

Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on February 15, 2024, at 6:00 P.M., at the Township Hall at 1768 Main Street. Port Norris, NJ

Those Present:

Ronald Sutton Sr.	Mayor
Joseph Klaudi	Deputy Mayor
Mike Vizzard	Committeeman
Heather Miller	Township Clerk
Thomas Seeley	Solicitor
Nick DiCosmo	Engineer
Clint Miller	Public Works Supervisor

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

Mayor Sutton started with reports from Officials.

Robert Welch, OEM-

- He sent out a report to the committee on the upcoming storm. The storm will start about midnight. Currently calling for 3-5 inches of snow. He will continue to update the committee. He and his team will continue to work with public works and address any issues that arise.
- The school had a bomb drill yesterday. It included the state police and the school security team. They found there are some things they need to work on but they had a great response.

State Police-

- Busy month, especially in Commercial Township. Commercial Township is way ahead of all the other townships combined.
- Continuing to work on animal control and HELO concerns. More involved and working with animal control to better handle these situations.
- They are seeing more domestic and drug related issues.

Committeeman Vizzard asked if in relation to other towns, is there nothing specific they are dealing with.

Officer stated he doesn't want to say nothing specific, but the HELO is very involved, and these are the jobs that are being scrutinized right now. A lot of things have changed, and everything is time consuming, there are so many directives, especially when it comes to domestics. It's very time consuming. To included harassment, assault, strangulation is a whole new set of rules. As far as specific, no, but most of their jobs come from Commercial Township followed by Maurice River Township. Commercial Township just for investigations was 57 for the month of January. The other four townships all together are 40. The officer stated that some on their squad are being transferred, another that's out with an injury so they are short staffed and it just means more work for those still on duty.

Committeeman Vizzard asked about the releasing of people that have been arrested.

The officer has not seen or heard of any issues or know of anyone who has just been sent out.

Committeeman Vizzard asked if any of those standards have changed.

The officer said everyone knows it doesn't make sense to have them just walk out the door. It is not happening during the time that he is there.

Mayor Sutton said I know you and another guy talked with our clerk about animal control. Can you touch on that.

The officer said he doesn't know specifically what was discussed but that he knows Det. Captain Capoferri went to every township who has a contract with Shore Animal Control, requested a copy of their contract. We are requesting that anyone with animal control complaint calls, call dispatch which is a recorded line. This way there is no miscommunication. If there is something going on, call dispatch or 911. There is no reason to call animal control. Leave that up to us to determine if animal control needs to be contacted.

Mayor asked if anyone had a question for the officer.

Unknown attendee she wanted to thank the officers that attended the Family Success produce distribution the other day, it was wonderful to have them there.

The officer said it is their goal to have at least one trooper for anything they have.

Mayor Sutton thanked the officer for coming.

The mayor moved on to approval of meeting minutes.

- Minutes of agenda meeting January 16, 2024
- Minutes of executive session, January 16, 2024
- Minutes of regular meeting, January 18, 2024
- Minutes of executive session, January 18, 2024

Committeeman Klaudi made a motion to approve and was seconded by Committeeman Vizzard. Roll vote, all in favor.

Mayor Sutton asked for approval for the bill list for the month of February as prepared by the Chief Financial Officer.

A motion was made by Committeeman Vizzard and seconded by Committeeman Klaudi, roll call vote, all in favor.

Mayor called for the Engineers report-

- Port Norris Riverfront Road Project phase III- Tomorrow, will be the bid opening. This consists of the replacement of the Miller Ave bridge and the Berry Ave. tide gate. So far there have been 7 vendors pick-up bid packs.
- Reconstruction of Brown St. – This job is complete, and Nick verified with the CFO that she has received the final payment from DOT.
- Mill & overlay of Main St. – The county passed an additional resolution allocating additional funds to contribute to that project. Tonight, we will award the base bid to South State. The pre-construction meeting is scheduled for this coming Tuesday at 9:30 am here at the township hall.
- North Ave. Pedestrian Safety Improvements – Last week was the bid opening. Unfortunately, all the bids came in above budget. All bids will be rejected tonight. We are working to restructure the bid and add a second alternate and make some minor changes. There will be another bid opening and hopefully will be able to be awarded in March or April.
- FY 2024 Municipal Aid, Roadway & Drainage improvement to Whittier Dr. – The survey will be done soon.
- Potential Water & Sewer improvements- He confirmed with the county that the received the form they needed.

Mayor Sutton moved on to correspondence.

1. Received the Tax Collectors annual report for the committee to review. The report contains the status of collection for 2023 and expresses the concerns about the collection rate obtained.
2. Memo from the clerk documenting visit to the Mauricetown park by the mayor and the safety concerns that exists. Discuss suggestions for safety measures.

Mayor Sutton said he met with the Township Clerk and Public Works manager, Clint Miller to go over the safety concerns there and they decided to block off the south end of the parking lot because the temporary fencing has deteriorated, and the railing is rotted. A 6 or 7 ft. fence at the south end so no one can get around it.

3. Correspondence from Atlantic City Electric. Contains notice of permits filed and announces a proposed project. ACE is proposing to rebuild the existing circuit 0762 Newport-South Millville 69 kilovolt transmission line in Downe Township and the City of Millville. The complete permit application package is available in the clerk's office for review.
4. Letter from Triad Associates offering assistance as a resource for information and assistance in Core Community Components such as infrastructure, housing, public services, recreation, transportation, economic opportunities.

Mayor Sutton said they may be able to assist with funding for the repair of the Mauricetown park. They will come down prior to the agenda meeting next month to discuss.

5. Tattleaux Solar Group has submitted an introduction packet. They are proposing a solar project at Commercial Township's closed landfill. Mr. Joe Cortez has agreed to attend the March 18th agenda meeting at 5:00pm to do a small presentation.
6. Received a letter from the Mauricetown Historical Society requesting a donation to help assist with the installation of new heating and air conditioning.

Mayor Sutton said their system is over 30 years old. The committee has decided to give them \$500.

Committeeman Vizzard said this is a little different than what we have done in the past. Heating and air conditioning is going to require more than \$500. I'm thinking we should give them \$,1000.00.

Mayor Sutton said that's what I was asking earlier.

Committeeman Vizzard said he had no problem giving them \$1,000. But we have always given \$500 to Port Norris and \$500 to Mauricetown.

Committeeman Vizzard made a motion to give Mauricetown Historical \$1,000 to assist with the purchase of heating and air system. The motion was seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor Sutton moved on to resolutions.

RESOLUTION 2024-29

A Resolution Endorsing the Adoption of Green Building Practices For Civic, Commercial and Residential Buildings

WHEREAS, buildings account for 39% of C-02 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of portable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council)

WHEREAS, green building – also referred to as sustainable or high-performance building is a collection of better design, construction, and operation practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state, and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components or green building and sustainable development.

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the Township of Commercial's desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings.

WHEREAS, the Township desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and upgrades to the municipal

building stock, continued procurement practices (e.g., improve water conservation, reduce light pollution, and increase construction waste recycling).

