want to let everybody know, I myself, I live here in Port Norris with my wife at 1441 Main Street. I have 3

children, two of which now go to Haleyville school. In 2021, my partner, Rob Wunder and I back in 2018 started pursuing cannabis licenses within the state of New Jersey. In 2018, the state decided to expand the medical licenses available, there were 6 available. We had applied for a license in Cape May County which is where I was originally from. We did not get that license, but we scored very high. That was a medical farming license. We continued to follow that path and in 2021, we were awarded 3 different licenses. We were awarded a cultivation license which permits us to have up to 150,000 square feet of indoor cultivation. We were awarded a manufacturing license which allows us to have up to 10,000 square feet of manufacturing cannabis products. And we were awarded a retail dispensary license. All three of those licenses were endorsed and passed resolutions by the township. Commercial Township itself is classified as an economic impact zone by the state of New Jersey and that classification comes with some statistics that go with it. So currently out of the 565 municipalities in the state, only 87 municipalities qualify as an economic impact zone. So, these cannabis licenses that were just recently issued, were allocated on priority based off of certain qualifications based on the location where you are located. They were done that way with the incentive to improve these areas because these were the area's most adversely effected not only by the war on drugs but other things so for instance, an impact zone is typically classified as having an average unemployment rate of 30% or higher, has an average crime index of 37% or higher, and an average cannabis arrest of 77%. Commercial Township has been classified as an impact zone and given priority to have these cannabis licenses allocated to (inaudible). In addition to that allocation, there are certain taxes that are imposed on the sales of cannabis for adult use throughout the state. A very large portion of those taxes, up to 70% of them, are directly re-allocated back to those impact zones. Reinvested into those communities. In addition to the impact zone prioritized by the state it also includes a social equity candidate. I myself am a social equity candidate. In 2012, I was arrested for distribution of cannabis. I was sentenced to 4 years in prison, so I had my life turned upside down because of the cannabis arrest. I was on a full scholarship to nursing school and the next thing I knew; I was in prison. I fought really hard. I applied to a NJ drug program multiple times and I was finally accepted. At the time the NJ drug program had a 27% graduation rate. I had a lot of friends who didn't make it out like I did. Most of the individuals remained in prison and became institutionalized and criminals for the rest of their life. I was fortunate enough I graduated the program in 3 1/2 years and under Chris Christy's laws, I had my felony expunged. So, my best friend, who suffered an accident at 16 and became a quadriplegic and he contacted me in my final year of drug core and asked me if I would help him get a cannabis license. At the time, I said, I don't know if I'm the best person to help you right now. I'm still considered a cannabis felon by the state of NJ. Which happened to be coinciding with legalizing this industry. So, as a social equity candidate, who is a resident of an impact zone, who has pledged his business in the impact zone, and when I say pledge our business, with each one of the licenses we pay \$15,000 a year back to the township to have it here. So, every year we will pay \$15,000 back to the township for each license just to operate here. In addition to that, we will give 1% of the gross revenue of the cultivation company, 2% of the gross revenue of the manufacturing company and 2% of the gross revenue from the retail dispensary company. I don't know how many are here with children in the Haleyville school, my children do, I have three of them under 5 and this past year. The past year one of the heat pipes burst and they didn't have heat and had to close for almost a week and even when the kids went back to school, they had to wear their jackets for another 4 or 5 weeks. So, I looked around and as soon as I moved here, I joined the land use board, and I have tried to make a difference as

much as I can in this community. I love where we live and want to improve this area. It was one of the wealthiest towns at one point, this whole area directly because of the oyster industry and fishing industry some of that is dried up, a large portion of it. When the township decided to allow cannabis here, I mean initially, we were going to put our business in Woodbine, because that is also an impact zone and I love it there, but it just made so much more sense to put it here and so, we currently have 3 resolutions passed in this township. I have all 3 businesses located on Sockwell Ln. My partner and I have 50 acres there where we plan to build the cultivation and manufacturing facility. We came to the township to pass the retail resolution for there as well but what we found is, our cultivation and manufacturing facility is going to be somewhere around 17 to 21 million dollars. That is going to be a ratable in this town. We are going to give a tremendous amount back through that facility alone. But when it came time for the retail, it doesn't take as much money to get up and running but the rate of which you get to market, ultimately is going to drive how successful that is going to be and how much the state has access to. Further, what the state has done to allow more access, allows us to have home delivery as a service that can be provided as well as curbside pickup. We have submitted two more resolutions, to be passed here tonight, one of which is to move the retail location from Sockwell Ln. to the Boxwood antique store on Highland St. We came about that property because, my aunt is our marketing director and my Grandmother is 93 years old she was living in Connecticut and my parents live in Dennisville, so we wanted to move my grandmother closer so my Aunt found that house, and when we bought it and when we were putting under contract, we brought it to this committee and asked if it would be ok to put a retail cannabis store there. Not so much with the intention to have it there permanently, but to try and get us up and running and get some money to the township sooner than later and get everything moving. So, we have two resolutions for tonight, one which is for the Highland location and the other which is at 1702 Buckshutem Rd. If anyone knows where that is, currently Barber's farm is currently growing trees on it. The intention we have with both of these projects here, we are going to continue to develop our cultivation and manufacturing on Sockwell Ln. We are hoping to get our retail store opened on Highland St. Right now, there are 29 dispensaries, open right now, to the public in the entire state of NJ. 13 of those dispensaries are specifically for medical patients only. So, as it stands right now, there is one dispensary for every 242,000 residents in the state of NJ. With us having the ability to capture home delivery, as well as the curb side pick-up, the township stands by getting online sooner as being a financial benefit by having that much more of a market reach this early on because the market for cannabis is so high in this state. And in addition to that, I want to bring up some of our team members as well. Just to talk about some of the regulatory standards that would have to be dealt with for a facility such as this. Right now, the plan is to have my aunt and grandmother live in the home up front and we will delineate the back store with a fence and some shrubbery. If you know where the store is and I'm sure everyone here does, it is actually very hard to see from the street. It is a private driveway with a gated fence. So, in addition to having curb-side pick-up, and delivery, we are going to carpool our employees everyday so just to mitigate more of the traffic. The hours of operation will typically be from 10 am to 7:00 at night, of which initially right out of the gate, it would just be comprised of the curb side pick-up. You can make the purchase on-line, where you are given an allotted pick-up time, then you have to come and check in, pick up your product and leave. With that, I would like to bring up Jim Shurard, he is our regulatory compliance director, and he is also our security consultant. But in addition to that, Jim was the interim operations director and the Northeast regional security director for Cureleaf for the last 7 or 8 years. Cureleaf is the largest cannabis

company in the world and with that, he can talk more about the operations, the regulatory standards that are upheld in the cannabis facilities and kind of the day to day that comes with that.

Jim Shurard- I'll just give a quick introduction, I'm a retired lieutenant from the state police. I was a CRC investigator, which was originally the Department of Health that opened the first 3 or 4 cannabis medical facilities in the state. I then went on to the private sector with Cureleaf, I was the security director, facility and operations director so basically handled daily operations. When it came to dealing with anything with the facility basically like the person before in dealing with any issues. I then went on to the Northeast regional, I had 78 sites, so I have 8 years' experience in the cannabis field which basically feels a lot longer than the 25 years as a trooper. It's a little bit of a different pace. So, some of the things with the building, all the regulatory things come out of the CRC, they are inspected, the facility will be inspected. It is pre-licensed. It gets inspected by the state investigators. They have to have certain things, the security measures, they have to have 24-hour surveillance cameras, they have to have retention of 30 days, our protocol is 45 to 60 days so it means anything that happens on that site, we will have it on a backup system where we can review video out 30 days per statute. It has to have intrusion alarm systems that are tested monthly. It is very regulatory, and the state actually has 24-hour access to the cameras live. They actually watch the facilities as they operate in real time. If they see issues, they document it and they do quarterly inspections, they do yearly inspections and they have to re-apply each year for their annual inspection. Some of the protocols I bring to clients, I will meet with Lt. Blizzard personally, we will go over the security operations, all the training for each personnel. Each person who works in the building will go through special security training. Kinda like they do in schools. First aid, emergency, fire. Anything to do with law enforcement coming in. Most of the incidences that happen, most of the time are medical issues. They get trained in de-escalation. As Emmett said, basically a patient is going to come in, online ordering, when that first started it was very busy and there were some issues. Cureleaf was brought up generally in high work areas from day one, so I mitigated all the issues. The online ordering basically changed the game. So, generally if you are going to have 50 patrons come in in one day, all, 50 don't come there at 10:00 or 11:00 and cause issues. He can load them so that your order is ready between 10 and 11, 11 and 12, so forth until 7 pm so he can regulate the people coming to the building itself. He intends to have security onsite. It is going to be armed security, licensed through the state of NJ, they are licensed through the state police, they have to have a carry permit and a SORAs card which is the Security Officers Registration Act. Most of them are former military or law enforcement basically with the training from the previous job. And that's basically it. It's a retail location, patrons are going to come in and there will be no use on site. The state regulators are very strict. Basically, people come in, purchase and they leave. They go home. They are not to stop in their car and partake. They leave to go back to where they came from. It's that simple. It's highly regulated. One of the things I recommend to the committee, if they do a final thing is they allow the state police to have title 39 enforcement on the private property that way if they find a car parked there at 2:00 in the morning, they are allowed to do enforcement without contacting the owner. I recommend that for all my clients. It's an open-door policy, with the troopers, with law enforcement, with the Lt. there, they will get walk throughs of the building, so they know, and that goes for all the buildings that Pigment will have. Any policy that we implement stands for all the buildings. Basically, that's the security side of it.

