

MINUTES OF REGULAR MEETING OF JUNE 16, 2021

The regular meeting of the Frelinghuysen Township Committee was held at the Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, June 16, 2021 and as called to order at 7:30 p.m. by Mayor, Chris Stracco.

SUNSHINE LAW STATEMENT:

Under the provisions of the Open Public Meetings Act, adequate notice of this meeting was provided by posting notice on the Township bulletin board, Township website and by e mailing notice to the New Jersey Herald and The Express-Times.

FLAG SALUTE

ROLL CALL:

Those present were: Mayor Chris Stracco, Deputy Mayor Keith Ramos, Committeeman David Boynton, Committeeman Frank Desiderio (7:32), Committeeman Todd McPeek, Attorney Rich Beilin, CFO Danette Dyer, and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. May 19, 2021 regular meeting minutes were approved on a motion by Mr. Boynton, seconded by Mr. Ramos. All were in favor.
2. May 19, 2021 executive session meeting minutes were approved on a motion by Mr. Boynton, seconded by Mr. McPeek. All were in favor.
3. May 26, 2021 special meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.
4. June 9, 2021 work session meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.
5. June 9, 2021 executive meeting minutes were approved on a motion by Mr. Boynton, seconded by Mr. Ramos. All were in favor.

ORDINANCES:

#2021-08 BOND ORDINANCE AMENDING AND RESTATING BOND ORDINANCE NUMBER 2019-03 (WHICH PROVIDES FOR VARIOUS 2019 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (THE "TOWNSHIP"), ON MARCH 20, 2019, TO INCREASE THE APPROPRIATION TO \$415,650, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP TO \$394,850 TO FINANCE PART OF THE COST THEREOF, AND TO INCREASE THE DOWN PAYMENT TO \$20,800

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS: SECTION 1.

The bond ordinance of the Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee thereof on March 20, 2019, numbered 2019-03 and entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$285,650 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$271,350 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and restated in its entirety, as follows, including increasing the appropriation in the Original Ordinance by \$130,000, from \$285,650 to \$415,650, increasing the authorization of bonds or notes of the Township in the Original Ordinance by \$123,500, from \$271,350, to \$394,850 to finance part of the cost thereof, and increasing the down payment in the Original Ordinance by \$6,500, from \$14,300 to \$20,800: "SECTION 1.

The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$415,650, said sum being inclusive of a down payment in the amount of \$20,800 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down

payment or for capital improvement purposes. SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$415,650 appropriation not provided for by the down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$394,850 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$394,850 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is the 2019 Capital Improvement Program, which includes, but is not limited to: (i) the acquisition of a blacktop roller machine, a brush hog lawnmower and a new bed for a Ford pickup truck; (ii) the acquisition and installation of new carpeting and flooring in the Town Hall; (iii) the acquisition of a thermal imaging camera, rescue equipment, hose and turnout gear for use by the Green Township Fire Department; (iv) the acquisition of turnout gear and extrication equipment for use by the Blairstown Fire Department; (v) the acquisition of turnout gear and self-contained breathing apparatus (scba) bottles for use by the Hope Fire Department; (vi) the acquisition of a flammable storage cabinet for the Department of Public Works ("DPW") garage; (vii) the acquisition of various tools, including, but not limited to, an impact gun, wrenches and sockets for use by the DPW; (viii) the acquisition and installation of a salt shed; (ix) the installation of dugouts for the Recreational Field; (x) repairs and improvements to various roads within the Township, including, but not limited to, paving, cross drains, tarring and chipping; (xi) the design and development of the Township's website; and (xii) the demolition of an abandoned barn located on municipal property and considered a health hazard, including, as applicable, all work, materials, equipment, labor and appurtenances necessary for or incidental to all of the above described improvements and purposes, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved. (b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$394,850. (c) The estimated cost of said improvements or purposes is \$415,650, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$20,800, which is the down payment available for such improvements or purposes. SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Township. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Township upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer of the Township is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Township is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser. SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the

office of the Clerk and will be available for public inspection. SECTION 7. The following additional matters are hereby determined, declared, recited and stated: () The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. (a) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.47 years. (b) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$394,850 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. (c) An aggregate amount not exceeding \$3,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described. SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount. SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$394,850. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2). SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance. SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law." **ADOPTED ON FIRST READING DATED: June 16, 2021 DONNA ZILBERFARB, Township Clerk ADOPTED ON SECOND READING DATED: July 21, 2021 DONNA ZILBERFARB, Township Clerk APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2021. CHRISTOPHER STRACCO, Mayor**

Motion was made by Mr. Ramos to open for first reading/introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeck-yes; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on July 21, 2021.