WHEREAS, the township additionally wishes to support green building in the private sector through a combination of voluntary actions (e.g., including a green building scorecard as a discussion item within the Site Plan approval process), actions that may be required in the future although not at the time of the adoption of this resolution (e.g., amending the Site Plan approval checklist to directly incorporate those green building standards available to a municipality), and educational actions (e.g., making available information on green building programs, guidelines, rebates etc. to residents of the municipality).

NOW, THEREFORE, BE IT RESOLVED that the Township of Commercial hereby implements a Green Building Policy that:

1. will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities; AND
2. will encourage green design for commercial and residential buildings.

RESOLUTION 2024-30 **Sustainable Land Use Pledge Resolution**

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to an increased societal ill such as decreased mobility, high housing cost, increased greenhouse gas emissions, loss of open space and degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, we the Township of Commercial, resolve to take the following steps regarding our municipal land-use decisions with the intent of making Commercial Township a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation- We pledge to reach out to the administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices – We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the number of required parking spaces, promoting shared parking and other innovative alternatives where appropriate.

Natural Resource Protection – We pledge to take action to protect the natural resources of the State for environmental recreation and agriculture values, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying out capacity analysis, land-use, and open space planning.

Mix of Land Uses – We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational, and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options – We pledge, using our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for sale and rental options, to meet the needs of all people at a range of income levels.

Green Design – We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting – We pledge, to the extent feasible, to make into consideration factors such as walkability, bicycle access, greater access to public transit, proximity to other land use types, and open space when locating new or relocated municipal facilities.

RESOLUTION 2024-31

Rejecting All Bids for FY 2023 Municipal Aid Program for the North Avenue Pedestrian Safety Improvements

WHEREAS, Commercial Township was awarded \$291,150.00 for LA-2023 North Avenue Pedestrian Safety Improvements; and

WHEREAS, bids were received on February 8, 2024, at 11:00 A.M., for the FY2023 Municipal Aid Program for the North Avenue Pedestrian Safety Improvements Project; and

WHEREAS, three (3) bids were received, and all the bid amounts were too high, and certification of funding was not available.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial that the bids received on February 8, 2024, for the North Avenue Pedestrian Safety Improvements be rejected because bid amounts were too high and certification of funding is not available in the amount of \$329,583.35 submitted by lowest bidder Landberg Construction, LLC of Mays Landing.

RESOLUTION 2024-32

Awarding Contract to South State, Inc for the Mill and Overlay of Main Street in the Amount of \$1,477,541.35 through the FY 2022 New Jersey Department of Transportation Local Freight

WHEREAS, the Township of Commercial accepted bids for the Mill and Overlay of Main St. Port Norris on January 17, 2024, at 11:00 a.m. Three (3) bid(s) were received and reviewed by Engineer for completeness; and

WHEREAS, in accordance with the Local Public Contracts Law NJSA 40A: 11-1, et. Seq., the contract is normally awarded to the lowest responsible bidder;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Commercial hereby awards a contract to South State, Inc for base bid in the amount of \$1,477,541.35 for the Mill and Overlay of Main Street in Port Norris if approved by municipal solicitor and certificate of funding by Chief Financial Officer.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funding for contract awarded to South State, Inc. in the amount of \$ 1,477,541.35 from the following accounts:

G-02-41-871-000	2022 NJDOT LFIF Mill & Overlay of Main St.		
Balance in Account		\$790,000.00	
Amount Certified			\$ 790,000.00
Remaining Balance		-0-	
G-02-41-871-100	2023 Shared Services with Cumberland County		
Balance in Account		\$505,000.00	
Amount Certified			\$ 505,000.00
Remaining Balance		-0-	
G-02-41-871-100	2023 Shared Services with Cumberland County Amendment 2/15/2024		
Balance in Account		\$185,000.00	
Amount Certified			\$ 182,541.35
Remaining Balance		\$2,458.65	

Total Amount Certified
\$1,477,541.35

CERTIFICATION

I, Heather Miller hereby certify the foregoing Resolutions were duly adopted by the Township Committee of Commercial Township, County of Cumberland, and State of New Jersey, at a regular meeting held on Thursday, February 15, 2024, held at the Township Hall, 1768 Main Street, Port Norris, New Jersey 08349 at 6:00 p.m.



Heather Miller, Clerk

Mayor Sutton asked for a motion and second to adopt resolutions 2024-29 through 2024-32. Committeeman Klaudi made the motion and was seconded by committeeman Vizzard. Roll call vote, all were in favor.

Mayor moved on to an ordinance for second reading and adoption.

ORDINANCE 2023-630
AN ORDINANCE BY THE TOWNSHIP OF COMMERCIAL, COUNTY OF
CUMBERLAND, STATE OF NEW JERSEY, TO AMEND Ordinance # 2021-606, TO
ALLOW AND REGULATE THE OPERATION OF RECREATIONAL CANNABIS
FACILITIES WITHIN THE TOWNSHIP

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler or a cannabis retailer, cannabis distributors or cannabis delivery services") allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments, distributors or delivery service and establish civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities, by ordinance, to prohibit the operation of any one or more classes of cannabis establishments, distribution or delivery services, anywhere in the municipality; and

WHEREAS, N.J.S.A. 40:481-1 permits a municipality to adopt by ordinance regulations governing the local licensing endorsement, location, manner and times of operation of Cannabis Retailers and establish civil penalties for the violation of any regulations.

NOW THEREFORE, BE IT ORDAINED, by the Township of Commercial, in the County of Cumberland, State of New Jersey, Land Use and Development Ordinance 2021-606, is hereby amended as follows:

1. The current text of the regulations in the Village Business (VB) Zoning District, shall hereby be amended to include the following Principle Permitted Uses:

- Cannabis Retailer

VB requires 1 parking space per 150 sq. ft. of gross lease floor space and 1 for each employee. An additional requirement would be to add (1) 10'x20' space for loading and unloading. Area shall provide for a secure operation and not be at the patron entrance or within a street or public right of way. Any retail store must be located in (VB) zoning district and more specifically is limited to those (VB) Zoning Districts located along County route 553 (Main St.) and, county route 670 (Buckshutem Road) Proper Zoning change requirements must be approved by Land Use Board

Cultivator and Manufacturer establishments are to be located in (A) Agriculture Zoning Districts or Light Industrial Zoning Districts only. Proper Zoning change requirements must be approved by Land Use Board.

2. The current text ZONING AND LICENSING REQUIREMENTS FOR REGULATED CANNABIS FACILITIES INCLUDE

Cannabis facilities allowed.

- A. Class I: Cannabis Cultivator License
- B. Class H: Cannabis Manufacturer License
- C. Class III: Cannabis wholesaler License
- D. Cannabis Distributor License Class VI Cannabis Delivery License.

3. Pursuant to Section 31b of the New jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (PL, 2021, c.16), all cannabis facilities are hereby prohibited from locating in Commercial Township, except as provided herein, and subject to the number, time, manner and land use restrictions set forth herein, as may be amended from time to time

- Amended provisions

4. If federal laws or state regulators change any current regulations, the Township Committee reserves the right to amend this chapter as appropriate for reasons of public safety and to realize revenue, its intended purpose.

- Effects on federal law.