Emmett Vandegrift- Thank you very much Rob. To follow up on that, I want to talk about the jobs that it will create. Just pertaining to the retail dispensary alone, there will be anywhere from 4 to 7 employees throughout the day. When it comes to the manufacturing and cultivations, we are licensed to go up to 150,000 square feet which is tremendously large. Do to DEP regulations, we actually can't build out on a 50-acre parcel, we actually can't exceed 54,000 square feet. That's what has kind of predicated the process we have done thus far in where we would ideally like to put our retail location on the Barber property on Buckshutem Rd. It's much more open, and a more traveled road. But back to the employment though, the manufacturing and cultivating even at 54,000 sq. feet, it will bring anywhere from 35 to 55 full-time jobs. With those jobs, we are affiliated with the UFCW, Pete's here too, he is a representative from the union. All these jobs would be union jobs, with union pay with benefits. They are well-paid jobs that are needed in this area. Again, my goal when I moved here, was to just make a better place for my kids.

Peter Boyle- I'm from the UFCW. We currently represent over 1.3 million members in North America. Through the labor agreements through the cannabis industry through the CRC, all these places have to get unionized therefore they have the right to have unions in their facilities. That guarantees fair wages, affordable health care, benefits, retirement. All the things an American should strive for. They will be eligible to get while working here. It turns this job into a career for the residents of this community. That's the goal. It's not just another job. It could turn into a career for a lot of people that live in this community. Thank you.

Emmett Vandegrift- Thanks Pete. Just to finish up, we have three strategic partnerships that we really want to participate in. The first is with Stockton University, they have a cannabis minor program that they offer their students, so we partnered with them to provide internship programs at our cultivation facility to train and implement people who want to get involved in the industry. They will have a college degree from Stockton. In addition to that, we are also partnered with the (inaudible) corporation as well as building new lives. I'd like to talk about that a little more. So, again, I'm a drug core graduate, I'm a success story. So, building lives in the (inaudible) corporation is select individuals that were formally incarcerated, and they put them back into the workplace and give them a second opportunity. It's not like we are out in front of the prison with a van just looking for employees as they come out the door. These are individuals looking to better their lives, these are individuals looking for a second chance. Not only would they be given a job, but they would have an actual career in an industry that is brand new. It's projected that the cannabis industry in NJ will be somewhere around 8.5-million-dollar industry. As it stands right now, we are one of 37 companies licensed in the state as cultivators, we are one of 28 companies with a manufacture license in the state and we are about one in 70 companies licensed for dispensary. So, to have the ability to get into this new industry at this time is going to have a tremendous impact financially, from an industry standpoint. There is so much good this industry can do. I just want to try to ask what your concerns are, how can we alleviate those concerns. In regard to the delivery drivers, as they go out, we have total control over where they are going. They have GPS tracking monitors, we know where they are going, we know how fast they are going, if they make a wrong turn, they are monitored every step of the way. It's not some guy that emptying out the rest of the pot that wasn't used on the side of the road. Again, I live in this town, I've experienced the same issues, these guys will tell you, no offense to the

sand plant manager here, I am not a fan of the sand plants. They give nothing back to the township; they just take and take and take. I just can't get over how there is no punishment associated but that's a whole different conversation. I'm here today to tell you what we are trying to do for this community. Again, I'm open for any questions, whatever, we would like to have your input but ultimately the success of this township and the success of our company is predicated upon how we can get into the industry and when does that start. The sooner we get started, the better we all will financially benefit from it. We have talked about some of the projects we would like to do in the township one of the first ones is the bulkhead in Mauricetown, they have been talking with the engineer to get that repaired for the past two years now, there's just not enough money to do so. In addition to other things like the need for more school bus drivers. They are supposed to have 8. I used to put my kids on the bus at 8 and now I put them on at 9 because the 4 bus drivers have to make two trips, we don't have enough school bus drivers. The Laurel Lake ambulance service is on the verge of going bankrupt. From what I understand, it is close to not renewing the contract for EMS services. There is so much that needs to be taken care of here. And there is so little to take care of it. This is an opportunity that I don't want this community to miss out on. As I said, we do have 3 resolutions that have already passed here, that permits all of our activities, we have all the licenses through the state. This is one of the most regulated industries in the world. Where me and my partner Rob come from, sometimes, I have to pinch myself because it is unreal. With that, I want to open it open to questions and concerns, anything I can address.

Mayor Vizzard- Can I get a motion to open to the public. Committeeman Jamison made the motion and was seconded by Committeeman Klaudi.

Todd Heck- Good evening. I am an attorney at Testa, Heck, Testa & White in Vineland NJ. I am also a resident of Mauricetown. So, I have a dual interest in the resolutions tonight. First, let me applaud you and I represent a number of people here in the room. We are not comfortable with the resolutions that are before the committee. I want to say that on the onset, and I'll explain the reasons why we are. First, I would like to applaud the way you turned your life around and your entrepreneurial spirit and your statements of wisdom is promoting these businesses, so this isn't about contesting the nature of your business the question is, what's the appropriate location for these particular operations. Now you indicated that you have your licenses in place, well, that's partially correct. What you have are conditional licenses, agreed?

Emmitt Vandegrift- No, our licenses were just converted on Tuesday. They are annual licenses from the state of NJ.

Todd Heck- ok, but the one I saw from June, is the retail license.

Emmitt Vandegrift- That one is still conditional.

Todd Heck- Correct. And one of the conditions is that you have to receive approval from the township and zoning to get your license, correct?

Emmitt Vandegrift- That is correct.

Todd Heck- And that's one of the reasons we are here tonight is because these resolutions are requesting a statement of support from the township committee. And not just saying in general we support the nature of this business, but we are telling you, the state, because it's a requirement at the state level that this particular location in Mauricetown is compliant from a zoning standpoint for this type of facility. And that no changes to the zoning are required to allow this to happen. That is exactly what the resolution says. So, the problem is, is that is not accurate. It sounds to me the process that you followed here, is put the cart before the horse. Because the normal way, when you have an application like this, particularly when it clearly not permissible at a location and zoning district in a municipality is you apply, maybe when you sign your sale contract, you put in a contingency that says I'm not going to go forward with this unless I know I'm going to get my approvals for this use. Sounds like you didn't do that for whatever reason. By the way, the purchaser is somebody from out of state, correct?

Emmitt Vandegrift- It is my aunt, yes.

Todd Heck- ok, that's Mary McQuire?

Emmitt Vandegrift- Correct.

Todd Heck- ok, and you say that she is going to be personally occupying the property.

Emmitt Vandegrift- Yes, with my grandmother, in the residence.

Todd Heck- And what will be her position in connection with the business.

Emmitt Vandegrift- The director of marketing.

Todd Heck- The director of marketing, ok. Well, here is the problem. The township, like any other municipality, has a very detailed land use development ordinance. Certain uses are permissible, in different parts of the township. Mauricetown happens to fall in what is called a VR3, village residential zone. Certain types of uses are permissible in that zone. Obviously, residences are permissible. Certain uses that are compatible with residential living. Like art studios and workshops, they are permitted in the zone. Other uses are called conditional uses. And conditions are attached before certain uses can be permitted in the zone. Mauricetown allows two kinds of uses that are relevant to what we are talking about tonight. One is called a home occupation and the other is called a village commercial use home occupation. The difference is the home occupation you may be familiar with, that's the more traditional one where someone who is residing in a house wants to conduct a bit of a side business on the property, so they do something like run an antique shop. It wouldn't have much impact on a neighborhood, in many cases it's more of a personal hobby. Which is allowable because it's a use of very low impact on the community. The other type of use that Commercial Township introduced a few years back is the village commercial use type of occupation. That is saying we are going to expand on the type of commercial uses that you can have associated with residential living. But there are restrictions put in place. Those restrictions are very similar to the home occupation use. Number one, is that the use, has to be what's called, customarily incidental to the primary use, the residential use. Certainly, that's not what we are talking about here today. The



primary use frankly sounds like it will be the retail cannabis operation that has a lot of financial firepower behind it. The other thing is that the occupant of the residence is the one who is supposed to operate the business. I understand there are going to be titles associated with the people that are going to live there but it doesn't sound like they are going to be the movers and shakers that are actually operating the business. From this location. But even with those village commercial uses, the ordinance says that the types of uses that we are talking about are missing. They have to be the types of uses that are consistent with the character of the community. They have to promote, and I'm quoting, the cultural and logical, historic and recreational resources traditional to the community. That's not what is happening here. It is an entirely new use that until recently was illegal frankly in the community. This use is not going to qualify as they stand now for the village commercial use. I don't want you to just rely on my characterization of things, I've actually have the local ordinance provisions that address this. First of all, there is a general provision, in the township ordinance, article 6, 6.1 that says, no use or occupancy of any building or structure or land shall be changed to a different use unless conforming with all the regulations that apply to the district. Alright so, when you have a new use, the process is, if it's not currently a permissible use, at the location what you have to do is go to the land use board or you can go to the zoning officer and seek an interpretation and see if the zoning officer agrees with you that the use is permissible. I'm not sure there was any attempt to do that here, it doesn't sound like it. But in any event, that's not the final word. Ultimately is someone challenges the zoning officer's interpretation; the next step is for you go to the land use board. The land use board does have the power to grant what is called a variance, to allow certain uses even though they are not currently permitted under the land use ordinance. But it is a difficult task for the applicant to satisfy. They have to show not only that there are special reasons to do this new use, that it is not incompatible with the nature of the neighborhood, the public good and those are generally very tough tasks for an applicant to satisfy. That's the process. What's supposed to happen here is before this can be called a compliant use. This applicant has to get approval from the land use board because as things stand now, it is not a compliant use. It is not a commercial use related to a dwelling. It says right here in article 9, section 9.1A. The dwelling unit shall be occupied only by the owner or manager of said commercial use or activity. That's not really what is going on here. The owner of this activity is a limited liability company. It is called Pigment Retail Company LLC., by definition, that's not a person who is personally occupying the property. It's not what is contemplated by this ordinance. The state went past the cannabis law, it's called the cannabis modernization act. It says that we encourage these uses but not in every location. They specifically state you must comply with the municipal land use requirements. What they offered every municipality was you could either opt in, or by not doing anything, frankly what it said was if you don't within 180 days, after we pass this law, if you do not specifically opt-out, then we are going to allow these uses in general within the township. But we are only going to allow them subject to your conditional use standards as set by your land use regulations. So, they didn't override the traditional process where the applicant has to go before the land use board or as necessary is they don't currently have a permissible use. What they did say, with these type of retail licenses, if you haven't opted out, the retail licenses will be permitted in the commercial and retail centers. That's not what we have here. We have a residential zone. There is no state override of the local land use as set up in the state municipal land use law and then the local regulations are adopted by the township committee and the land use board as it applies there. That's the process there. Frankly, the township committee is not supposed to be involved in the characterization as to whether a use is current and lawful in the