#2021-09 AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN, WARREN COUNTY, NEW JERSEY PERMITTING CULTIVATION AND MANUFACTURING IN THE ROM ZONE ONLY, AND OTHERWISE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN FRELINGHUYSEN TOWNSHIP

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 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**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer, 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 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 ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and **WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be enacted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and **WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, 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 prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and **WHEREAS**, the Mayor and Committee of the Township of Frelinghuysen have determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township of Frelinghuysen 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 Frelinghuysen’s residents and members of the public who visit, travel, or conduct business in the Township of Frelinghuysen, to amend the Township of Frelinghuysen’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Frelinghuysen except as specifically provided for herein. **NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Committee of the Township of Frelinghuysen, in the

County of Warren, State of New Jersey, as follows: SECTION 1. The Frelinghuysen Township Code is hereby amended to add a new Section LDO-105.1 thereto, to read as follows: **§ LDO-105.1 Cannabis Businesses Prohibited.** A. Definitions. For purposes of this Chapter, the following definitions shall apply: "Cannabis" means 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: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:61-1 et al.) and P.L.2015, c.158 (C.1SA:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B- 1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.). "Cannabis cultivator" means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. "Cannabis delivery service" means any licensed person or entity that provides courier services for consumer purchases 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 that consumer. "Cannabis distributor" means 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 any 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. "Cannabis establishment" means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer. "Cannabis manufacturer" means 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. "Cannabis retailer" means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and 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 shall also accept 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. "Cannabis wholesaler" means 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. "Medical cannabis organizations" means any person or entity licensed, or an applicant for a license, to operate as medical cannabis cultivator, medical cannabis manufacturer, medical cannabis dispensary, clinical registrant or an alternative treatment center under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c. 24:61-1 et al). B. Cannabis establishments, distributors and delivery services prohibited unless expressly permitted. (1) Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (N.J.S.A. 24:61-45b), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township, with the exception of: (a) cannabis cultivation and cannabis manufacturing establishments in the ROM (Research, Office & Manufacturing) Zone, subject to the provisions of Section _____ of the Township Code and with the requisite licenses as required by Section _____ of the Township Code, and (b) the delivery of cannabis items and related supplies directly to a consumer for personal use by a New Jersey licensed cannabis delivery service having its license premises based at a location outside the geographic boundaries of the Township, and which the delivery of such

cannabis items and related supplies is initiated from such licensed location. (2) This prohibition shall be read and construed to apply equally to any and all Medical Cannabis Organizations holding a license, or applicants for such a license, issued under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c. 24:61-1 et al), to the extent such Medical Cannabis Organizations, or applicants for such licenses, seek to concurrently operate or to otherwise hold a cannabis a Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license, Class 3 Cannabis Wholesaler license, Class 4 Cannabis Distributor license, Class 5 Cannabis Retailer License and/or a Class 6 Cannabis Delivery License under section 33 (C.24:61-46a(3)(a)(i) thru (3)(a)(iv)) of the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act." (3) The concurrent operation of a Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license, Class 3 Cannabis Wholesaler license, Class 4 Cannabis Distributor license, Class 5 Cannabis Retailer License and/or a Class 6 Cannabis Delivery License under section 33, (C.24:61-46a(3)(a)(i) thru (3)(a)(iv) of "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" is hereby prohibited at any premises of a licensed Medical Cannabis Organization or applicant for such license, under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c.24:61 et al). SECTION 2. Section LDO-601(P), "Conditional Uses," 405 is hereby amended by adding a new subsection O thereto, to read as follows: (O) Cannabis growing or cultivation facilities and cannabis product manufacturing facilities shall be permitted where they are: **PLACEHOLDER** (1) Owned and operated by holders of the required licenses from the State of New Jersey; (2) A license has been issued by the Township of Frelinghuysen pursuant to Section _____ of the Frelinghuysen Township Code. (3) No part of the facility shall be situated within 1,000 feet, measured along the street or highway on which located, of a public facility, park or athletic field and/or public or private school. SECTION 3. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency. SECTION 4. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof. SECTION 5. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on June 16, 2021 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on August 18, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. *Motion was made by Mr. Ramos to open to first reading for introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-no; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on August 18, 2021. This will be referred to the Land Use Board.*