5. Nothing in this Chapter proposes or intends to require any individual or entity to engage in conduct that violates federal law or exempts any individual or entity from requirement of federal law or poses any obstacle to federal enforcement of federal law.

- Definitions

a. Certain words and phrases used in this chapter are defined for the purposes of hereof as follows:

b. "CANNABIS"

All parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in this Act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other product. "Cannabis" does not include: medicinal cannabis dispensed to registered qualifying patients pursuant to the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (N.J.S.A. 24:61-1 et seq.) and P.L. 2015, c. 158 (N.J.S.A. 18A40-12.22 et seq.); marijuana as defined in N.J.S.A. 2C:35-2 and applied to any offense set forth in Chapters 35, 35A and 36 of Title 2C of the New Jersey P.L. 1970, c. (N.J.S.A. 2C:35B-1 et seq), or marijuana as defined in Section 2 of P.L. 1970, c. 226 (N.J.S.A. 24:21-2) and applied to any offense set forth in the New Jersey Controlled Dangerous Substances Act, P.L. 1970, c. 226 (N.J.S.A. 4:28-6 et seq.).

c. "CANNABIS CULTIVATOR"

Any licensed person or entity that grows, cultivates, or produces cannabis in this State and sells and transports this cannabis to other cannabis cultivators or usable cannabis to cannabis manufactures, or cannabis wholesalers or cannabis retainers, but not to consumers.

d. "CANNABIS DELIVERY SERVICE"

Any licensed person or entity that provides courier services for consumer purchasers of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to the consumer.

e. "CANNABIS DISTRIBUTOR"

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from and one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

f. "CANNABIS ESTABLISHMENT"

A cannabis Cultivator, a cannabis manufacturer, a cannabis wholesaler, a cannabis retailer, or a medicinal cannabis dispensary.

g. "CANNABIS FACILITY"

Any business engaged in the business of cannabis, including, but not limited to, cultivating, manufacturing, wholesaling, distributing, retailing, or delivering cannabis or cannabis products,

IL "CANNABIS ITEM"

Any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin,

i. "CANNABIS PRODUCT"

Concentrated cannabis products and cannabis products that are composed of cannabis and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

j. "CANNABIS MANUFACTURER"

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing and packaging cannabis items and selling and optionally transporting these items to other cannabis manufacturers, cannabis wholesalers or cannabis retailers, but not to consumers.

k. "CANNABIS RETAILER"

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators or cannabis items from cannabis manufacturers or cannabis wholesalers and sells these to consumers from a retail store and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers, A cannabis retailer also includes an ATC authorized by the CRC to sell personal use cannabis to consumers and/or a Medical Cannabis Dispensary. A cannabis retailer shall also accept personal use consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

L "CANNABIS WHOLESALER"

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

m. "MEDICAL CANNABIS DISPENSARY"

A business licensed by the State of New Jersey to sell medical cannabis to registered qualifying patients and their authorized caregivers. This term shall include the organization's officers, directors, board members and employees.

7, 165-143 — Operational requirements.

A Cannabis facility issued a permit or license by the State of New Jersey and operating in the Township of Commercial under this ordinance shall at all times comply with the following operational requirements:

- A. A cannabis facility shall comply with all regulatory rules promulgated by the Cannabis Regulatory Commission, Law of the State of New Jersey, laws of Cumberland County, and laws or ordinances of the Township of Commercial.
- B. A cannabis facility shall comply with the Zoning Code, the Building Code, and the Properly Maintenance Code at all times.
- C. A cannabis facility shall not be located within 1,000 feet of a school or a child-care center. A cannabis facility shall not be located within 500 ft. of Churches, temples, and other places of worship, playground or park.
- D. Prior to the operation of any cannabis facility, a permit or license must be obtained from the State of New Jersey and from the Township of Commercial for the applicable type(s) of cannabis facility. No cannabis facility shall be permitted to operate without state and municipal permits or licenses.
- E. The consumption of any cannabis shall be prohibited on the cannabis facility's premises.
- F. State and municipal permits or licenses shall be prominently displayed inside the permitted premises in a location where it can be easily viewed by law enforcement and administrative authorities.
- G. No person under the age of 21 shall be permitted to enter the premises of a cannabis facility.
- H. Cannabis facilities shall have equipment to mitigate odor.
- I. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, muffles, and/or other noise reduction systems to mitigate noise pollution.
- J. No cannabis facility may open to customers for business before 9:00 a.m. or remain open to customers for business after 9:00 p.m.
- K. All cannabis facilities shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round-the-clock surveillance system, 365 days a year; shall have trained security personnel on site at all times during operating hours; and shall also include:
 - 1) Security surveillance cameras installed to monitor all entrances along with the interior and exterior of the permitted premises;
 - 2) Burglary alarm systems which are professionally monitored and operated 24 hours a day, seven days a week;

- 3) All security recordings and documentation shall be preserved for at least 30 days and made available to law enforcement upon request for inspection.
- L. All cannabis in whatever form stored at the permitted premises shall be kept in a secure manner and shall not be visible from outside the permitted premises.
- M. The amount of cannabis on the permitted property and under the control of the permit holder, owner or operator of the cannabis facility shall not exceed the amount permitted by the state license.
- N. Cannabis offered for sale and distribution must be packaged and labeled in accordance with state law.
- O. No pictures, no photographs, or drawings of cannabis or cannabis paraphernalia shall appear on the outside of any license premises nor be visible outside of the licensed premises on the licensed property,
- P. The words "marijuana," "cannabis" or any similar or slang words shall not appear on the outside of the licensed property.
- Q. Any signage must first be approved by the Building Department.
- Q. No person operating or employed by a cannabis facility shall provide or otherwise make available cannabis to any person who is not legally authorized to possess the same under state law.
- R. The owner and operator of a cannabis facility shall use a lawful method in controlling and disposing of waste or by-products from any activities allowed under the state license or permit.
- S. Cannabis may be transported within the township of commercial under this chapter by a company licensed to do so by the state, and to effectuate its purpose, only:
- 1) In a manner consistent with all applicable state laws and rules, as amended;
 - 2) In a secure manlier designed to prevent the loss of the cannabis;
 - 3) Using vehicles that do not have exterior markings, including the words "marijuana," "cannabis," or any similar Or slang words; pictures or other renderings of the cannabis plant; advertisements for cannabis or for its sale, transfer, cultivation, delivery, transportation or manufacture, or any other word, phrase or symbol indicating or trending to indicate that the vehicle is transporting cannabis,
- T. No vehicle, trailer, or otherwise moveable structures may be used for the ongoing or continuous storage of cannabis but may only be used incidental to, and in furtherance of, the transportation of cannabis and cannabis products.

8. Every application or renewal application for a license to operate a cannabis facility shall be submitted to the Clerk of the Township of Commercial, or such other Township entity as may be determined by the Township Committee. Applicants shall submit five copies of an initial application to be forwarded to the Township Committee, State Police, Fire Prevention, and Building Department.

- A. The Township reserves the right to reject any and all applications to operate a cannabis facility.
- B. Persons applying to operate a cannabis facility assume the risk that all or part of any particular category or license authorized under this chapter may be cancelled at any time prior to issuance.
- C. The Township may issue no more than two cannabis retailer license.
- D. Every applicant shall specify the location where the cannabis facility will operate. A separate license shall be required for each location at which a cannabis facility operated within the Township.
- E. Cannabis facilities and the financial books and records necessary to determine applicable taxes maintained and created by cannabis facilities are subject to inspection by the Township Committee, its officials, and its related entities.
- F. The clerk shall establish a reasonable application period and deadline for all applications, but applications that supply the required information and fees herein shall be submitted on the effective date hereof.
- G. The Committee shall provide a final determination within 30 days of an application being deemed complete. Upon denial of an application, the Township shall notify the applicant, in writing, of the specific reason for its denial,
- H. A cannabis facility license application shall be deemed incomplete and shall not be processed by the Township until all documents and application fees are submitted. To be deemed complete, all application shall be accompanied by the following:
 - 1) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis facility, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the applicant contingent upon successful licensing.
 - 2) The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in the chapter.
 - 3) The applicant shall submit to the satisfaction of the Committee and the Chief Financial Officer or her designee, proof of financial capability to open and operate the cannabis facility

for which the applicant is seeking a license. Standard for proof of financial capability shall be determined by the Committee,

- 4) The applicant shall submit a \$1,000 nonrefundable application fee.
 - 5) The applicant shall submit the required \$15,000 licensing and - annual registration fee, which shall be refunded in the event the applicant is denied a license by the state,
 - 6) The applicant shall submit a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management.
 - 7) The applicant shall submit a workforce development plan.
 - 8) The applicant shall indicate whether the applicant entity or its parent company holds any certifications as a New Jersey minority-owned, women-owned, or veteran-owned businesses.
 - 9) The applicant shall indicate whether the applicant entity is applying for state licensure with the Cannabis Regulatory Commission as A microbusiness applicant.
 - 10) The applicant shall provide a graphic rendering of its proposed signage.
 - 11) The applicant shall submit any other additional information requested by the Committee in its evaluation of their application.
- I. The Committee may deny any application that is lacking any required element or exhibit or that is not organized in the required format.
- J. The Committee may deny any application due to an applicant's non responsiveness to the Committee's request for additional information.
- K. The applicant and the application shall otherwise comply with any and all qualification standards set forth in the state and municipal laws or regulations,
- L. In the event there are multiple applications for the same cannabis facility license that are deemed complete before all available licenses are issued, the Committee shall evaluate such license, applications deemed complete and issue a notification or award after consideration and evaluation of the applicants, giving preference to: (a) applicants that have qualifications and experience operating in cannabis, with greater preference to applicant's that have experience operating cannabis business within the State of New Jersey; and (b) the applicant's financial position and demonstrated ability to commence operations.
- M. Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit, license, or other approvals in the appropriate classification for up to 12 months, which may be extended by the Committee's discretion for an additional 6 months for good cause. No license to operate shall issue until the applicant has received a State

permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Committee shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

9. -License fees: renewal; late fees

- A. A cannabis facility shall pay to the Township an annual license fee of \$15,000.
- B. The license issued shall be effective for the calendar year, expiring on the 31st day of December of the year of issue and may be renewable for succeeding calendar years thereafter. For any license issued during a calendar year, the annual license fee shall be prorated for that year. The fee for license renewals shall be due and payable on or before the first day of January in the year of renewal.
- C. Late fees, A late fee of \$500 shall be charged for licenses which are not paid on/or before January 1 of the license year. An additional \$500 shall be charged for each thirty-day period that the license fee is not paid after February 1 of the license year.

10. Consumption in public spaces prohibited; effect on other regulations. The consumption of cannabis in any form is prohibited in all public spaces within the Township of Commercial,

- A. nothing in this chapter shall prohibit a person, employer, school, hospital, recreation or youth center, correction facility, corporation or any other entity who occupies, owns or controls private property from prohibiting the possession, consumption, use display, transfer, distribution, sale, transportation, or growing of cannabis, marijuana, or hemp on or in that property.
- B. Nothing in this chapter is intended to permit the transfer of cannabis, marijuana, or hemp, with or without remuneration, to a person under the age of 21.
- C. Nothing in this chapter is intended to allow driving under the influence of cannabis or marijuana or to supersede laws related to driving under the influence of cannabis or marijuana.
- D. Nothing in this chapter in intended to require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale or growing of cannabis, marijuana, or hemp in the workplace or to affect the ability of employers to have policies restricting the use of cannabis or marijuana by employees.

11. Transfer and user taxes and fees imposed pursuant to N.J.S.A. 40:481-1. There is hereby imposed a transfer tax of 2% on receipts from the retail sales of personal use cannabis and personal use cannabis items by a cannabis retailer to consumers. There is hereby imposed a user tax of 2% on the value of each transfer or use of personal use cannabis or personal use cannabis items not otherwise subject to the transfer tax from the license holder's establishment that is located in the Township to any of the other license holder's establishments, whether located in the Township or another municipality, except that the user tax shall not be applicable to inventory transfers from one cannabis retailer facility to another cannabis retailer facility if those cannabis retailer facilities are owned and operated by the same licensed entity. Allowable tax of

2% to be imposed on Manufacturing and Cultivating and a tax of 1% to be imposed on Wholesalers.

- A. Such taxes and fees shall be collected or paid and remitted to the municipality by the cannabis facility from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the personal use cannabis item to that consumer. The transfer or user tax and fees shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or value of the transfer for the personal use cannabis or personal use cannabis item. No cannabis facility required to collect a transfer tax or fee imposed hereunder shall advertise or hold out to any person or to the public in general, in any manner, directly, that the transfer tax or fee or user tax or fee will not be separately charged and stated to another cannabis facility or the consumer or that the transfer tax or fee will be refunded to the cannabis facility or the consumer.

12. Tax Liability

Every cannabis facility required to collect a transfer tax imposed by ordinance pursuant to this chapter shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this chapter. Any cannabis facility shall have the same right with respect to collecting the transfer tax from another cannabis facility or the consumer as if the transfer tax was part of the sale and payable at the same time, or with respect to nonpayment of the transfer tax or user tax by the cannabis facility or consumer, as if the transfer tax was a part of the purchase price of the personal use cannabis or personal use cannabis item, or equivalent value of the transfer of the personal use cannabis or personal use cannabis item, and payable at the same time.

13. Collection of taxes; liens

All revenues collected from transfer tax imposed by ordinance pursuant to this chapter shall be remitted to the Chief Financial Officer or his designee in the manner prescribed herein. The Chief Financial Officer or his designee shall collect and administer any transfer tax imposed by ordinance pursuant to this chapter. The municipality may enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this chapter in the same manner as provided for municipal real property taxes. In the event that the transfer tax imposed by ordinance pursuant to this chapter is not paid as and when due by a cannabis facility, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis facility's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

14. Administration of Tax

The Chief Financial Officer is charged with the administration and enforcement of the provisions of this chapter and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter. Should a cannabis facility fail or refuse to provide adequate information to the Chief Financial Officer or his designee to determine the amount of tax due, the Chief Financial Officer or his designee may use information provided to the Chief Financial Officer or his designee from other sources (i.e., the Commission or Department of Treasury) to determine the amount of tax liability.