zone. That is the province of the land use board. The reason the state requires before he can get his approval for this retail use, that there be a demonstration as certified by township committee that it is compliant with current zoning. They want to weed out the candidates who are more long shot candidates. He is talking about the priority decision system that the state has. Well, that's right, but the state does not want to run over the local land use schemes and force these types of uses in places where they are not compatible. Now, let's look at Mauricetown. Mauricetown as we know, is a quiet community notwithstanding the issues we are having with the sand plant. But theoretically and historically, it has been that. It's a small town, it has limited access ways. When people come in or out, as we have seen from the other testimony, it's very noticeable. Everything has an impact in terms of the volume of traffic that is moving through town. It is also historic, older homes, they tend to be relatively close to each other, it's not like your original approval, which is out on Sockwell Rd, which seems to be a much more spread-out area of the township. It seems to me instinctively a more suitable for any type of new business facility that is being proposed. There just aren't as many people around to be impacted by all of this. Mauricetown is also in a community that for a couple hundred years has cultivated its historic background. The people keep up their homes and try to maintain the historic character. That's the kind of cultural resource that was being talked about when the planner that the township hired back in 2007 reviled about in these commercial uses. That they would be compatible with the character of the township. The thing about Mauricetown, it's on the national register of historic districts. We have federally recognized historic and cultural resources in Mauricetown. There is no way you can easily reconcile this use with that. It sounds like what is being proposed is something that is convenient to the applicant but nobody else per-se in the immediate community. That is really important because, when I mentioned this type of use, that is permissible as a conditional use, village commercial home occupation. So, village commercial home occupation is to conduct from their home, commercial activities in a scope operation and size, as commensurate with the village in which it is located. This is right out of the ordinance, section 8.6c. It says the activity to be conducted for the gain or support of the owner shall be directly related to serving the needs of the village, its residence. It does say or visitors, but I would submit the visitors we are talking about here are the visitors the residents of the village. That's what was being talked about at that time. At no point does it say the general public. There are plenty of places you can site businesses in the township that will serve the needs of the general public. When they created this limited type of residential commercial use, they were allowing it for the types of businesses that would primarily serve the residents at it says, occupation or artistic pursuit, craft or commercial activity is to be of the size intended to serve the needs of the immediate village environment as defined by the village zoning district boundaries. Benefits of the village by cultural, logical, or historical resources. It says for purposes of this subsection, promotional activity shall be limited to the sale of products such as crafts, baked goods, or other products made by the resident of the home or provision of services, related to the village residents or visitor's needs. Merchandise related to or indicative to the villages culture, ecology, history, and recreational resources and general services like hairstyling, or professional services, business or financial services, or a tea and sandwich shop, guided tours of a historic site or adjacent natural areas and similar service activities including those catering to tourist or visitors. Again, I think what we are talking about, with tourists or visitors, they came to Mauricetown for its traditional, historic, cultural, ecological and recreational resources as stated in the earlier part of the ordinance. There is no way that this application meets that criteria so what they would need to do, is go to the land use board, and that's what should have been done here, and seek a variance, or go to township

committee, and seek an amendment to the land use ordinance. That's the process. A process where the public gets involved in every step of that process. There is no discussions in advance, encouraging the applicant to do one thing or another. It's all out in the open and the public has to participate and comment on whether they believe it's compatible with ordinance or any future changes to the ordinance. That's the process that is supposed to be followed here. The most important thing is the statement in the proposed resolution that it has been determined, first of all, determined by who? By the township committee tonight without this having properly gone before the land use board where the committee has no particular power on its own under state law to make this determination. That the real property is properly zoned for such use. Not true. And will not require the granting of zoning variances or zoning changes in order for the cannabis retail facility to be operational. Also, not true. One of those two things needs to occur. The zoning has to change, or they have to go get a variance from the land use board and as I said, that's not an easy task. I imagine anyone who is currently in opposition here tonight will show up in force at that hearing and be heard and we'll see what the proper outcome is to that. The process doesn't necessarily end there either. Ultimately, if the land use board doesn't follow the law and grants a use variance on an improper basis there is a right of an interested party to take it to court and have a court hear all this and determine if this is lawful. Like it or not, that is the process that we have in this state. We have had it since at least the early 1970's when this was all more formalized. It's a fair process, it makes sure the public gets heard at every step. We don't jump the gun just because, as Mr. Vandergrift says, we want to get a head of the pack basically with our retail operation. He has acknowledged that there is another location and ultimate plan to move this retail facility to down on Buckshutem Road. I won't comment much on that other than it certainly has different characteristics out there than having it in the center of Mauricetown. The zoning is undoubtedly different for that particular area so do like most applicants do which is abide by a use that I think should be approved not by withstanding that the township has not permitted it under its land use ordinance. As I said, you have two options, you can try again through a zoning change, that's a long process for that to happen, or you can go to the land use board and see if you get anywhere with that. Then if the land use were to give the approval, the statement that it's been determined that the property has been properly zoned for such use and will not require the granting of zoning variances or zoning changes, that would be accurate at that point. Right now, it definitely is not accurate. If this resolution got passed, this way, tonight, one of the first things I think would be appropriate to do would be to notify the cannabis commission that it is not correct and to take whatever action, there's a process that anytime that municipal action is not supported by law, we would challenge that with the courts of the state. I hope, notwithstanding, you have a business you have invested in, as I say is applaudable, but this is not the place to put that and certainly, the existing township ordinance says it's not the appropriate place to put it. So, go before the land use board, and see if you can get your approval. But don't have this committee tonight enter a resolution that is inaccurate and make us all go through the trouble which we will undoubtedly do, if we have to take that to the next level. Thank you for your time, committee, thank you for your time.

Emmitt Vandegrift- We started this process with the township and typically what would happen in this process in the very beginning, the townships would either identify the green zone, where they would have their cannabis businesses located or the township would be able to come up with their green zone. Because Commercial Township lacked the infrastructure to provide a particular area, an industrial park or anywhere. Our conversation with the township and to just

re-iterate how we got our licenses converted. What we have to supply to the state is that the property is properly zoned that way or is planned to be zoned that way where more operations can commence. So, the conversation we had with the committee and the solicitor beforehand is because there is no identifiable green zones in the township. There was no particular area in the township that was more suitable than another, that we would look for the best solution and that we would re-zone the properties that would fit for cannabis use. That is how we applied. We got the first two licenses converted already which was satisfactory for the regulatory commission. As it pertains to this property it was previously a retail location, a retail store that sold antiques, I don't know how many people do or don't use cannabis, but it is a service that would be provided for the residents of the community for the village. My aunt is a managing partner of this business and will reside on the property. That's my response to that. I don't know how much we can talk about the re-zoning of the property but that's where it was.

Mary Citsay, 9508 Highland St.- I will basically be living diagonal from you. I only just found out about this so ok, I'm using what I know and I'm using what I heard tonight, and I have a few comments. I have been a resident of Mauricetown for about 4 years. I've been in SJ for about 15 years. I didn't grow up here, I grew up in upstate NY. I'm from Syracuse. But I can tell you, when my husband's job moved us to SJ, I was psyched to buy a house in Mauricetown. That's because it's off the beaten path, ok, it's historic, it's quaint, it's cute, I love it there. And I know that these people love it. For all those reasons and more, they lived there their whole life, they love how quiet and safe it is. I walk my dog at 9:00 at night and I feel great. I do not feel in fear, I do not feel like I'm in Laurel Lake and I'm walking down the street.....no judgement on Laurel Lake but having said that I don't want that to change. Also, having said that, I can appreciate that you turned your life around, I can appreciate that you sell medical marijuana, I believe in that. I just don't think this is the place for a retail establishment. No way, no way in hell. Mauricetown is on the national register of historic places. Please listen to the definition. These properties in historic districts all meet the NJ and national register criteria for significance in American history. Archaeology, architecture, engineered horticulture and possess integrity of location, design, setting, materials, workmanship, feeling and association. I can't see where this establishment belongs there. I've heard your story; your kids go to the school. I have four children in the area. I can appreciate you starting a home-based business and being successful. You trained us on the security, I heard everything you said and quite frankly, it scared the shit out of me. With your armed guards, I mean right next to me, no thank you, I mean think about it. I want you to be a success but do it somewhere else. It doesn't belong in Mauricetown. The first part of this meeting you heard us ask questions of the silica sands personnel on traffic, on waste, on pollution. Don't ya think the minute you step out of bounds we are going to be right back here making you hold you hold your feet to the fire and have those exact same problems issued. We are not going to stand for it. We are not going to stand for issues of people coming into our town, ok, lovely, they have to pick it up at a certain time, they have to buy it online for curbside pickup, but you know what, I'm sure you want to be a success with what you do. I'm sure being a success means building and growing your business, not just keeping it in a 52,000 sq. ft whatever. You want it to become bigger. Again, that's changing the whole nature of Mauricetown. I mean, come on, that's common sense. You don't allow anyone to use on the property after they picked it up, but we have a park right at the end of the street, down by the river. You pick up your shit then take it down to the river to use it. It's already changing, and that seems like a nightmare, ok. The other thing is animals, ok. They didn't mention this with the

silica thing, but you know what we have colonies of cats in the town that we are very concerned about. Most of us have pets that we walk. The same concern with the silica thing, so more traffic beating down that street, you're going to run over cats, you have to watch for people. You know they are all concerns. We just don't want it to change, ok? Have your medical marijuana, have your retail facility, God bless, but I hope you do it up Buckshutem Road, ok. It's a lot more open, it's more appropriate. It should not be in a small historic town. We have Christmas tours, ok? Where we look at each other's houses and their beautiful Christmas decorations. We have ghost tours. Honestly, we don't want to be on that tour and say at that's where they saw a ghost at the medical marijuana facility, it's just sounds like a nightmare. We don't want that to be part of the tour. These small communities are very few and far between anymore. That is what we love and appreciate about it. So, think about moving it elsewhere, honestly. And please don't approve anything related to this in Mauricetown.