#2021-10: AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN, WARREN COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING THE FRELINGHUYSEN TOWNSHIP CODE TO ADD A NEW SECTION LDO-105.1

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 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**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;

- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer, 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 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 ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and **WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be enacted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and **WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, 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 prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and **WHEREAS**, the Mayor and Committee of the Township of Frelinghuysen have determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township of Frelinghuysen 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 Frelinghuysen’s residents and members of the public who visit, travel, or conduct business in the Township of Frelinghuysen, to amend the Township of Frelinghuysen’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Frelinghuysen; 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 would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject 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**, by the Mayor and Committee of the Township of Frelinghuysen, in the County of Warren, State of New Jersey, as follows:

SECTION 1. The Frelinghuysen Township Code is hereby amended to add a new Section LDO-105.1 thereto, to read as follows:

§ LDO-105.1 Cannabis Businesses Prohibited.

A. Definitions.

For purposes of this Chapter, the following definitions shall apply: "Cannabis" means 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: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:61-1 et al.) and P.L.2015, c.158 (C.1SA:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B- 1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.). "Cannabis cultivator" means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. "Cannabis delivery service" means any licensed person or entity that provides courier services for consumer purchases 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 that consumer. "Cannabis distributor" means 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 any 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. "Cannabis establishment" means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer. "Cannabis manufacturer" means 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. "Cannabis retailer" means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and 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 shall also accept 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. "Cannabis wholesaler" means 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. "Medical cannabis organizations" means any person or entity licensed, or an applicant for a license, to operate as medical cannabis cultivator, medical cannabis manufacturer, medical cannabis dispensary, clinical registrant or an alternative treatment center under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c. 24:61-1 et al).

B. Cannabis establishments, distributors and delivery services prohibited. (1) Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (N.J.S.A. 24:61-45b) all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township, except for the delivery of cannabis items and related supplies directly to a consumer for personal use by a New Jersey licensed cannabis delivery service having its license premises based at a location outside the geographic boundaries of the Township, and which the delivery of such cannabis items and related supplies is initiated from such licensed location. (2) This prohibition shall be read and construed to apply equally to any and all Medical Cannabis Organizations holding a license, or applicants for such a license, issued under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c. 24:61-1 et al), to the extent such Medical Cannabis Organizations, or applicants for such licenses, seek to concurrently operate or to otherwise hold a cannabis a Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license, Class 3 Cannabis Wholesaler license, Class 4 Cannabis Distributor license, Class 5 Cannabis Retailer License and/or a Class 6 Cannabis Delivery License under section 33 (C.24:61-46a(3)(a)(i) thru (3)(a)(iv)) of the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act." (3) The concurrent operation of a Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license, Class 3 Cannabis Wholesaler license, Class 4 Cannabis Distributor license, Class 5 Cannabis

Retailer License and/or a Class 6 Cannabis Delivery License under section 33, (C.24:6I-46a(3)(a)(i) thru (3)(a)(iv) of "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" is hereby prohibited at any premises of a licensed Medical Cannabis Organization or applicant for such license, under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (c.24:6I et al). SECTION 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency. SECTION 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof. SECTION 4. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on June 16, 2021 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on July 18, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. *Motion was made by Mr. Ramos to open for first reading for introduction, seconded by Mr. Desiderio. Roll call vote: Mr. Boynton-no; Mr. Desiderio-yes; Mr. McPeek-no; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on August 18, 2021.*

#2021-11 AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$3,000 FOR THE FUNDING THE PURCHASE OF A FLAIL MOWER BY THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, NEW JERSEY. BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Frelinghuysen, County of Warren, New Jersey, as follows:

Section 1. The sum of \$3,000.00 is hereby appropriated for the following purposes:

1) Purchase of a Flail Mower

Section 2. The funding sources for said ordinance are as follows:

1) Capital Improvement Fund \$3,000.00

Section 3. In connection with the amount authorized in Section 1 hereof, the Township makes the following determination:

- a) The purposes described in Section 1 hereof is not a Current Expense and is an improvement, which the Township of Frelinghuysen may lawfully make as a general improvement.
- b) The period of usefulness of the purpose described in section 1 hereof is, at a minimum, five (5) years as required under the Local Public Bond Law.