15. Quarterly statement and payments.

A. Each cannabis retail facility shall send a statement by mail or electronically to the Township on or before the last day of each annual quarter or such other term as required by the state. The statement must contain an account of the amount of personal use cannabis or personal use cannabis products sold or transferred to consumers and/or cannabis delivery facilities during the preceding quarter, setting out:

1. The total number of sources, including fractional ounces, sold or transferred;
2. The quantity of personal use cannabis products sold or transferred;
3. If to a cannabis delivery service, the cannabis delivery facility's licensing information;
4. Such other information as may be necessary for the township to determine and verify the tax or fee due to the Township.

B. The Cannabis facility shall pay quarterly, or at such term set by the Committee, all taxes or fees, computed at the rates prescribed in this chapter, on the respective total quantities of the personal use cannabis sold or transferred during the preceding quarter or applicable period. The quarterly return shall be filed and the tax paid on or before the 15th day of the month to cover the preceding quarter. Failure to file the quarterly tax return and pay the applicable taxes on or before the 15th day of the month shall constitute a violation of this chapter. The Chief Financial Officer or his designee is hereby authorized to examine the books, papers and records of any taxpayer to verify the accuracy of any declaration or return or, if no declaration or return was filed, to ascertain the tax due. Every taxpayer is hereby directed and required to give to the chief Financial Officer, or to any agent designated by him/her, the means, facilities and opportunity for such examinations and investigations as are hereby authorized. Such information will be made available within three days of being requested.

16. Record Keeping.

Taxpayers liable for the transfer tax are required to keep such records as will enable the filing of true and accurate returns or the tax and such records shall be preserved for a period of not less than three years from the filing date or due date, whichever is later, in order to enable the Chief Financial Officer or his designee to verify the correctness of the declarations or returns filed. If records are not available in the municipality to support the returns which were filed or which should have been filed, the taxpayer will be required to make them available to the Chief Financial Officer or his designee either by producing them at a location in the municipality or by paying for the expenses incurred by the Chief Financial Officer or his designee in traveling to the place where the records are regularly kept.

17. Delinquent payments and unpaid tax.

Delinquent payments under this chapter shall be subject to the interest rate imposed upon unpaid taxes. If a cannabis facility fails to pay the tax to the Township of Commercial, the cannabis facility's license may be revoked.

18. Confidentiality

The returns filed by taxpayers, and the records and files of the Chief Financial Officer or his designee respecting the administration of the transfer tax, shall be considered confidential and privileged, and neither the municipality nor any employee or agent engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured

information therefrom, shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said records or files or from any examination or inspection of the premises or property of any person. Neither the Chief Financial Officer nor any employee engaged in such administration Or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding under the provisions of the State Uniform Tax Procedure Law or of the tax law affected or where the determination of the action or proceeding will affect the validity or amount of the claim of the municipality under the tax provisions of this chapter.

19. Audit and assessment.

The Chief Financial Officer may initiate an audit by means of an audit notice. If, as a result of an examination conducted by the Chief Financial Officer or designee, a return has not been filed by a taxpayer or a return is found to be incorrect and transfer taxes are owed, the Chief Financial Officer is authorized to assess and collect any tax due. If no return has been filed and tax is found to be due, the tax actually due may be assessed and collected with or without the formality of obtaining a return from the taxpayer. Deficiency assessments (i.e., where a taxpayer has filed a return but is found to owe additional tax) shall include taxes for up to three years to the date when the deficiency is assessed. Where no return was filed, there shall be no limit to the period of assessment.

20. Coordination of safety and security measures.

Any applicant for cannabis facility license shall coordinate with the Station Commander of the New Jersey State Police, or his or her designee, regarding the measures to be taken to ensure the security of the facility and the safety of the public and facility employees. Such measures may include, but are not limited to, facility access controls, surveillance systems, and site lighting consistent with the requirements of state law.

21. Inspection.

Subject to the requirements and limitations of state law, the municipality shall have the reasonable right to inspect the premises of any approved cannabis retail or cannabis delivery facility during its regular hours of operation to ensure compliance with local ordinances and regulations.

22. Prohibited operation declared public nuisance.

Operation of any prohibited or unpermitted cannabis facility within the municipality is deemed in violation of the provisions of this chapter is hereby declared 'a public nuisance and shall be abated pursuant to all available remedies.

23, Violations and penalties,

- A. Procedures for investigation of license violations and for suspension, revocation, or other licensing sanctions as a result of any such violation shall be as follows:
 - 1. First offense: up to \$500 per violation per day;
 - 2. Second offense; up to \$1,000 per violation per day; 3, Third Offense; summary suspension.
- B. A first offense that is not Cured within three days shall become a second offense; A second offense that is not cured within three days shall become a third offense.
- C. Summary suspension. Notwithstanding the foregoing section, when the Township has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law Or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Township may enter a summary suspension order for the immediate suspension of such license pending further investigation.
- D. Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the administrator may suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least six months.
- E. State license. The administrator may suspend or revoke any license if the corresponding state license or permit for the subject location is expired, surrendered, suspended, or revoked.

24, Terms defined; repealer.

Unless specifically defined otherwise herein, any term used herein shall incorporate the definition of that term in the Act. Any article, section, paragraph, subsection, clause, or other provision of the Township of Commercial inconsistent with the provisions of this chapter is hereby repealed to the extent of such inconsistency.

25. Conflict with other provisions.

No ordinance, regulation, or interpretation thereof shall conflict with the Act. If any section, paragraph, subsection, clause, or provision of this chapter shall be adjudged by a

court of competent jurisdiction to conflict with the Act or otherwise be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this chapter shall be deemed valid and effective.

26. When effective.

This chapter shall take effect upon its passage and publication and filing as otherwise provided for by law.

Introduction: December 21, 2023
Publication: January 2, 2024
Second Reading: January 18, 2024 Tabled
Publication: January 26, 2024
Second Reading: February 15, 2024
Adoption: February 15, 2024
Publication: February 23 2024

Attest:



Heather Miller, Township Clerk

**ORDINANCE 2024-632
CALENDAR YEAR 2024**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Committee of the Township of Commercial in the County of Cumberland finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Committee hereby determines that a 1% increase in the budget for said year, amounting to \$ 26,950.01 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

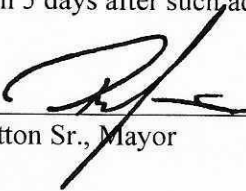
WHEREAS the Mayor and Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Committee of the Township of Commercial, in the County of Cumberland, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Commercial shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 94,235.04, and that the CY 2024 municipal budget for the Township of Commercial be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the said Director within 5 days after such adoption.



Ronald Sutton Sr., Mayor

Roll Call Vote

Mayor Sutton	Yes
Klaudi	Yes
Vizzard	Yes

Attest:



Heather Miller, Township Clerk

Introduction: January 18, 2024
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Mayor Sutton asked for a motion to open the meeting to the public. Committeeman Vizzard made the motion and was seconded by Committeeman Klaudi.

Mayor Sutton asked if anyone wanted to speak in regard to the two ordinances, to come forward and state their name. With none, the mayor asked for a motion and second to close to the public. Motion was made by committeeman Vizzard and seconded by committeeman Klaudi.

Mayor asked for a motion to adopt ordinances 2024-630 and 2024-632. A motion was made by committeeman Vizzard and was seconded by committeeman Klaudi. Roll call vote, all were in favor.

The mayor stated that next was a land sale and he was turning it over to Solicitor Seeley.

Mr. Seeley went over the normal procedures regarding land sale.

The township received an offer for the purchase of township owned property. Block 24, lots 4594 (4594, 4595) known as 7710 Whittier Dr. Lot is 40 x 100.

- The sale was advertised in the local newspaper two times, 2/1/24 & 2/8/24.
- Stressed the importance of purchaser obtaining title insurance. The township makes no guarantees as to the title or to the property.
- The property is to go to the highest bidder with 20% down tonight.
- The township has the right to reject all bids.

Mr. Seeley asked if anyone had any questions. With none, Mr. Seeley proceeded. We received a bid of \$500 from Mr. Brian O'Neill who is an adjoining property owner. Is there anyone else wishing to bid on this property? With none, the property sold to Mr. Brian O'Neill for \$500 conditioned on the committee's approval.

Mayor Sutton asked for a motion to accept the sale. The motion was made by committeeman Vizzard and seconded by committeeman Klaudi. Roll call vote, all were in favor.

Mayor Sutton asked for a motion to open the meeting to the public. Motion was made by committeeman Klaudi and seconded by committeeman Vizzard.

Mayor Sutton asked anyone who wished to speak, to come forward and state their name.

Fred Hundt, Mauricetown- Just curious to know where it stands with the rescue squad. Have the rumors been looked into. There have been more rumors. One being members of the squad telling Maurice River Township that Laurel Lake will only want to take care of Laurel Lake and not the rest of the township. There is still talk with the ex-mayor about getting funds to keep the squad going. We have also heard that the squad has found some money and will be sustainable at least for the next few months. But this is still a very big concern for the township and with what is going to happen. Fred has contacted his fire commissioner's solicitor. He is checking into who's responsibility it is and if Tom is on top of that but ultimately, "we" feel that the responsibility lies with the township to supply emergency services for the township. His little fire district cannot afford a million dollars a year for services. Laurel Lake has graciously has only charged us \$5,000 a year. He believes Port Norris pays \$8,500 a year. There is a strong concern that any day they could close up and contingency plans need to be in place so that should something happen, the township can sustain rescue services. Fred continued about the continued rumors going on causing further concern. He stated that the service and the people are great but if they fold up in 6 months, we can't put a rescue squad together in 6 months.

Shawn Ronan, Laurel Lake- Current Fire Chief of Laurel Lake. Stated they have been doing EMS and was volunteer for many years. Eight, nine years ago, they were having trouble getting volunteers and he was able to obtain a large donation of \$130,000 and the Laurel Lake rescue was started and is what it is today. They currently have 17 employees. They operate paid from 6am to 10 pm, 365 days a year. There is also a fire budget and they put in roughly \$184,000 a year from the fire budget for the EMS for the entire township. They collect from Mauricetown something like \$5,000 and Port Norris like \$7,500. They didn't do it to collect from these departments, they did it so the township would have EMS services. Prior to that, they were running with Millville rescue squad. There was a situation where a man laid for 45 minutes from a heart attack and died. We felt something needed to be done and they were able to do it without costing the taxpayers a penny. They were able to get it started through donation. They have purchased three ambulances since then at roughly \$180,000 apiece. Shawn continued to explain the billing process for response to calls and payment. Stated that their EMS runs about \$130,000 in the red however they hired two people and have taken on transport of discharges out of Inspira and that has been covering the shortages and gives them a little to the good for maintenance. They have been doing this for about 8 years without burden to the taxpayers. Shawn continued to explain the difficulty they have collecting from insurance companies; they are having a hard time financially but at the moment they are doing ok. November, December last year, he thought they were going to have to close the doors. They do still need help, currently payroll is running \$22 to \$25 thousand plus overtime, ever two weeks. That's a lot of money. Right now, they are making that money doing discharges and transports out of the hospital. We only do this to keep the EMS alive and because the residents of the town need this service. Something needs to happen. They roughly have \$100,000 in the account now. There is nothing to hide. It is not taxpayer funded; it is all money they have earned plus the donation that got the whole thing going. They have bought equipment for safety and efficiency to keep it going. Last year they did 585 EMS calls in Laurel Lake, 92 calls in Mauricetown, and 256 calls in Port Norris. A total of 933 calls. In Millville they did 36 speedway calls, 1 in Downe, 3 in Vineland, 4 in Maurice River for a total of 947 EMS calls. This year they are currently up to 306. They are busy and they have never had to burden the taxpayers. However, at this time, if they are going to continue, they are going to need some help. Shawn has been in contact with Mike Vizzard, he has had a few ideas and is trying to help us get money. He doesn't know if he needs to work with all three fire companies and the township, if everyone wants an ambulance to show up when they are in need, they are going to need some help. He is willing to work with whoever to try and get it worked out. He can't just go to the fire company, that budget is a lot larger because a large portion of it goes into the EMS. They can't go to the other fire companies and ask for \$100,000 because that's not going to happen and there is a 2% cap so it wouldn't happen anyway. Their budgets are done for this year. We need to figure out something for the future or there is not going to be an EMS in this township. We are doing the best we can, we are going above and beyond, when we have extra people, we put a second truck on for additional transport, to make money so this township can have EMS system. Shawn said that he as well as others, are still doing this for free. Shawn address Fred Hundt said that he's heard rumors too and in the future asked that he calls him directly to address it. Shawn said that it was never the intention of Laurel Lake to only run Laurel Lake and abandon anybody.

Fred Hundt asked Shawn to explain to everyone the loss of income from transport. Mr. Hundt also said that he has reviewed Laurel Lakes budget and cannot seem to understand it and

with that asked Shawn to explain why the squad doesn't run as a separate entity verses the fire district.

Shawn Ronan stated that the EMS was started by donation to the fire company and that he could explain it and show him the books if he wanted to sit down on a weekend sometime. Shawn stated the other problem was Covid. It was hard getting EMT's because they can't afford to pay like the City of Vineland, they pay \$30 to \$35 an hour and we can't compete with that. They pay \$21 to \$25 an hour.

Fred asked how that relates to loss of income.

Shawn stated that because it is hard to get people that have had to pay a lot of overtime running the account way down to where they thought they would have to close the doors. He knows that people have been saying that they haven't answered a few calls last month because they are paid from 6am to 10pm. From 10 pm to 6am we have duty crews, they get paid \$100 if they get a call, if they get an additional call, they get an additional \$50. We did miss a few calls. We were afraid of closing our doors and we ripped through that, and people didn't want to do it for nothing. However, now that we are getting in some money again and we are ok at the moment, we aren't at those numbers yet because we can't afford it, but we are going to trying and get them money again and make sure all those calls get answered.

Kacy Catalano, Jute Rd Laurel Lake- EMT & Volunteer fire fighter for Laurel Lake Fire. Kacy stated that rates recently dropped for their on-call time. That's the time between 10pm and 6am. Kacy explained how the dispatch and scheduling process works. Stated that he has recently just taken the dispatch position over 2 days ago. The previous person was removed. A call being dropped should not happen again. Kacy addressed the question of explaining their financial loss. He continued to explain in further detail the billing procedures. He continued by pointing out that during the pandemic, the medical industry had a lot of money coming in but now that the pandemic is over, budgets were tightened up stating that what was easy to get standard payment has now become a fight to get any payment from insurance companies and that this accounts for a large portion of their revenue loss. If insurance doesn't pay, they don't go after the residents. He explained that they had also lost a lot of EMT's that handled those overnight calls and they had to drop their rates. They used to pay \$150 to the people that ran those calls. They do still have a few that respond to these calls such as himself that are doing it more for the community that the cash in brings to their household, but they are stretched thin, and they do not have the money to pay people a fair wage.

Fred Hundt referred to Shawn Ronan saying he thinks he was miss understood, he wasn't questioning the service, he thinks the service is excellent. He was just asking to explain why Inspira cut out their transportation costing a \$300,000 a year revenue. He feels this needs to be addressed so people understand why there is a loss of a quarter million revenue for transport. Fred referred to a meeting that took place back in Aug or September and it was said that Inspira took away all the transport.

Shawn Ronan responded by saying that when he said they do discharges out of the hospital and that this is where they make the money to cover EMS operations. He said they were doing 6-10 a day. Inspira owns the hospital and a lot of the facilities and are doing a lot of their

own transport now. They aren't getting the volume of calls now. All of that income had dropped significantly. They are trying to make it work and as stated that it has not been a burden on the taxpayer so far from getting it started, three ambulances, equipment. Shawn stated the ambulances cost approx. \$170,000 each, LUCAS devices for CPR at \$18,000 apiece. They try to keep equipment upgraded, the best equipment, so the residents can have the best of care.

Larry Coffman, Beaver Rd, Laurel Lake- Fire Commissioner. Mr. Coffman works for Inspira and is the dispatch supervisor and is one who will assign Laurel Lake their jobs for the day. The problem is, he is also in charge of gathering mutual aid to help Inspira. Inspira has looked at their budget and is tired of losing millions of dollars. They have invested in getting the crews and the people and the ambulances filled to complete their shift. Now mutual aid is no longer needed. He has been told that as long as Laurel Lake keeps running, that they will continue to bring them on, on a daily basis. This is why Laurel Lake has lost such a large portion of their call volume. Inspira has increased their manpower. He stated that for the next three months, they aren't going to see any income. Not from insurance because the first three months are co-pay.

Shawn Ronan- As he stated, they have roughly \$100,000 in their account. The payroll is roughly \$20-25 thousand every two weeks and that has to get them through the next couple of months until the money comes back in. Right now, the doors are open but they don't know for how long.

Larry Coffman stated that it is payroll and insurance that is the issue. The fire budget includes the maintenance of the vehicles, fuel, tires, and insurance. Anything that goes wrong with the vehicles is in the budget. They need help with the payroll and health benefits.

Fred Hundt said that everything that was heard tonight solidifies his remarks. If they come her and say they are out of business on October first, what are we going to do.

Shawn Ronan said he hopes that doesn't happen but that it is a very good possibility.

Mayor Sutton said he was turning it over to Mike Vizzard because all this got started before he was seated.

Committeeman Vizzard said there is no one on this committee more that wants to keep Laurel Lake rescue in business than him. What they did for his dad was phenomenal. Laurel Lake Fire & Rescue came to him looking for help. At the time, he was mayor, and they were trying to get the cannabis going in the township. The cannabis would give the township a lot of money potentially upwards of \$300,000 and maybe the township could help the rescue squad. That hasn't happened yet. They haven't been able to get everything approved for the cannabis until tonight. As far as he knows, there shouldn't be a reason why the township can't give them some money from what they get from the cannabis taxes and fees. But he never, never, never said there was anything in the township budget for Laurel Lake rescue squad. There has never been anything there. That has always gone through the fire districts. The fire districts took care of that. You can't come to the township and say we need \$300,000 to keep going. We don't have anything for you, and we never did. It's what you guys decided you wanted. That's what you

collected with the taxpayers' dollars. We can't just give you money without saying where did the money go. We need that accountability. Where did the money go and why are you missing the money? We have asked for your paperwork, we wanted everything from the last two or three years. We just got it February 5th. Our auditors are reviewing it now. If they see something and can say you don't have the income coming in, if they come up with something and want to know where did this money go, we can't give you money without having accountability to the township residents. The residents have to know where the money went. He is not going to guarantee or authorize any kind of money until the township knows where this money went. If the auditors look at this and can say yes, they are in trouble because of Inspira, there's no funny business going on, we have to know that before we can do anything. As a committee, we are accountable to every taxpayer in this township. There are 5,000 people in this township that pay taxes. Once we know where this money went and exactly what is going on, we can't make any decision. With that being said, it is anticipated with the marijuana, that the fees and the taxes get going, we could definitely help the rescue squad. But we can't pay for something on top of something that was stolen. We have to know everything is on the up and up. That is what we feel is best for every resident in the township.

Shawn Ronan said that he agreed with that and that they will find that everything is legit.

Committeeman Vizzard said he wasn't saying that it wasn't, he is just saying we can just hand of \$300,000 without knowing. Where would we ever even get \$300,000, we never had \$300,000 to give to begin with.

Shawn Ronan said he understands it has always been in the fire budget but when the volunteers dropped off and there wasn't anyone to take the calls, they felt the need for a paid service.

Committeeman Vizzard said he want them to have that service, he wants Commercial Township to have the EMS service. We just have to make sure it is done in the right way. We are accountable to the residents, and we have to make sure we do it correctly.

Shawn Ronan said that it was probably some of their fault because when they saw the volunteers' part was dying, and went to paid, we didn't come to the township to revamp but he was able to get a donation and get it going. It was a pride thing; we were able to get it going and they ran with it, and we have done it well for 8 years but now we are at a time where it's tough.

Committeeman Vizzard said if this cannabis thing doesn't go through or it doesn't turn out as we think it will, this township can't raise enough taxes to pay for that. We are going to do the best we can to make sure we can keep the rescue squad here but there is no guarantees.

Shawn Ronan asked Fred Hundt if he got a quote from Millville. Mr. Hundt said 1 million dollars.

Shawn Ronan said that's just for Mauricetown.

Fred Hundt said it was \$750,000 to a million to staff an ambulance 24/7.

Committeeman Vizzard said he understands but we have to know everything is right.

Shawn Ronan said he realizes there is no magic wand and that they will just get it.

Kacy Catalano said you have received the paperwork that was requested and that it was sent to the auditors. Mr. Catalano asked when the township can anticipate a thumbs up or down.

Mayor Sutton said that that was done on Monday and is assuming that it would be at least 2 weeks.

Committeeman Vizzard said yes, I would give them two weeks considering we have waited 3 months to get the paperwork.

Shawn Ronan said he hadn't been aware that much time had gone by for the township to get the paperwork. There have been some changes in their internal.

Kacy Catalano said he didn't have any frame of reference for so he didn't know if it would be 6 months or what.

Committeeman Vizzard said we didn't either. They may be calling your auditors; they may have additional questions. We expect them to give us a complete description of everything we want.