Katie Dayton- Two quick questions. Sort of a point of clarification question. One is for you, you discussed that not only would you have an online only pick up business but per the NJ cannabis regulatory commission, that is not a thing.

Emmett Vandegrift- Curbside pickup.

Katie Dayton- But it says on their website under their facts, can a cannabis, retail and delivery business operate entirely by online business. It says they must maintain a retail store front from which orders may be placed in person. Can you address how you're going to get beyond the NJ regulatory commission?

Emmett Vandegrift- We will have a store front that does provide a place for purchases and order, but we only have curbside pick-up available until we can get an understanding....

Katie Dayton- So people are going to be able to walk up and say I want to place an order for this and pick it up on the curb?

Emmett Vandegrift- Our intention was to have very limited hours with curbside pick for the busiest times of the day.

Katie Dayton- What does limited hours mean? Can you clarify?

Emmett Vandegrift- The hours are from 10 to 7. Ideally from 10:00 to 12:00 and from 3:00 to 7:00 would be curbside pickup. Then in the middle of the day when there would be the least amount of road traffic would be when patrons would be able to come in.

Katie Dayton- Ok, alright, I have a lot of neighbors that asked that. I actually have a question about the Buckshutem location which isn't necessarily the point of focus, but this is for your security person, I forgot your name. So, you discussed that state laws prohibit the consumption of your product on site, you have to purchase and leave, but in the email, you sent when you put in the proposal for this meeting you discuss that the Buckshutem Rd. would be framed as a flagship destination for a consumption lounge so how are you going to get beyond that and what security measure are you going to take to ensure don't consume the product in the

consumption lounge then driving off site. You already stated in your little introduction, Buckshutem is a busy road. There is lots of traffic and having people under the influence that will take part in a state of the art flagship destination with a consumption lounge. Doesn't seem like great business and you yourself stated that it isn't even legally possible.

Emmett Vandegrift- The consumption lounge is an add on, you can add to a retail license. It doesn't have to be there. You can put it on, you can have a consumption lounge, you can have multiple dispensaries, but you can only have one consumption lounge at one particular dispensary.

Katie Dayton- So do you currently have that add on license as part of because.....

Emmett Vandegrift- No.

Katie Dayton- Ok, alright, that's all I have thank you.

Freddy Hundt- Believe it or not I'm not going to have a whole lot to say, much of my thunder has already been stolen or passed on and I appreciate that. I also want to say, I also admire your ambition, I really do. I feel for the township committee. I think I'm a little bit on top with what's going on with cost coming down the road and the issues, with the squad and the tax crap and the things going wrong, and the animal shelter, that's a big thing, I understand all that. I understand this is an easy way for them to make money. For whoever is going to be collecting it and making sure the proper amount is being collected. Nobody knows exactly what we are going to get yet because it's all experimental. We just don't want this experimental in Mauricetown. I just have two things to ask you. I understand you approached the historical society in Port Norris, and they let you know they weren't too enthused with you opening up a store in Port Norris.

Emmett Vandegrift- We didn't necessarily get that impression. From what I remember from the meeting, they heard us out, we wanted to partner with them in some capacity to contribute and maintain and fixing up the historical and they said they would take all that I had to say into consideration.

Freddy Hundt- I understand, from the grape vine today, I got a phone call, from President to President saying hey, they were not too enthused about have this thing in Port Norris. So why is it ok for Mauricetown? That's what I wanted to know. Number two is, I know you're a big fan of big trucks like me, why would you want to see more traffic come into Mauricetown, even though and to this point, you don't know how much is going to come into town yet. It's all up in the air, we don't know what's going to come into town, no one knows what it is going to generate. I know when I go by those other stores, I know the one up on Delsea Dr., it looks like a Shoprite supermarket. What are we going to do to maintain it? Now I know Mike, there was quite a discussion out here the other night after the agenda meeting, which we had a meeting outside, Mike said they are going to manage it. But there are so many things in this town right now that aren't getting managed because of the cops (inaudible, clapping). It's just going to add more problems to the pile. They do have an issue with the finances, I understand that totally. Those are the two comments I wanted to make to you and to the committee and also have with me tonight, one other thing I wanted to say if Todd is still here, from the residents of

Mauricetown especially, Todd has been helping us out this whole thing and we got this done in the past three days and I want to thank Kathy and Lib and all the people that ran around with petitions and get this thing off the ground and try to get it stopped. There were phone calls, there were people at my house until 10:00 last night, my phone never stopped ringing, people were upset. We don't want this in Mauricetown. You're going to have a rough road ahead of you and so are they but here is a petition. We tried to add up properly, we think we have somewhere around 145 people in Mauricetown. Here is the petition we got done in two days with over 125 names on it and I guarantee ya out of the 125 are exact residents of Mauricetown. We don't want it in Mauricetown. Please vote no or do something about changing this resolution. Get it off the table, do something but make it go away.

Tom Forkin, 1200 Front St. – My wife and I just moved to Mauricetown this year. It's a beautiful village, we love it there, it's quiet, because where did we live before, Atlantic City. I served as the city Solicitor in Atlantic City through the Whelan administration. Before that, I was the police legal advisor. We have a needle exchange there, marijuana dispensaries, we have the different accoutrements for the tourists there and it's packed. A different demographic, granted. We had a saying when I was in the Persian Gulf, the locals had a saying. You never let the camel's nose in the tent. Because once you get the camel's nose in the tent, you get the camel's head in the tent, then you get the whole damn camel in the tent. So, the problem that I have with this is right in the middle of town. We bought this house for our children and our grandchildren to come and visit. So, what we are proposing is having a cannabis dispensary for retail purposes right up the street from me. We are right adjacent to the park. I can tell ya, I don't want to criticize anybody's business and I wish you well, but if it's still in the township, the township is still going to get the ratables, which we all would benefit from. What my concern is for my little grandchildren, ok you get somebody baked driving down the street, ok, maybe they had a gummy, and they go down to the park and burn a couple fat ones, I get it but that's not going to happen as long as I live in that house. I told my wife, I'm dying in that house because of all the crap she made me move. I never thought I would go to another city council meeting ever, because I used to be at every single one in Atlantic City because Atlantic City has a lot of problems. A lot of those problems are because of drugs and alcohol. Now, I don't want to see a package goods, I'll run down to Lalli's if I got to get alcohol or a dispensary or whatever. I'll take my uncle Basil, I think you know, I'll take him down there and he can go to buy whatever he wants at the dispensary, that's great but not in our town because we don't know the element that is going to come in. I can tell you for a fact and some of the people in this town know, there is a line, a block long in Vineland. It's two blocks long in Atlantic City. And you have different people there, you have people in business suits, attorneys, some other people, you know right off the street. But how are we going to like, I don't even know how this made the agenda tonight to be honest with you because I think my neighbor Tom Heck did a fantastic job, and I'm not just saying that because you're my neighbor Tom, he did an outstanding job. But how did this circumvent the proper procedure to even get on the agenda tonight, that's what I question. I mean, I never thought I would get involved in politics again, but I got to tell you guys this shouldn't have even been on the agenda. Because the proper procedure should have been implemented, ok and the proper vetting. This matter wasn't vetted properly. We have to have a town hall meeting; it was a hell of a thing to get everybody here. I just found out about this the other day because there is anything you need to know in Mauricetown, Fred. You call Fred because he knows everything that goes on. I joined the volunteer fire department there. I implore

you guys. And nothing against your business, ok. I grew up in a generation, we smoked weed all the time back when it was illegal. But I will tell you this, it's not the proper place for it. Ok, it's just not. I think the one young lady that spoke earlier hit the nail on the head. Just have it somewhere else and good luck with your business. I think it's great how you turned your life around but I am worried about my grandchildren and my children and there are still people that go down to that park, 2:00 in the morning, one car, two cars, we discourage it, I flash a flash light on them, I have a sensor light down there that blows up when people stay too long. We got to tame this. We can't approve this especially approving it tonight. It has to become a proper thing.

Eric Ostrow- I will start by saying that I am grateful for you turning your life around. Thank you for sharing. I echo what other people say, Mauricetown is not the right place for this. I'll ask a couple questions. You say your goal is to help this community doing this, correct? Ok, well fair enough and you said in light of that you also say you don't live in Mauricetown, you live in Port Norris, correct? So, dare I ask a rhetorical question, why wasn't there a suggestion to put this in Port Norris when you have a business district with a bunch of empty buildings. I think that's a commonsense thing here township committee.

Emmett Vandegrift- We looked for available retail space, and there was an available retail store on Highland St. with a closer proximity to the state police barracks than any other retail outlet in the entire township. It also had a closer proximity to 3 major highways to come through the township that being North Ave., and in addition to that I heard a lot and talking about the historical aspect, the very next cannabis dispensary scheduled to open up in west Cape May and Cape May has also proven (inaudible) as well. And it's in a historical area.... (Many people talking over, inaudible). West Cape May is where they are having the dispensary. (Many people talking, inaudible)

Eric Ostrow- Ok, so I can understand your rationale, so what you're saying is Mauricetown is your first choice for this.

Emmett Vandegrift- Mauricetown was the choice that looked like the most logical again in terms of available retail space that was on the market as well as the proximity to the state police barracks.

Eric Ostrow- I heard your rationale. Statement to the township committee. I have been a pastor in this township for six years. Anybody who has ever visited, and even in the churches that I serve, and those of you who are members who attend regularly know, I pray every Sunday, that our leaders, our national, state and local leaders, will do what is right, do their job and serve the people. Not personal interest or special interest. I think you know what you need to do. Thank you.

John Dayton, 9582 Highland St.- I am a member of the commercial township environmental commission. As far as this gentleman coming here tonight, Justo is going to think he took a walk through the daisies, because he will hear from more people to come, I'm not going to comment anything to him. I do have one quick question for him, but I think as a town, Mauricetown is disappointed in this body. Most of us did not hear about this, read his proposal



until Tuesday night. Maybe we could have had time to sit down with him and had more conversation about this. We weren't given that opportunity and it's a disgrace. And when were given little bits of pieces of information about it, it was a mail order business, you won't even know they are there. Clearly that's not the intention, he's not going to make any money, it's just a mail order business. So, with your retail part of it, will there be an opportunity for a walk-up counter?

Emmitt Vandegrift- Yes.

John Dayton- There will be. Ok, we have all seen in Vineland cannabis store, someone said it is often crowded with people out there down the street. There parking lot holds about 25-30 cars for guests. If you were to get that sort of traffic, how are we going to handle that as a town? The road is very narrow there, there is no sidewalk, no street parking, how are you going to accommodate that kind of foot traffic to your location.

Emmitt Vandegrift- So without being able to know a head of time the level of foot traffic because it is kind of off the beaten path, again we focused on trying to get established, and once open and know what the foot traffic is, we would mitigate it as much as we can with the curbside pick-up by giving an allotted pick-up time. I've talked to the mayor as well about talking to the county about the correct path as well as the truck drivers get would be to continue down the bypass and make the left to Highland rather than coming through the historical part of town. Other than that, we are trying the best that we can and if it becomes overwhelming to where there are too many cars coming through, we would just limit our hours of operation to keep it as simple as possible. And in regard to, before we even submitted the resolution, before we had the house under contract I actually walked around and knocked on all the doors that I could I had my 2 year old, I knocked on all the neighboring properties that were there and I asked the residents ..... many people speaking inaudible... I did speak to 5 or 6 individuals within the neighboring homes and only one person told me they weren't sure about it.

Someone shouted out- That was me! I said I didn't like it, it's right beside my house and I didn't want people lined up on the sidewalk to get into your place, not happy.

Emmitt Vandegrift- (many speaking over, limited audible) in terms of people lined up down the sidewalk if anyone knows the property there is an electronic gate to the property with a long driveway....many people talking, inaudible.

Unidentified person speaking- The short of it for me is that as a town, we do not feel like we were prepared for this to come down the way it did. And to find that a great deal of it has already passed. If you wanted to open a barber shop, who gives a damn. This is new to the country, new to the state of NJ, a lot of people are unsure about this this kind of a business (people started talking over the speaker, inaudible)

Todd Heck- I apologize to the committee and the audience, this will only take another 30 seconds. Two things I forgot to mention, of why this isn't compliant, I want to get it into the record, the parking you just mentioned refreshed my memory. Another standard required for one of these village commercial occupations, this is 8.6c, subsection f. A village commercial home

occupation shall provide sufficient parking as determined by the standards either on or off site, off site does not mean park on the street. It means you as the operator of the facility has to provide that parking somewhere. This is not a compliant property. It is not feasible to have on or off-site parking and support the operation. The second thing is, subsection 8, It says the village commercial occupation shall only operate during daylight hours. Well, we heard that the proposal is to is to keep that facility open until 7:00. That works in the summer months, it doesn't work for the rest of the year. Another reason as it stands right now, this does not comply with the existing zoning. Thank you.

Tracey Richardson- Port Norris- I just want to say, I wish we had this opportunity when these barges were opened. I much rather deal with Emmitt, and his manner, his kindness, than what we have to deal with, with these barges and truck drivers. They are just rude and ignorant. But I support you, I am so glad you are doing something for our township. With that being said, maybe Mauricetown might not be the right place. You know what we have to deal with, with these trucks, and it's a nightmare. I do hope you find a place that is feasible.

Unidentified person speaking- I'm new, I just bought a house a year ago, I still don't have septic to flush the toilet so it's just amazing to me how much you have been able to accomplish in a short period of time. The thing that I don't understand is, the money part of it. You're open for 9 hours, and maybe every hour... how do you pay for union jobs and million-dollar security, unless you have funders behind you and so if you have funders behind you, you have to pay them off first and yourself and then in 4 or 5 years you might give the school something but there is a time span. I don't understand the finances, how you... or do you sell online and then you sell... what does amazon pick it up and deliver it, I mean how are you making all this money.

Emmett Vandegrift- Well, to answer first, I haven't made any money in almost a year in a half now. I had to quit my job to try and get all these licenses through the process. In terms of how these businesses are funded, I have private entity investors that understand this coming into this that there are certain financial obligations that need to be met as the business and that profit dividends can't be given out until the business is profitable and everything is functionable. But those obligations that we do have to the state and the township come first before profit dividends, before investors can be returned on their investment.

Unidentified person- Right so how long before the township sees any of this money you think you are going to give to them.

Emmitt Vandegrift- All three of the businesses, I would say within the first 6 months we would be able to give back to the township.

Unidentified person- I don't even see how that is possible.

Emmitt Vandegrift- There is an end within the funds, that are set to establish the business and build the business, there is (inaudible) expenditures as well and money there for the business operations and part of those operations are to meet the financial obligations that we have.

Unidentified person- and you have all that in paperwork and written down.

Emmitt Vandegrift- We wouldn't have been able to get the licenses converted to annual licenses without that. That's one of the last steps that the cannabis regulatory commission as for is to be completely, legally vetted background financially, and to your extent, zoning has to be vetted by the state attorneys as well.

Unidentified person- I think you are a cover.

Committeeman Klaudi asked that she state her name and address for the record.

Stacey Douglas, 1226 Front St.

Solicitor Seeley- If we could just start identifying who we are because when she types up the minutes it will be very difficult for her to identify who is saying what. I know people have spoken multiple times but try to say your name and address for the record.

Melissa Gifford, 1705 Spring Garden Rd.- Good for you for being clean and getting on the right track but the other issue is with cannabis, people who are using, use it as a crutch for continuous use, so you are going to prohibit drugs use in this area where its already an issue in certain areas like there is a park on Spring Garden Road where they use and they use in other parks as well which isn't good not to mention the homelessness that's an issue here. The other issue is the cannabis industry isn't right for here at all. Because everybody is a mom and pop, old historic and wants to help each other and you say it's going to help pay for the school district buses because there is a bus shortage. Your money isn't going to go to the school district. The school gets funded by the state. I have three kids that are in this school district, and one is going next year.

Emmitt Vandegrift- As I mentioned, this area is classified as an impact zone, 70% of the tax revenue brought in from cannabis sales to the state, goes directly back to those impact zones that host cannabis businesses for them to use as they need it. In addition to that, as I mentioned before, we have to give percentages of our gross revenue directly back to the township. Just last year the greater Denver Colorado area 81 million dollars in tax revenue that went directly back to the school district. Just about every school outside of Denver has a new HVAC system, a new plumbing system, practically all brand-new schools, The sole purpose of having the classification of impact zones in economically impacted areas was to improve the areas with the revenue brought in from the sale of adult use cannabis.

Melissa Gifford- I have one more question, since you have been clean have you used any recreational drugs?

Emmitt Vandegrift- I use cannabis every day.

Melissa Gifford- So you use it as a crutch to stay clean, thank you.

Libby Truitt, 9564 Highland St.- I want to say thank you to everyone here, who is here to support the opposition to the retail dispensary in Mauricetown. And I commend you as well, for

cleaning up your life and moving into a business venture. My question is for the township committee because I know you are talking about all these taxes we are going to collect, 2% transfer taxes. That is not written in the township ordinance. Is it written in another ordinance? That we will be collecting those taxes. It's not a voluntary thing, you don't just decide you're going to give it to us. We have to decide we're going to get it; I believe. And have it written into the local cannabis ordinance.

Mayor Vizzard- It is part of the state giving him the license.

Libby Truitt- Ok, so we don't need to write it into our ordinance. And I'm just curious with your Sockwell approved resolution. Did you get all the necessary land use permits that you needed on Sockwell.

Emmitt Vandegrift- That is exactly why those licenses were converted last Tuesday. It's part of the vetting process.

Libby Truitt- Ok, so you have permission for the retail there.

Emmitt Vandegrift- We have ....

Libby Truitt- Per the resolution that you signed in February it included the retail on Sockwell.

Emmitt Vandegrift- Correct.

Libby Truitt- I guess that's it, thank you.

Dave Kinsey, 9567 Highland St. – Thank you so much Emmitt. I applaud you; I applaud you for what everyone else said. I'm a business owner too. I'm in the health care industry and my family owns an ice cream shop in Cape May which is a landmark city of historic nature and Cape May City. And for the record, West Cape May is not historic. There are no houses of historic integrity nor is it on the landmark or historic registry in West Cape May. I can call the mayor on my cell phone, ok, if we want to verify that. That was an inaccurate statement. Can you please tell them that West Cape May is not historic. Cape May City is a different Borough, the mayor is Zack Mullock, I can call him too. That is historic. So, you are incorrect with that. Are there any other communities in your research, I know you had to do a....I own an ice cream shop, I did some analysis on who eats ice cream, how much they pay for it, the best brands, so where are their other residential dispensaries that you mentioned of historic nature that go back for hundreds of years like ours, where do they exist.

Emmitt Vandegrift- The only one I know off hand is in Maine, but I don't know the exact name.

Dave Kinsey- Is it Ogunquit?

Emmitt Vandegrift- Again, I don't know the exact name.

Dave Kinsey- That is one of the only historic towns, there are two or three historic towns. I would love you to do your research and come back and talk to us about that. I would also love to hear from you, I know how much I make from a scoop of ice cream. Do you know exactly, you said, 17 to 20 million dollars annual, is that correct?

Emmitt Vandegrift- No, that's how much our cultivation, manufacturing facility is projected to cost to build.

Dave Kinsey- Cost to build, ok, how much do you think your annual revenue is going to be? You have that projection somewhere, right?

Emmitt Vandegrift- We do have that projection, however the scale, from the time we started the licensing process, the price of cannabis has fluctuated and typically does, it has gone down as more product has come online, we started this process in April and cannabis went for \$4,580 at this current time it's worth \$3,820, per pound.

Dave Kinsey- When you think about that pricing model and you think about its price per customer, you know what your average tickets are going to be, you have an idea. When processing out for your loans, your investors, they needed to know, this guy knows what he is talking about. So, you do know how many people times your average ticket equals whatever your top line revenue number is. How many people are going to be buying pot from you, what's your average per day.

Emmitt Vandegrift- We projected for the Mauricetown location 50 to 100 a day.

Dave Kinsey- 50 to 100 a day. That's a very conservative estimate, wouldn't you agree? Since you said there one dispensary for every 422,000 NJ residents.

Emmitt Vandegrift- One for every 242,000 but again this is a much less dense area.

Dave Kinsey- But Vineland and Millville are not so dense right? You would probably shave off revenue in customers from them. So, there are two blocks of customers, will be one block of customers here plus whoever here gets excited about it right. I'm just saying the numbers are pretty extreme for traffic pattern increases. My last question, have you done a traffic study?

Emmitt Vandegrift- We have not conducted a traffic study on Highland St.

Dave Kinsey- Has this board required that this business produce a traffic study.

Mayor Vizzard- Not at this time, no.

Dave Kinsey- Will we ask for a traffic study of any business that comes into our township? Do we typically do that is going to be a significant retail change.

Mike Vizzard- I do not recall any traffic studies.

Dave Kinsey- That sounds to me like something we would want to do before you make a decision. I think the business is something that should be out there, I support the business, I'm in support of the business, I believe in it, I'm in the healthcare industry and I know how it helps people with HIV and cancer, extreme pain. But not in Mauricetown. We respect you but please not in Mauricetown, OK? Thank you.

Eric Errickson, 9096 Noble St. – Howdy neighbor. What do you plan on doing with the house long term?

Emmitt Vandegrift- My grandmother, aunt and family will live in it.

Eric Errickson- No plans for a halfway house for parolees or any of that?

Emmitt Vandegrift- No.

Eric Errickson- That's all I got.

Someone shouted out what about employees.

Emmitt Vandegrift- My aunt is an employee so she will be housed there.

Ross Munzenmayer, 9503 Highland St.- My wife and I have been residents of Mauricetown for about 15 ½ years now, we are likely to be the most impacted by it if your plans come to fruition. My back door would only be about 150 feet from your front door of the store.

Emmitt Vandergrift- 167

Ross Munzenmayer- Pardon me?

Emmitt Vandegrift- 167 according to the survey.

Ross Munzenmayer- I didn't pull out the tape measure, ok. My wife is the one that became very surprised. When she told me about it, I didn't know what to think. I kept saying are you sure? She said yes and she said she kept asking him do you have you got permission and he said yeah. I said, no way. There is a big difference between selling antiques and selling dope. Because your licenses include recreational marijuana. It seems to me it's a little hypocritical here. I commend you for turning your life around, but your business seems to promote what you got out of.

Emmitt Vandegrift- I would argue it is the complete opposite.

Ross Munzenmayer- Who is going to be buying recreational marijuana during the day? Unemployed people, people with limited income, and where are they going to get the money?

Emmitt Vandegrift- I think that's an unfair characterization of a number of people and quite frankly insulting.

Ross Munzenmayer- Well, I'm sorry about that. We moved to Mauricetown for the character of the town, the history of the town. The town people have worked hard to maintain the character both individually and as a highly regarded group known as the Mauricetown Historical Society. You have no idea what we have done, well in our 15 years, we haven't done nearly what the originators of the historical society has done. They restored the Edward Compton house on Front St. Did you see pictures of that before they took it over?

Emmitt Vandegrift- I have seen some pictures, yes.

Ross Munzenmayer- ok, that is the kind of effort they put into it. Your proposed business is contrary to our way of life. My mom would have told you, you put the cart before the horse. You should have done the research for our community. And your correspondence with the township hall, you made it look like you're doing us a favor. And you're calling Mauricetown your community. It's not your community, it's our community. I'm sorry that this is not going to fly, and I'm going to talk to the committee, you three men were elected to represent your constituents. To do what is in the best interest of your constituents, we are your constituents. We do not want this in Mauricetown. I want to thank Mr. Heck for answering our legal questions here. Because I had no idea, we had so much behind us. I knew there were zoning issues, I knew there were permit issues, I didn't know what kind of permit the antique shop ran on, but I knew there were provisions and contingencies on that. I knew that a cannabis dispensary would not meet those conditions. But thank you Mr. Heck.

Tracey Richardson- I just want to say, I appreciate you don't want this in your neighborhood. I wouldn't want it next door to me either. But I just want to say, that people who use this are not criminals, or drug addicts (clapping, inaudible) ease the pain that she has, I also have other loved ones that use it for anxiety among other reasons and they are not drug addicts, they are not criminals, they are not awful people, they are not dirt bags, they are not smoking it in a car. It is a good thing. The people that voted on this and the majority won to make it legal and maybe there are drug addicts and believe me there are plenty of them running around here. But it is not pot that they are smoking.

Chris Finch, 9558 Noble St. – I want to commend you like everybody else. Don't get discouraged. It's a good business and it deserves to be out there, but with the traffic and the way the town is laid out, I just don't think it's the right location. It's a lot of traffic and as people have said, it's a narrow road. It's not a real big property as far as parking and access and traffic is already an issue we already have. Like other people, I support you, you have taken a beaten verbally from people and some of it was unjust. I just want to encourage you and don't get discouraged and I hope you find a good location for it and that you do well with it.

Melissa Gifford- The other issue is how would you prevent someone from going to one cannabis shop and then go into your cannabis shop? If it is a state regulated one. Like it's a double dipping for more than they are allotted. Is there a card system or something like that?

Emmitt Vandegrift- With the medical system, you are issued a card, which gives you a certain allotment, that is tallied in the computer system, which per the state it's called the metric system. That's how everything is tracked and identified. And with the adult use system, your drivers license is scanned into that same system, but realistically, someone could drive from one location and go to another. Medical is limited to 2 oz. per month. And this doesn't make sense to me but with medical you are limited to 2 oz a month, but an adult user could go and purchase up to 4 oz. a day it seems like so I can't prevent anybody from coming to my store to another store.

Melissa Gifford- The other question is how are you going to prevent people who drive off of your property and start to use on the road because there is a lot of that going on in Vineland, Millville and a lot of swerving is going on.

Emmitt Vandegrift- Again, once they leave the property, I can only control what we give them in terms of concealment and the way it is packaged. I can assure you that our packaging is 100% child proof. Most of the time I can't even open it myself. So not exactly ideal to be driving and trying to open whatever the substance is but if somebody wants to do something, and they incriminate themselves while they drive, no matter what I say or do, they are going to do it.

Melissa Gifford- But it came from your store. So, if they are pulled over and they are using it, they can say it came from your store. You're the one who gave it to them. You should also be liable.

Emmitt Vandegrift- I didn't open it and make them.

Melissa Gifford- Is there going to be rules and regulations on the packaging that they have to comply with?

Emmitt Vandegrift- Absolutely.

Melissa Gifford- Is it going to say do not open until you get home? Is it going to say anything like that? (Multiple people speaking, inaudible)

Emmett Vandegrift- There are rules in place that you cannot use cannabis while you drive. The only thing that I know, to the best of my knowledge, to test a user, is there are some early-stage breathalyzers that has been implemented in Utah, and other states that can detect it in saliva in up to two hours after ingestion. They say after two hours, your skills are no longer affected from usage of cannabis. That has not been implemented in NJ. It is new technology. There is a lot that goes into that.

Melissa Gifford- The other question, the person you said is marketing that is living in the house, what happens when they are supposedly on the title of the house, operating the business, what happens when they deceased and what happens to the business.

Emmitt Vandegrift- Well, she is my direct family, we as a company, split her down payment of the property with her so we do have a financial interest in the entire property so I would assume my wife and I would take ownership of the property. Ideally, we bought the



property for my grandmother to stay in and my aunt will stay there and take care of her while helping manage the business. It would probably just go back to the family.

Melissa Gifford- Doesn't the state need regulations to do something like that. If it's put in that person's name, wouldn't it have to go through all the rules and regulations all over again? Like re-apply for the permit.

Emmitt Vandegrift- No, because my aunt would be the owner and she would be a managing partner in the business and if she were to pass away, God forbid, I would inherit the property being the sole owner of the business. So, in terms of how it relates to the zoning, an owner occupying the business and so forth, it would still be the same family, it would be under the same guidance, me being the managing partner of the business.

John Boyle, 1207 Front St. – Like the one gentleman said, it's great what you are doing, it's a good business, get in there and get that money. You have a lot of money behind you, but Mauricetown is not correct. My sister asked if you have an operating license, you can open up a place here?

Emmett Vandegrift- We have been given a resolution which stipulates we have or will have zoning approval for retail sales on that property before we can open.

John Boyle- My advice to you is, I think you are going to be in a world of hurt with litigation for two years, you can probably get that up and running in 6 months, get it out of Mauricetown, go over there and do that. I think you're trying to be fast and dirty. Just work a little harder, you've worked hard to this point and find yourself a suitable retail area with plenty of parking because if you go to see Vineland, it is a mess. Sometimes there are cars out on the shoulder to get in there. And believe me, I own a business. I mean you say there isn't going to be a lot of people that they can do the mail order but there is going to be a shit ton of people pulling in there to get some weed. Everybody wants the pot. It's closer so they don't have to drive to Vineland. You say 50-100 people, I think it's going to be more like 100-200 people. It's a lucrative business, work a little harder, get it going, find a good building so that you'll have the proper security. Also, with the state police, I think they and the state police have jumped the gun because that girl had some concerns about the legality of driving. Are there test when someone gets into a car accident, I mean DUI but the weed...