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provisions so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. This ordinance shall become effective immediately upon final passage, approval, and publication as provided by law.

NOTICE

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Township Committee of Frelinghuysen Township, New Jersey, held on June 16, 2021, and that a regular meeting of the same to be held on July 21, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey, at the hour 7:30 o'clock in the evening, the said Committee will consider the final passage of said ordinance.

Motion was made by Mr. Ramos to open for first reading for introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Second reading for adoption will be held on July 21, 2021.

RESOLUTIONS:

#2021-59

Resolution 2106_87r_06-16-2021_.pdf

File Name:

159 File 2106_159_06-16-

Name: 2021_.xlsm

[Email the 159 if not using Outlook](#)

571

Select your local Government unit by pressing the triangle

**Budget Amendment Certification Form, Appropriations
Offset by Revenue**

Counties/Municipalities (NJSA 40A:4-87) or Fire Districts (NJSA 40A:14-78.5)

	<u>Reso lutio n Date</u>	6/16/2021	Resolutio n #
Muni Code	2106	Organization Name	2106 Frelinghuysen Township - County of Warren
Fiscal Year	7		
Revenue	Title	71	Amount \$ 9,546.93
Description	_____		
Appropriation	Title	71	Amount \$ 9,546.93
Description	_____		
Local Match			Amount

Municipalities and Counties only	Chapter 85 - Title and Text	
Appropriation (From)	Title	Amount
Appropriation (To)	Title	Amount

By electronic transmittal of this form the County Clerk of the Board/Municipal Clerk/Fire District Executive Director certify that this resolution, reference above and included as an attachment with this form, is a true resolution and was properly adopted by the respective governing body

By electronic transmittal of this form the County/Municipality CFO or the Fire District Accountant certifies that this revenue has been realized and/or is in receipt of written notification from the funding source cited in the resolution and included as an attachment with this form and that the revenue/appropriation identified above meets all statutory requirements and that the Annual Operating Budget has been amended to include this item of revenue/appropriation.

Donna Zilberfarb	Danette Dyer
County Clerk of the Board, Municipal Clerk, or Fire District Director	County/Municipal CFO or Fire District Accountant
Municipal Clerk	Chief Financial Officer
Title of Certifying Officer	Title of Certifying Officer
clerk@frelinghuysen-nj.us	cfo@frelinghuysen-nj.us
Email Address	Email Address
908-852-4121	908-852-4121
Telephone Number	Telephone Number

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A.40A: 4-87
For Director, Division of Local Government Services by:

5

Approved Date:

Duly Appointed Designee
s:\LGS Docs\a_1budget\2106 Frelinghuysen Township - County of Warren\2021\159\2106_159_06-16-2021_.xlsm
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I, Donna Zilberfarb, Clerk of the Township of Frelinghuysen, County of Warren, do hereby certify the foregoing Resolution to be a true and accurate copy adopted by the Township Committee on June 16, 2021.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mr. Boynton			x			
Mr. Desiderio			x			
Mr. McPeek		x	x			
Mr. Ramos	x		x			
Mr. Stracco			x			

#2021-60 RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2021-2022 WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2021-2022

2106-33-003-008 Sweet Janes Café and Bar LLC

WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2021-2022

2106-33-005-006 Plan B Pub, LLC

WHEREAS, the following Plenary Distribution Liquor Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2021-2022

2106-44-002-002 Gerald Chrusz

WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2021-2022

2106-33-001-005 Joseph McEvoy

WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 16th day of June, 2021 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2021-2022. CERTIFICATION I, Donna Zilberfarb, Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of June 16, 2021.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton			x			
Mr. Desiderio			x			
Mr. McPeek		x	x			
Mr. Ramos	x		x			
Mr. Stracco			x			

