

**GREENWICH TOWNSHIP
MINUTES OF THE TOWNSHIP COMMITTEE MEETING
JULY 20, 2021
7:00 p.m.**

Mayor Reinhart called the meeting to order stating “adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the South Jersey Times on January 11, 2021.”

Roll Call: Mayor Reinhart, Committeeman Werley and Deputy Mayor Orr were present. Also present were Lisa Garrison, Clerk; Kim Fleetwood, CFO/Treasurer and Thomas Seeley, Esq. (via telephone)

Flag Salute: Mayor Reinhart

Presentation: Mr. Pisarski was present this evening to discuss the preservation of the Old Stone Schoolhouse. The Township had previously received grant funding for \$14,812 of which the Township is responsible for \$3,703. Additional funds are required increased the total to \$16,239 of which the Township would now be responsible for \$5,130.00. The CFO and Clerk recommended an amendment to increase the agreement to \$16,239.00. On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve an amendment to increase the agreement to \$16,239 with the Township being responsible for \$5,130.00, unanimously carried.

Also present this evening were members from the Bridgeton Fire Department confirming the continuation of the OEM contract and to renew their commitment to the township. Mayor Reinhart complimented their group.

Ordinances:

PROPOSED ORDINANCE NO. 58-2021

**AN ORDINANCE OF THE TOWNSHIP OF GREENWICH, CUMBERLAND COUNTY,
PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS
WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING THE CODE OF
THE TOWNSHIP OF GREENWICH**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled substance a/k/a 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, the act establishes six marketplace classes of licensed business, including:

Class 1 Cannabis Cultivator License: Facilities involved in growing and cultivating cannabis;

Class 2 Cannabis Manufacturer License: Facilities involved in manufacturing preparation and packaging of cannabis items;

Class 3 Cannabis Wholesaler License: Facilities involved in obtaining and selling cannabis items for later resale by other licensees;

Class 4 Cannabis Distributor License: Business involved in transporting cannabis plants in bulk from a licensed cultivator to another licensed cultivator or cannabis items in bulk from any type or licensed cannabis business to another;

Class 5 Cannabis Retailer License: Locations at which cannabis items and related supplies are sold to consumers; and

Class 6 Cannabis Delivery License: Business providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of purchased items to consumer, and which service would include the ability of a consumer to make a purchase directly by the delivery service for fulfillment by a retailer and then delivered to a consumer.

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 services, and establishing civil penalties for the violation of any such regulations; and

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

WHEREAS, pursuant to Section 31b of the Act, the failure to adopt an ordinance, so shall result for a period of five years thereafter, that the growing, cultivating, manufacturing, selling, and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibiting cannabis business, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Committee of Greenwich has determined that due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis businesses might have on New Jersey municipalities in general and on the Township of Greenwich in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township of Greenwich's residents and members of the public who visit, travel or conduct business in the Township of Greenwich to amend the Township of Greenwich's Land Use Ordinance and general ordinances to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Greenwich; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act will allow such decisions to be made before imposing an automatic authorization is such uses in specified zoning districts subjects to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180 day period in order to ensure sufficient time to carefully review all aspects of the act and its impact.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Township Committee of the Township of Greenwich, County of Cumberland, State of New Jersey, does hereby amend the revised general ordinances of the Township of Greenwich by adding a new Chapter 22, as follows:

Business Operations and Recreational Use of Cannabis-Marijuana within the Geographical Limits of Greenwich Township

Section 22-1:

Pursuant to Section 31b of the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act (P.L. 2021, c. 16) all cannabis establishments, cannabis distributors or cannabis delivery services. This prohibition shall also apply in those parts of the Township of Greenwich under the jurisdiction and authority of any state agency, commission, or authority.

Section 22-2:

All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service are prohibited within the entirety of Greenwich Township.

Section 22-3:

Any article, section, paragraph, subsection, clause or other provision of the Township of Greenwich code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 22-4:

If any section, paragraph, subsection, clause or provision of this ordinance shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 22-6:

This ordinance is designed to regulate the purchase, sale, cultivation, manufacturing, packaging, transportation and delivery of cannabis items within the Township of Greenwich. Cannabis, for the purpose of this ordinance, is defined as cannabis (dry leaves and flowers), cannabis products, cannabis extracts, any other form of cannabis resin and marijuana.

BE IT FURTHER ORDAINED AND ENACTED by the Township Committee of the Township of Greenwich, County of Cumberland, and State of New Jersey that this ordinance shall take effect immediately upon the adoption and publication of notice of adoption as prescribed by law.

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the foregoing proposed ordinance with the public hearing to be held on August 17, 2021, unanimously carried on roll call vote. Ayes: Werley, Orr, Reinhart Nays: None Abstain: None Absent: None

Resolutions:

RESOLUTION NO. 7-24-2021

**AUTHORIZING INTERLOCAL SERVICE AGREEMENT BETWEEN THE
TOWNSHIP OF GREENWICH WITH RESPECT TO THE PROVISION OF TAX
ASSESSOR SERVICES**

WHEREAS, the Township of Hopewell and the Township of Greenwich both need to provide Tax Assessor services; and

WHEREAS, the Township of Hopewell and the Township of Greenwich have established an interlocal services agreement which specifies the Tax Assessor services provided of a Tax Assessor Official, clerical and administrative services for a term beginning nun pro tunc, July 1, 2021 and expiring on June 30, 2025 with an automatic renewal for an additional

four (4) years on expiration unless either party files a written notice to discontinue said services prior to completion of the first four (4) year term; and