Peter – When you get a drivers license in any state basically, you have to pass your drivers test and part of that is, you cannot drive under the influence. That includes prescription medicine. Yes, there is a test. They are called Drug Recognition experts.

John Boyle- So they are catching up.

Peter- Yes, they do all sorts of physical tests, they do blood pressure, the whole thing. It's a little more extensive than drink driving but they are trying to develop a device that measures nanograms of the breath. That's coming but it's just like liquor store, if you bought a six pack, if you open it, it's on you because it's against the regulations. And that includes prescription medicine if you get behind the wheel.

John Boyle- Is there a measured amount? Do they say like .08 whatever it is ....

Peter- In nanograms, it's up to, basically, I don't know what the number is.

John Boyle- That's what I mean by the state jumping the gun, they legalize all this, but they test and what the legality is.

Peter- Well, that's a whole other story, that's the state.

John Boyle- Yeah, the state is doing this. In audible, several people speaking.... This town is a lost cause.

Mayor Vizzard- Alright I think we have had a lot of questions here. Can I have a motion to close to the public? Committeeman Klaudi made the motion and was seconded by Committeeman Jamison.

Mayor Vizzard- Moving on to correspondence. Thank you, Emmett. We have a letter from Competition Dirt Riders, requesting a parade permit for their annual motorcycle event which starts at the Mauricetown Fire Hall. The date is August 27, 2023. Their route will encompass all county roads. A resolution is on the agenda for approval.

Mayor Vizzard- We have Resolutions 2023-70 through 80. In leu of everything we have gone through tonight, and talked about tonight, I am going to make the recommendation to the rest of the committee, that resolutions 75 and 76 be removed from the agenda. Before we move forward with the resolutions, we, were handed those resolutions, stating that we had to get the approval for those resolutions before they could go to zoning. That's what we were told. That's why those resolutions were on for tonight. They have to be zoned per state requirements, we have to have all that. That's not what the intent was. The intent was, was to get it out to the public, for people to know what was going on. That's why we were told we had to get these resolutions out. I know everyone says we didn't do anything right, well, we were told we had to get those resolutions done first. Before they go in front of the zoning board. That's why they went out. And as it turns out, it's good because there is no sense in him going to zoning. Your faulting us as to it not going to zoning first, that was not the intent.

Someone shouted out- Can I ask you a question?

Mayor Vizzard- No, not right now.

The person said, "I'm so sorry".

Mayor Vizzard- at this time, we are going to read off the resolutions. I'm sorry, I didn't mean to be so abrupt but after the meeting, you can ask me whatever you want.

The person said that would be great.

## **RESOLUTION 2023-70**

### **GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Clerk of Township pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Schedule of Findings and Questioned Costs", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Schedule of Findings and Questioned Costs", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Commercial, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

## **RESOLUTION 2023-71**

### **Approving Competition Dirt Riders Annual Motorcycle Parade**

**BE IT RESOLVED** by the Township Committee of the Township of Commercial that the Annual Competition Dirt Riders Motorcycle Parade is approved for August 27, 2023, commencing from the Mauricetown Fire Hall, Noble Street, Mauricetown, New Jersey; and

**BE IT FURTHER RESOLVED** that the parade route will be as follows:

Noble St., CR#744, By-Pass Rd., CR #649, Haleyville Rd., CR # 676, Ackley Rd., CR #718, Dividing Creek Rd., CR # 555, Newport Road., CR # 610, Buckshutem Rd., CR #670, Millville-Fairton Rd., CR # 698 and Cedarville Rd., CR #610.

**COMMERCIAL TOWNSHIP  
RESOLUTION 2023-72**

**Authorizing Shared Service Agreement for Resurfacing of a County owned roadway (CR 553 Main Street to Ogden Avenue to Strawberry Avenue) within Commercial Township**

WHEREAS, the Township of Commercial desired to enter into a Shared Service Agreement with the County of Cumberland, and

WHEREAS, the project estimate for the work contemplated under the agreement is approximately \$1,335,000.00. Of that amount, Commercial Township agrees to use the amount of \$900,000.00 in NJDOT grant funding for the project and,

WHEREAS, pursuant to the terms of the Shared Service Agreement between the township and the County of Cumberland, the County shall provide payment, not to exceed \$550,000.00 to cover an estimated grant shortfall and,

WHEREAS, said Shared Service Agreement are permitted under the Statutes pursuant to N.J.S.A. 40A:65-1. Et seq.,

NOW, THEREFORE, in consideration of the mutual promises, agreements and other considerations between the parties, the parties do hereby mutually agree to the Shared Service Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial as follows:

1. Commercial Township shall be responsible for bidding and awarding of the bid to the lowest responsible bidder in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
2. Inspections will be done either by or on behalf of Commercial Township through Remington & Vernick Engineers, the cost of which is included in the allocation of expenses to Commercial Township.
3. The Shared Service Agreement referenced above shall take effect upon the adoption of a reciprocal resolution authorizing its execution by the County.

**FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATION**

NJS 40A:4-87

RESOLUTION 2023-73

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county

or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Committee of the Township of Commercial in the County of Cumberland, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$ 550,000.00 which is now available from a 2023 Shared Services Agreement through the Cumberland County for Mill Road and the overlay of Main Street.

BE IT FURTHER RESOLVED that the like sum of \$ 550,000.00 is hereby appropriated under the caption 2023 Shared Services Agreement Cumberland County-Mill Road and the overlay of Mail Street; and

BE IT FURTHER RESOLVED that the above is the result of funds from the 2023 Shared Services Agreement through the Cumberland County in the amount of \$550,000.00.

#### **RESOLUTION 2023-74**

#### **Authorizing Remaining Funding for Proposal of Remington & Vernick Engineers For Professional Engineering Design and Construction Phase Services for the Mill and Overlay of Main Street in Port Norris, New Jersey**

WHEREAS, the Township of Commercial has received a NJDOT Grant in the amount of \$900,000.00 for the Mill and Overlay of Main Street in Port Norris, NJ; and

WHEREAS, Remington and Vernick Engineers submitted a proposal to the committee in the amount of \$110,000.00 for providing professional engineering design and construction phase services in the Mill and Overlay of Main Street in Port Norris; Previously approved with Resolution 2022-58, therefore.

WHEREAS, \$65,000 was previously certified and authorized at the Township Committee's meeting on June 15, 2023, by Resolution 2023-61

WHEREAS, the Township of Commercial has entered an interlocal Shared Services Agreement with Cumberland County in the amount \$550,000.00 for the Mill and Overlay of Main Street in Port Norris, NJ; and

WHEREAS, the Township Committee of the Township of Commercial is approving \$45,000.00 for Remington and Vernick Engineers fees;

**BE IT RESOLVED** by the Township Committee of the Township of Commercial that the committee has accepted the proposal and authorizes the remaining funding in the amount of \$45,000 and the funds are to come from the following as provided by the chief financial officer in the certification of funds.

Account Number: G-02-41-871-100  
Account Name: 2023 Shared Services with Cumberland County for Mill & Main  
Balance in account: \$550,000.00  
Amount Certified: 45,000.00  
Remaining Balance: \$505,000.00

**TOWNSHIP OF COMMERCIAL  
COUNTY OF CUMBERLAND  
STATE OF NEW JERSEY**

**RESOLUTION 2023-75**

**RESOLUTION OF APPROVAL OF CANNABIS RETAIL SALES LICENSE FOR  
PIGMENT RETAIL COMPANY, LLC, WITHIN THE BOUNDARIES OF  
COMMERCIAL TOWNSHIP, NEW JERSEY**

**WHEREAS**, Pigment Retail Company, LLC, is a New Jersey limited liability company that is registered and authorized to conduct business in the State of New Jersey; and

**WHEREAS**, Pigment Retail Company, LLC, previously met with Commercial Township and discussed their intention to apply to the State of New Jersey for a cannabis retail license at real property located within the boundaries of Commercial Township; and

**WHEREAS**, Commercial Township has authorized the type of cannabis retail license that is being sought by Pigment Retail Company, LLC, through Resolution(s) 2023-32; and

**WHEREAS**, the issuance of a cannabis retail license to Pigment Retail Company, LLC, will not exceed any limit on the number of cannabis retail licenses allowed by Commercial Township; and

**WHEREAS**, Pigment Retail Company, LLC, has determined and agreed that they will utilize real property at 1702 East Buckshutem Road, Mauricetown, New Jersey 08329, for the operation of a retail cannabis sales facility. It has been determined that the real property is properly zoned for such use and will not require the granting of any zoning variances or zoning changes in order for the cannabis retail facility to be operational. In the event that Pigment Retail Company, LLC, and Commercial Township mutually determine that another real property location in Commercial Township is better suited for the placement of the cannabis retail sales license contemplated herein, such property may be utilized for that purpose without further resolution of the Governing Body of Commercial Township.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of Commercial Township hereby grants its approval for the issuance of a cannabis retail sales license to Pigment Retail Company, LLC, to be utilized within the boundaries of Commercial Township as set forth herein.

**TOWNSHIP OF COMMERCIAL  
COUNTY OF CUMBERLAND  
STATE OF NEW JERSEY**

**RESOLUTION 2023-76**

**RESOLUTION OF APPROVAL OF CANNABIS RETAIL SALES LICENSE FOR  
PIGMENT RETAIL COMPANY, LLC, WITHIN THE BOUNDARIES OF  
COMMERCIAL TOWNSHIP, NEW JERSEY**

**WHEREAS**, Pigment Retail Company, LLC, is a New Jersey limited liability company that is registered and authorized to conduct business in the State of New Jersey; and

**WHEREAS**, Pigment Retail Company, LLC, previously met with Commercial Township and discussed their intention to apply to the State of New Jersey for a cannabis retail license at real property located within the boundaries of Commercial Township; and

**WHEREAS**, Commercial Township has authorized the type of cannabis retail license that is being sought by Pigment Retail Company, LLC, through Resolution(s) 2023-32; and

**WHEREAS**, the issuance of a cannabis retail license to Pigment Retail Company, LLC, will not exceed any limit on the number of cannabis retail licenses allowed by Commercial Township; and

**WHEREAS**, Pigment Retail Company, LLC, has determined and agreed that they will utilize real property at 9087 Highland Street, Mauricetown, New Jersey 08329, for the operation of a retail cannabis sales facility. It has been determined that the real property is properly zoned for such use and will not require the granting of any zoning variances or zoning changes in order for the cannabis retail facility to be operational. In the event that Pigment Retail Company, LLC, and Commercial Township mutually determine that another real property location in Commercial Township is better suited for the placement of the cannabis retail sales license contemplated herein, such property may be utilized for that purpose without further resolution of the Governing Body of Commercial Township.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of Commercial Township hereby grants its approval for the issuance of a cannabis retail sales license to Pigment Retail Company, LLC, to be utilized within the boundaries of Commercial Township as set forth herein.

**RESOLUTION 2023-77**

**AUTHORIZING THE CANCELLATION OR REFUND OF PROPERTY TAXES DUE TO  
APPROVAL OF 100% DISABLE VETERAN'S APPLICATION**

**WHEREAS**, on May 12, 2023, a Claim for Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Civil Union Partner/Surviving Domestic Partner of

Disabled Veteran or Serviceperson was filed, along with all supporting documentation on behalf of Steven M. Torres for Block 50, Lot 6212 located at 6111 Battle Lane and

**WHEREAS**, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mr. Torres met all requirements to receive 100% permanently disabled veteran benefit pursuant to N.J.S.A. 54:4-3.30 et. Seq. (Supporting exemption approval attached) and approved the same on June 27, 2023. Said exemption approval was retroactive to the deed date of June 7, 2023.

**THEREFORE, BE IT RESOLVED**, the Tax Collector is authorized to cancel the second half of 2023 in the amount of \$1,704.38, refund the overpayment of \$190.92 paid by the owner's mortgage company and cancel the first half of 2024 in the amount of \$1,495.78.

### **RESOLUTION 2023-78**

#### **RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION**

NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Committee of the Township of Commercial in the County of Cumberland, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$ 19,569.39 which is now available from a 2023 Clean Communities Grant in the amount of \$19,569.39.

BE IT FURTHER RESOLVED, that the like sum of \$ 19,569.39 is hereby appropriated under the caption 2023 Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the 2023 Clean Communities Grant in the amount of \$19,569.39.

### **RESOLUTION 2023-79**

#### **Hiring of Daniel J. Chelius as PT Code Enforcement Officer**

**WHEREAS**, a vacancy has occurred for Code Enforcement Officer; and

**WHEREAS**, position was advertised, applications taken, and interviews held.



**BE IT RESOLVED** by the Township Committee of the Township of Commercial that Daniel J. Chelius of Laurel Lake, New Jersey, was hired to fill the Part time Code Enforcement Officer Position starting on August 7, 2023, at an hourly rate of \$22.35 for 20 Hours Per Week.

**RESOLUTION 2023-80**  
**Hiring of William White as Housing and Zoning Officer**

**WHEREAS**, a vacancy has occurred for a Housing Inspector and Zoning Official; and

**WHEREAS**, the position was advertised, applications taken, and interviews held.

**WHEREAS**, William White was hired as Construction Official and Plumbing Subcode Official on March 22, 2022, and;

**WHEREAS**, William White has the required Housing Code Official License and Zoning experience.

**BE IT RESOLVED** by the Township Committee of the Township of Commercial that William White of Bridgeton, New Jersey, was hired to fill the additional positions of part time Housing Code Official and part time Zoning Official retroactive to July 10, 2023, at a salary of \$55,000 per year, at 20 Hours Per Week.

**CERTIFICATION**

I, Heather Miller, Clerk of the Township of Commercial hereby certify that the foregoing resolutions was duly adopted by the Township Committee at their meeting held on July 20, 2023, at the Township Hall, 1768 Main Street, Port Norris, NJ.

\_\_\_\_\_  
Heather Miller, Township Clerk

Mayor Vizzard- Do I have a motion to adopt resolutions 2023-70 through 2023-80 excluding numbers 75 and 76. Committeeman Klaudi made the motion and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor Vizzard- Ordinance for introduction.

**TOWNSHIP OF COMMERCIAL  
CUMBERLAND COUNTY, NEW JERSEY  
Ordinance 2023-619**

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND,  
NEW JERSEY, PROVIDING FOR THE USE OF FUNDS FOR THE TOWNSHIP MUNICIPAL BUILDING TO  
UNDERGO RENOVATIONS FOR COVID MITIGATION AND GENERAL UPGRADE

AMENDING  
ORDINANCE 2023-616

BE IT ORDAINED, by the Township Committee of the Township of Commercial, County of Cumberland, New Jersey, as follows:

Section 1: Ordinance 2023-616 is hereby amended to provide as follows:

Funding for the Township Municipal Building to undergo renovations for Covid Mitigation and general upgrade shall increase by \$24,368.00 from \$163,700.00 to \$188,068.00 to accommodate cost of additional cosmetic building renovations not factored into original Ordinance. Amended funds will be appropriated as follows:

ARP Unappropriated Grant Reserve	\$24,368.00
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Section 2: The total amount of amended Ordinance of \$ 188,068.00 is hereby appropriated as follows:

Capital Improvement Fund	\$76,000.00
ARP Unappropriated Grant Reserve	\$112,068.00

Section 3: This Ordinance shall take effect upon publication of notice of final adoption as provided by law on or about August 30, 2023.

AND, BE IT FURTHER RESOLVED, by the Township Committee of the Township Commercial, County of Cumberland, New Jersey

Mayor Vizzard- Second reading and adoption is scheduled for August 17<sup>th</sup>. Do I have a motion to adopt? Committeeman Jamison made the motion and was seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor Vizzard- We had special sessions open to the public; we do have another chance to open it to the public.

Committeeman Klaudi made a motion to open to the public and Committeeman Jamison seconded.

Unidentified person – You say you didn't do anything wrong but how come but how come none of us was aware of it until the witching hour. If we hadn't showed up tonight, what would have happened?

Mayor Vizzard- How did you find out about this one?

Unidentified person- My neighbor. Because they never knocked on her door, and she is right behind what is going on but from my understanding too....

Committeeman Klaudi interjected, attend meetings.

Unidentified person- He already knew he was going to get it that's why it's so disrespectful on his part. Like I have never been more proud of the community than tonight. I have lived in Mauricetown for 23 years, I have lived there by myself, I live in my home and raised my son there, he's 15 years old, and I've never felt more of a community than tonight. And what I feel you did to us, who we put you there, it was just not fair. You know you have never seen me in here, I own a business, I'm a good person, and I'm an honest person. He didn't go about it doing it the right way for any of this. It's horrible. That's why, you say you did the right thing but doing the right thing would have been letting us know. Or is that something you aren't required to do?

Mayor Vizzard- You did not hear me say, we did the right thing.

Unidentified person- I misunderstood what you said?

Mayor Vizzard- Yes. We weren't under the impression we did anything wrong. We were told we had to put those resolutions out there for approval, before they went to the zoning board. You found out about this because we put the resolution out there.

Committeeman Klaudi- You hit the nail on the head when you said we have never seen you here. You have got to come to township meetings. Every third Thursday.

Unidentified person- Oh, I will. No problem.

Committeeman Klaudi- It's good to see everyone here.

Dave Kinsey (not identified) shouted from the back- the sunshine act also requires you post the agenda.

Mayor Vizzard- It's posted.

Several people shouted where is it posted. Several people talking, inaudible.

Emmitt Vandegrift- If I could just say something in regard to that.

Unidentified person- say what? Go ahead.

Emmitt Vandegrift- What you just stated. We made the decision to buy this house for my grandmother and aunt. It wasn't until we were in the process that we learned there was a retail business there..... People talking over, inaudible.

Unidentified person- So you aren't being honest.

Emmett Vandegrift- Again how is it me purchasing the house for my aunt and grandmother to live in ...inaudible.

Unidentified person- Because quite frankly, I don't believe you. You know what your doing, you had a plan to do that and that's ok, this is his business, but we have a very small town and for you not to do it in your own back yard, you want to come to our back yard to do it, with our children, that's a little bit disrespectful. That's the problem I have. You sit up there and cry, but I cried too when I found out. I wanted to throw up. I lived there for 23 years, that's my home.

Emmitt Vandegrift- ma'am

Unidentified person- Don't call me Ma'am, I'm fine.

Emmitt Vandegrift- I apologize by calling you ma'am.

Unidentified person- thank you, I appreciate it.

Emmitt Vandegrift- However, we had the intention of bringing our family here, including myself. If there was a retail building next to my house, I would put it right next to me.

Lots of uproar, Eric Ostrow shouted out you said there was no better option, you did not say that to me. Partially inaudible....your back yard, you wanted it in our back yard.

Mayor Vizzard asked that everyone settle down. We are not here to do this.

Eric Ostrow shouted- You will not restrict my freedom of speech.

Unidentified person (Ross Munzenmayer) - Like I said before, you failed to do your research. You should have researched the permit that the antique shop operated on. Lots of commotion remainder inaudible.

Maryann Manzelman, 9556 Highland St.- Guys, they heard us, the decision is done, Lets not (inaudible), lets just go home.

Mayor Vizzard asked for a motion and a second to close the public portion and a motion and second to close, motions were moved. Meeting adjourned.

Respectfully Submitted,

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Heather Miller, Township Clerk