#2021-61 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JUNE 2021 WHEREAS, the Finance Committee of the Township of Frelinghuysen have reviewed the bills submitted by the Municipal Clerk to the Frelinghuysen Township Committee for the MONTH OF JUNE 2021; and WHEREAS, the Finance Committee find the bills to be in order and recommend to the Township Committee that they be paid by the Chief Finance Officer. NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that all bills submitted for the above named date are reasonable and proper and are to be paid from their appropriate account.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton		x	x			
Mr. Desiderio			x			
Mr. McPeek			x			
Mr. Ramos	x		x			
Mr. Stracco			x			

#2021-62 Capital Account WHEREAS, it is the desire of the Committee of the Township of Frelinghuysen to review and update the line items within each open Capital Ordinance, and WHEREAS, after review it has been decided to transfer budgeted amounts within each ordinance to better serve the purposes of the allotted capital expenditures and to move dollars to alleviate line items that have small or overspent balances within each ordinance, NOW, THEREFORE BE IT RESOLVED by the Committee of the Township of Frelinghuysen that the following capital budget transfers be recorded by the CFO:

DESCRIPTION	CURRENT BUDGET	ADJUSTED ADJUSTMENT	BUDGET
<u>Ordinance 2019 Various Improvements</u>			

Barn Demolition	5121.28	-5,121.28	0
Road Improvements	895.48	+5,121.28	6,016.76

I hereby certify the above to be a true copy of a Resolution adopted by the Committee of the Township of Frelinghuysen at a meeting held on June 16, 2021.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton		x	x			
Mr. Desiderio			x			
Mr. McPeek			x			
Mr. Ramos	x		x			
Mr. Stracco			x			

#2021-63 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with contract negotiations and possible litigation. WHEREAS, under the Open Public Meetings Act (number 7 of the permitted exceptions to the requirements that a public body hold its meetings in public) it is permissible that such matters be discussed in executive or private session. NOW, THEREFORE BE IT RESOLVED, on June 9, 2021 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned and results or portions of that discussion will be made known in reasonable length of time.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	x		x			
Mr. Desiderio			x			
Mr. McPeek			x			
Mr. Ramos		x	x			
Mr. Stracco			x			

COMMITTEE REPORTS:

- Mayor Chris Stracco – Nothing to report
- Deputy Mayor Ramos discussed ongoing conversations with Planet Networks and that he will be putting a type of survey on the website for residents to answer regarding speeds and service providers they currently have for internet. He also discussed conversations with Altice and having a few areas that meet the 25 house agreement and will be sending mailer to residents to see who has high speed internet within those areas. Mr. Ramos let the committee know that he spoke with Mr. Sterbenz after the bid opening for the salt shed and both were happy with the bidder and is hopeful to start the process soon.
- Committeeman David Boynton - Nothing to report
- Committeeman Frank Desiderio – Nothing to report
- Committeeman Todd McPeek – Nothing to report
- Attorney Rich Beilin discussed the bid opening for a solar lease. There were 2 bidders and he is currently reviewing them both and will get back to the committee.
- Municipal Clerk Donna Zilberfarb let the committee know that 24 financial disclosures have been filed with only 2 outstanding. They have been in touch with and know the deadline is June 30th. She also discussed the town wide cleanup. 109 vouchers were handed out and there were only 2 dumpsters for seniors this year. Total cost of cleanup was \$2,400.38.

OLD BUSINESS:

- The salt shed was discussed in Mr. Ramos’ Report
- Mr. Desiderio had nothing new to report on the stand pipe on Ramsey Road
- Mr. Beilin explained that work session meetings could be held virtually as the town has not rescinded the state of emergency for covid.

NEW BUSINESS:

- The American Rescue Plan Act was discussed and a motion was made by Mr. Boynton to authorize the CFO, Danette Dyer, to be the authorized representative for Frelinghuysen Township for the American Rescue Plan, seconded by Mr. Ramos. All were in favor.
- Ms. Zilberfarb discussed the Loss Control Report from the safety inspection for our insurance. Issued that were discussed were CAS#'s on the salt shed and tanks in back of townhall, mulch on the play area, boards on the front deck of the FFP lodge, exposed wires in a rear storage room in the FFP lodge and some ppe signage at the dpw garage. All departments were told what needed to be repaired/fixd.

DEPARTMENT REPORTS:

Motion was made by Mr. Boynton for a consent agenda for department reports 1-8, seconded by Mr. Ramos. All were in favor.