WHEREAS, the Township of Hopewell and the Township of Greenwich are desirous of maintaining an interlocal service agreement pursuant to N.J.S.A. 40a:7a-1, et seq. to jointly provide, administer and bear the cost of such services; and

WHEREAS, the Township Committee of the Township of Greenwich finds that an agreement with the Township of Hopewell to perform such services is in the interests of the residents of the Township of Greenwich.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich that the Mayor and Clerk be and are hereby authorized to enter into an agreement for shared services with the Township of Hopewell pursuant to N.J.S.A. 40:8A-1, et seq. for the provision of Tax Assessor Services for a Tax Assessor Official, clerical and administrative services thereto pursuant to an agreement, the form of which shall be satisfactory to the Mayor and Solicitor of the Township of Greenwich.

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the foregoing resolution, unanimously carried.

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the following resolution, unanimously carried.

RESOLUTION NO. 7-25-2021

**RESOLUTION APPOINTING KATHLEEN HILL. AS
TAX ASSESSOR**

WHEREAS, due to the retirement of Lois Mazza there exists a vacancy in the office of Municipal Tax Assessor in the Township of Greenwich, County of Cumberland, State of New Jersey; and

WHEREAS, pursuant to N.J.S.A. 40A:9-146 et seq. a municipality shall have a Tax Assessor with the term of office of four (4) years; and

WHEREAS, KATHLEEN HILL has all the certifications to serve as Greenwich Township Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich that Kathleen Hill be appointed Tax Assessor for a term of four (4) years in accordance with N.J.S.A. 40A:9-146, effective July 1, 2021 through June 30, 2025.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Local Government Services, Department of Community Affairs.

RESOLUTION NO. 7-26-2021

**A RESOLUTION GRANTING FINAL APPROVAL OF THE LANG
APPLICATION TO SELL DEVELOPMENT EASEMENT**

WHEREAS, the County of Cumberland submitted a Planning Incentive Grant (PIG) Application to the State Agriculture Development Committee pursuant to the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., the Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1 et seq., and the regulations thereunder; and

WHEREAS, the application provided for the proposed acquisition of a Development Easement on property owned by Scott and Mitzi Lang on Stathems Neck Road, and known as Greenwich Township block 16, lot 8.01; and

WHEREAS, the State Agriculture Development Committee certified the fair market value of the aforementioned development easement pursuant to N.J.A.C. 2:76-7.14 AT \$3,000.00 per acre, which has been accepted by the applicant; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 62 estimated acres), subject to the actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements:

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|---|--------------|
| State Agriculture Development Committee ((\$2,200.00/per acre: 73.33%) | \$136,400.00 |
| County of Cumberland ((\$ 800.00/per acre: 26.67%) | \$ 49,600.00 |

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Greenwich in the County of Cumberland that the Township Committee give final approval to the proposed acquisition of a development easement to be held by the County of Cumberland on the Lang Farm, block 16, lot 8.01 in the Township of Greenwich, County of Cumberland, State of New Jersey, on approximately 62 acres pursuant to the County's Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
 - a. One (1) Non-Severable Exception;
 - b. No non-agricultural uses;
 - c. No Dwelling Units on area under easement;
 - d. No Residual Dwelling Site Opportunities;

IT IS FURTHER RESOLVED that this resolution be sent to the Cumberland County Agriculture Development Board and to the State Agriculture Development Committee for their final approval;

FINAL APPROVAL and ACCEPTANCE of this application is contingent upon the approval and acceptance of the County of Cumberland and the State Agriculture Development Committee.

Unfinished Business:

Zoning/Code Enforcement Officer Vacancy - a special meeting was prior to tonight's meeting at which time a closed session was convened to interview a potential candidate for the vacant position. At this time no action is being taken regarding the position.

Tennis Court – various options were reviewed for the resurfacing of the court. It was recommended that a grant writer be contacted to pursue funding.

New Business: None

Solicitor's Report:

Mr. Seeley shared his written report.

Committee Comments:

Committeeman Werley thanked County Engineer Knoop for his assistance to the township regarding the trees at Bacons Neck and Tindall Island.

Mayor Reinhart reported there was a problem with the HVAC at the OEM building and advised it was a module which was under warranty.

Ms. Garrison reported the due date for the 3rd quarter taxes is 9/18/21.

Payment of Bills:

After review and discussion on motion Committeeman Werley, seconded by Mayor Reinhart to approve the bill list in the amount of \$202,714.04, unanimously carried.

Public Comment:

On motion by Mayor Reinhart, seconded by Committeeman Werley and unanimously carried the public comment was opened. Mr. Carluzzo questioned when the taxes were due and was advised it would be September 18, 2021. He also questioned what the bill for NJ Advanced Media was for and was advised it was for the publication of an ordinance. Mr. Charles Reinhart reported the roof need to be replaced on the Fire Department's outbuilding. He will be obtaining quotes. There being no further comment forthcoming, on motion by Committeeman Werley, seconded by Mayor Reinhart to close the public comment, unanimously carried.

Adjournment. A motion to adjourn was made by Mayor Reinhart, seconded by Deputy Mayor Orr and unanimously approved.

Respectfully Submitted,

Lisa Garrison
Borough Clerk