Kacy Catalano asked what the next step would be.

Committeeman Vizzard said we are going to have to see how we can make all this work. But we can't raise taxes. Right now, you have to keep doing what you are doing. Right now, your solvent. Hopefully when we get this marijuana stuff going, we can get you some money.

Kacy Catalano asked if there was a contingency plan on that.

Committeeman Vizzard said there is none. What kind of contingency plan could there be. There is none. All I can say is this committee what to keep you.

Mayor Sutton said that even if the marijuana thing goes off in June, we still can't help you this year. I don't think we can spend that money this year. Is that right?

Solicitor Seeley said that what Mr. Vizzard is saying about not raising taxes, the budget is set. When they do the budget next year, they can do something and raise taxes next year.

Committeeman Vizzard said that would only be 2 ½ percent.

Solicitor Seeley said that is right, their hands are tied, especially for the type of money you're talking about.

Mayor Sutton said you're talking \$29,000 for a .01.

Solicitor Seeley said you have to understand their hands are tied. When they say they can't do it, they literally can't do it.

Mayor Sutton said say we raise taxes 3 cents, that's \$90,000.

Kacy Catalano said so the point of what you have just described, is regardless of any ones concern, consideration and the things that come into play in the next year, there will be no changes, no kind of financing that the squad will get until I assume next year. It would have to go through a budget and be approved.

Committeeman Vizzard said that's correct and that's where you need to cut your cost.

Shawn Ronan said they have already cut everything that they can.

Committeeman Vizzard said he it comes down to cutting some employees that work nights or whatever, you need to keep yourself solvent until we can work get this worked out.

Shanw Ronan told Mike that they are at a point where they have already cut everything back that they can. If hours get cut, the ambulance doesn't go out.

Committeeman Vizzard said we just need to communicate that, and he would like to speak for the rest of this committee, we don't want this to go away, but we have to figure out to make it work.

Kacy Catalano- I don't know what the timeline is but say we are able to get enough money to stay afloat, at what point can a plan for next year be made. We pinch pennies, cut back, do every little thing we can to stay afloat, but we are going further into the red. What is the deadline on the townships end.

Committeeman Vizzard said but what you need to realize is, is that you have never been a part of our budget. If we get this thing going with the cannabis, we can let you know how much we will be able to give you but the point is, you still need to make something, you have to keep yourselves in business and do what you got to do to stay in business, the township isn't going to tell you what you have to do. I will tell you right here in front of everyone here, we are going to do the best we can to help offset some of your cost a keep the rescue here. But what if we don't get anyone here to do the cannabis. It is still up to you to stay solvent, not the township.

Shawn Ronan said they will work and do everything they can until they can't, and they will close the doors. If at that time you have something developed, we'll be in communication and work it out.

Clint Miller asked if they thought they would be ok for a couple months.

Shawn Ronan said they have the next couple payrolls covered right now. Like Larry said the first couple of months are very slow. If we survive that then the money will start to come in regular.

Committeeman Vizzard reiterated that as he has said, nothing will happen until the auditors say everything is good.

Kacy Catalano said from his understanding by what Mr. Seeley has said, that you will not be able to do anything until next year anyway.

Committeeman Vizzard said we can't raise taxes this year. If we get something going with the cannabis, maybe something.

Solicitor Seeley said it is possible to do an emergency appropriation, but they can't raise taxes. If there is money in capital that comes in this year and that money is from the cannabis, they can do emergency appropriations.

Committeeman Vizzard said this is the main reason why we are doing this cannabis, to try and help the residents of this township.

Solicitor Seeley said you certainly would need to talk to the auditor, but I would think this would qualify as an emergency.

Kacy Catalano said so your saying there is a possibility of an emergency appropriation so it's not to say there is no way the township could allot money to...

Solicitor Seeley said they can't raise taxes.

Kacy Catalano said he understood but if capital funds come in beyond anticipated revenues of the budget, that money can be utilized as an emergency appropriation.

Committeeman Vizzard said as long as the auditors agree to it.

Solicitor Seeley said there is a contingency.

Kacy Catalano so you really have no idea a timeline when they will be able to give a recommendation.

Committeeman Vizzard It's not just that, it's the cannabis, when we would get any from in from that. We may not get any money this year from cannabis.

Mayor Sutton said if the auditors need something from you, the quicker you get it to them, the quicker they can get the audit done.

Libby Truitt, Mauricetown- She asked if the township had heard from Rootly.

Committeeman Vizzard and Solicitor Seeley stated no because they are waiting on the township.

Committeeman Vizzard said that now that this resolution passed tonight, hopefully we'll hear from them shortly.

Libby Truitt but I thought there was preliminary approval.

Committeeman Vizzard said, no, we couldn't do that until the ordinance was approved.

Larry Coffman changed the subject by asking what the township was going to do about all the abandoned houses, in particular the abandoned trailer with about 200 tires.

Mayor Sutton said we are really trying to work on it.

Larry Coffman let a lone the 200 tires that are in the state Forrest.

Mayor Sutton stated that we just hired a full-time code enforcement officer and that should make a difference and we may hire an additional part timer.

Committeeman Vizzard said the property with the tires, we have already addressed that correct.

Clint Miller stated that they are investigating it and the ones on the state property. They don't want us touching any of it.

Shawn Ronan addressed concern should those tires catch fire.

Fred Hundt said that if they caught fire, it would cost the township thousands of dollars in foam.

Committeeman Vizzard said he wasn't so sure it was going to cost the township.

Fred Hundt said it would trickle down to the township and the township would be responsible.

Committeeman Vizzard said everyone knows about these tires, the township has already tried to get these tires out of here. I don't think it's going to cost the township anything.

Mayor Sutton asked for a motion to close to the public. A motion was made by committeeman Vizzard and seconded by committeeman Klaudi.

Mayor Sutton asked the committee if they had anything additional for consideration. Mayor asked Committeeman Vizzard if he wanted to touch on the dinner.

Committeeman Vizzard said we have the 150th anniversary for Commercial Township coming up. On March 16th at the Mauricetown Fire Hall it will be 5-9pm, it's \$35 dollars a ticket. He also wanted everyone to know, with the new state regulations going on right now, we are well on our way with something called BRIC, it is Building Resilience & Infrastructure to communities which he believes in the long run will benefit the residents of the township that live along the Bayshore and in flood zones in resiliency to flooding. He has been attending meetings with DEP and FEMA to get this going. We could possibly get 50 million in grants to build your houses up, make yourself resilient. It's not just the houses, it's the township hall, firehouses, Laurel Lake because it's near the lake. We are doing our best to make sure residents can have homeowners and flood insurance at a reasonable cost. It's going to be a lot of work with the berms. In Mauricetown on Buckshutem road they have flooding with just high tide in a storm. It's going to take years; it won't happen overnight. Commercial Township is only the second township in the state that has been able to do this.

Mayor Sutton said the 2024 Fire Elections will be held on Saturday February 17th. Polls are open from 2-9 pm.

Mayor asked for a motion to adjourn. Committeeman Vizzard made the motion and was seconded by committeeman Klaudi. The meeting was adjourned.

Respectfully submitted,



Heather Miller, Township Clerk