- Zoning – Mr. Boesze was present if anyone had any questions. Mr. Desiderio asked if there was an ordinance for code enforcement.
- OEM – OEM coordinator not present
- DPW – Mr. McPeek asked about purchasing a flail mower for the kabota – 57 inch with a 3 point hitch, cost of \$2,900.00. Mr. Stracco asked if there was any capital and Ms. Dyer explained no because a new line item can not be added into an old ordinance. She did explain that they could do a fully funded ordinance. Motion was made by Mr. Ramos for a fully funded ordinance to purchase a flail mower for the dpw, seconded by Mr. Boynton. All were in favor.
- Land Manager – Marty Connor let the committee know that there is now a beaver in the FFP North pond and has already taken a tree down.
- Recreation committee – Mr. Ramos let everyone know that Founders Day has been moved to August 28th with a rain date of August 29th.
- Environmental Commission – Nothing to report
- Farmland/Open space Committee – Nothing to report

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Boynton, seconded by Mr. Desiderio to open meeting to the public limited to 20 minutes with 3 minutes per member of the public. All were in favor. Spoke were:

- Alan DeCarolis, Heller Road, asked about bills and what they were for. Mr. Stracco explained them. He also inquired about the stand pipe and stated that this has been discussed for 6 or more years. Mr. Ramos and Mr. Stracco explained the fire departments coming back and asking and that legal documents have been drawn up for it. Mr. DeCarolis also asked why the purchase of a flail mower and stated that they had one prior and sold it to get sickle bar and now asking for a flail mower. Mr. McPeek explained the need for it.
- Marty Connor, Lincoln Laurel Road, asked about the religious group that is renting the rec center and what they are paying for rental. Mr. Ramos explained they are paying the non profit rate and that there is no timeline for the rental. Mr. Connor also asked about the green house and status. Ms. Zilberfarb explained that she has been in touch with the purchaser and is waiting on payment. She also asked what size truck could be driven to it. Mr. Desiderio stated a larger truck should be fine as the trail leading to it is wide enough.
- Fran Muller asked about cannabis and if it was ok'd to sell cannabis in the township. Mr. Stracco explained that we have not and that public comment will be on August 18, 2021. He also explained the difference for each ordinance that was introduced.
- Loren Greco, Greendell Road, asked about the work meetings being zoom only. Mr. Stracco explained that any resident can log in and join the meeting. Mr. Greco also inquired about the Greendell Road paving portion and asked if they could go another 150 or so feet to complete the worst spot on that road. Mr. McPeek stated they are working and trying to make it past that spot.

Motion was made by Mr. Boynton, seconded by Mr. Ramos to close to the public. All were in favor.

EXECUTIVE SESSION:

Motion was made by Mr. Boynton, seconded by Mr. Ramos to enter into executive session.

No action was taken.

Motion was made by Mr. Desiderio, seconded by Mr. McPeek to exit executive session.

RETURN TO REGULAR SESSION:

Mr. Stracco explained the purpose of the executive session was to discuss ongoing contract negotiations, property leases and potential litigation.

OPEN MEETING TO THE PUBLIC AGAIN:

Motion was made by Mr. Boynton, seconded by Mr. Ramos to open meeting to the public limited to 20 minutes with 3 minutes per member of the public. All were in favor. Spoke were:

- No public present

Motion was made by Mr. Boynton, seconded by Mr. Desiderio to close to the public. All were in favor.

CORRESPONDENCE:

- State of New Jersey DPT – Safe Routes to School
- State of New Jersey DEP Green Acres Program – Green Acres Project No: 2106-06-0097
- State of New Jersey DOT – NJDOT Invoicing and Record Retention Requirement Notification
- NJLM – Annual conference planning guide
- Warren County Health Department – 100 Kerrs Corner Road, Block 801/Lot 1
- Warren County Clerk’s Office – Updated fee schedules
- Russo & Associates, LLC – 2020 Workers’ compensation payroll
- Washington Boro – Resolution No. 2021-74
- Fran Muller – Article regarding cannabis article
- Blairstown Hose Company – May 2021 Fire report
- Green Fire Department – May 2021 Fire Report

ADJOURNMENT:

There being no further business, motion was made by Mr. Desiderio, seconded by Mr. McPeck to adjourn the meeting at 9:30 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC