

**Regular Monthly Meeting of the
Mayor and Common Council of Gloucester City
Monday, January 23, 2023, 7:00 P.M.
313 Monmouth Street**

Agenda

1. **Call Meeting to Order:**
2. **Pledge of Allegiance:**
3. **Roll Call:** Baus, Berglund, Budesas, Johnson, Page, Timm and Mayor Baile
4. **Open Public Meetings Act Notice:** This meeting is being held in accordance with the New Jersey Open Public Meetings Act, otherwise known as the "Sunshine Law." It has been legally noticed in accordance with the law and copies have been given to those requesting the same.
5. **Minutes:** December 15, 2022 Caucus Meeting with Closed Session, December 22, 2022 Regular Monthly Meeting and Reorganization Meeting January 5, 2023

Public Comment for Resolutions Only: (Mayor to Open and Close after Public Comment)

6. **Resolutions:**
 - R Resolution Authorizing Disposal of Surplus Property (Fire Dept. boots/helmets)
 - R Resolution Authorizing Disposal of Surplus Property (Fire Dept. equipment)
 - R Resolution Authorizing Disposal of Surplus Property (Fire Dept. electronic inventory)
 - R Resolution Authorizing Adjustments on the Planning and Zoning Escrow Account
 - R Resolution to Correct Billing Charges on Utility Records
 - R Resolution to Refund Payments on Various Utility Records
 - R Resolution to Provide for Budget Transfers
 - R Resolution Authorizing Change Order No. 1 to the Contract between Insituform, LLC and the City of Gloucester City for Combined Sewer and Pipe Charles Street
 - R Resolution Awarding a Contract to Pennoni Engineers for Building Demolition of 51 South Brown Street, Block 151, Lot 15
 - R Resolution Appointing Thomas E. Hassett as Qualified Purchasing Agent
 - R Resolution Authorizing the Filing of Application to the New Jersey Department of Community Affairs for the Resurfacing of the Jogging Trail at Johnson Park
 - R Resolution Authorizing a Shared Service Agreement by and between the Township of Voorhees and the City of Gloucester City for the Transfer of a 1987 International Saulsbury Rescue Truck
 - R Resolution Authorizing Hiring of Police Officer for the Gloucester City Police Department

Roll Call: Baus, Berglund, Budesas, Johnson, Page, Timm and Mayor Baile

7. **Ordinances for First Reading this Evening and Second Reading on February 23, 2023:**

- O -2023 Ordinance of the City of Gloucester City, County of Camden and State of New Jersey Amending the Gloucester City Land Development Ordinance 36-96 to Provide for a Cannabis Establishment as Conditionally Permitted Use Overlay Zone

Motion By: _____ **Second By:** _____

Roll Call: Baus, Berglund, Budesas, Johnson, Page, Timm and Mayor Baile

- O -2023 Ordinance of the City of Gloucester City, County of Camden and State of New Jersey to Amend and Supplement the Code of the City of Gloucester City, Entitled "Cannabis Municipal Tax" to Collect a Statutorily Authorized Two Percent (2%) Municipal Transfer Tax on Cannabis Sales by Class I, II and V License Holders and One Percent (1%) Municipal Transfer Tax on Cannabis Sales by Class III License Holders

Motion By: _____ **Second By:** _____

Roll Call: Baus, Berglund, Budesas, Johnson, Page, Timm and Mayor Baile

8. **Old Business/New Business:**

a) **Bills Paid from Dec. 23, 2022 to Jan. 18, 2023** \$ 1,412,418.20

Bills Approved Jan. 23, 2023 \$ 763,064.23

Total amount being approved: \$ 2,175,482.43

Roll Call: Baus, Berglund, Budesas, Johnson, Page, Timm and Mayor Baile

9. **Open Public Forum on any topic:**

The Governing Body has approved the following rules governing the procedures of the Open (General) Public Forum:

- Any citizen or taxpayer wishing to address the Governing Body may do so after approaching the rail, stating his or her name and address and being recognized by the chair. Said citizen or taxpayer will then be permitted to address the Governing Body for five minutes. After all persons wishing to address the Governing Body have had the opportunity, persons may approach the rail for a second and final five-minute interval during this session. Our attorneys have advised us that we cannot prevent you from making remarks about our employees. They have requested that we advise you that our employees are not Public Officials and you are not immune from civil actions they may bring as a result of your remarks.

10. **Adjournment:**

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023
Resolution Authorizing Disposal of Surplus Property

WHEREAS, the City of Gloucester City is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the City of Gloucester City is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the City of Gloucester City, as follows:

- (1) The sale of the surplus property shall be conducted through Sourcewell Cooperative Agreement through Gov. Deals pursuant to member # 98243 and GCFD, NJ (4446). The terms and conditions of the agreement entered into with GovDeals is available online at <https://www.govdeals.com/GloucesterCityFire> and also available from the City of Gloucester City.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com. <https://www.govdeals.com/GloucesterCityFire> starting on February 20, 2023.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows: Fire boots, see attached list. Used fire helmets see attached list.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The City of Gloucester City reserves the right to accept or reject any bid submitted.

BE IT FURTHER RESOLVED that the Mayor and Common council of the City of Gloucester City hereby authorize the sale of the various fire boots and used fire helmets.

Dayl R. Baile, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 23rd day of January 2023

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023
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- (2) The sale will be conducted online and the address of the auction site is govdeals.com. <https://www.govdeals.com/GloucesterCityFire> starting on February 20, 2023.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows: A lot of various firefighting nozzles and appliances, see attached list. Used Firedex firefighter turn-out gear, see attached list.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The City of Gloucester City reserves the right to accept or reject any bid submitted.

BE IT FURTHER RESOLVED that the Mayor and Common council of the City of Gloucester City hereby authorize the sale of a lot of various firefighting nozzles and appliances; and used firefighter turn out gear.

Dayl R. Baile, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 23rd day of January 2023

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023
Resolution Authorizing Disposal of Surplus Property

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WHEREAS, the City of Gloucester City is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the City of Gloucester City, as follows:

- (1) The sale of the surplus property shall be conducted through Sourcewell Cooperative Agreement through Gov. Deals pursuant to member # 98243 and GCFD, NJ (4446). The terms and conditions of the agreement entered into with GovDeals is available online at <https://www.govdeals.com/GloucesterCityFire> and also available from the City of Gloucester City.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com. <https://www.govdeals.com/GloucesterCityFire> starting on February 20, 2023.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows: A lot of various used power saws, see attached list. A lot of used Electrical Equipment see attached list.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The City of Gloucester City reserves the right to accept or reject any bid submitted.

BE IT FURTHER RESOLVED that the Mayor and Common council of the City of Gloucester City hereby authorize the sale of a lot of various power saws and a lot of used Electrical Equipment.

Dayl R. Baile, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 23rd day of January 2023

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023

RESOLUTION AUTHORIZING ADJUSTMENTS ON THE
PLANNING AND ZONING BOARD ESCROW ACCOUNT

WHEREAS, certain applicants for Planning Board approvals are required to deposit escrow funds for professional reviews and inspections; and

WHEREAS, a recent review of the Planning/Zoning Board escrow accounts identified negative balance in these accounts, and it was determined that the prior applications were completed; and

WHEREAS, the negative balances on these accounts need to be refunded and the account considered to be closed are identified as follows:

X69-100-709	Scott Boulden - Precision LLC – Cherry St- \$603.00
X69-100-702	Henry Mensah – 300 N Broadway - \$1,631.50
X69-100-713	1 S Burlington Street LLC - \$7,029.50

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Gloucester City that the Chief Financial Officer is authorized to cancel the zeroed balances on the account and consider the account closed.

Dayle Baile, Mayor

Adopted by the Mayor and Common Council of Gloucester City, this 23rd day of January 2023.

Vanessa L. Little, Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2023

RESOLUTION TO CORRECT BILLING CHARGES ON UTILITY RECORDS

WHEREAS, there is a need to make necessary adjustments for various billing adjustments on Utility Records, and

WHEREAS, these adjustments include the following, and

Block/Lot	ID	Address	Amount	Issue
67/41	10143	134 Atlantic St	309.75	Bank returned, Payment removed
12/15	385	327 N Burlington	27.75	Computer overestimated prior billing
7/1	226	401 N Broadway	472.25	Ordinance 013-2022
41/18	4541	34 N Burlington	327.00	Ordinance 013-2022
41/22	4598	24 N Burlington	308.75	Ordinance 013-2022
45/1.01	5270	237-239 Monmouth	472.25	Ordinance 013-2022
48/3.01	6034	1 S King	327.00	Ordinance 013-2022
63/1	8578	157 S Burlington	472.25	Ordinance 013-2022
100.01/4	16642	200 Jersey	163.50	Ordinance 013-2022
102/1	16699	332 Jersey	308.75	Ordinance 013-2022
102/7	16748	314 Jersey	308.75	Ordinance 013-2022
112.01/2	17082	500 Jersey	308.75	Ordinance 013-2022
122/9	17460	942 Ninth	327.00	Ordinance 013-2022
125/4	17798	509 S Broadway	308.75	Ordinance 013-2022
146/10	21392	528 Monmouth	308.75	Ordinance 013-2022
256/5	37882	54 Crescent	762.75	Ordinance 013-2022
259/1.01	38029	308 Orlando	472.25	Ordinance 013-2022

WHEREAS, these billing adjustments were reviewed by the Finance Committee and they have recommended these adjustments be approved.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the City of Gloucester City is authorized to make the adjustments to the utility records as noted and file the proper documentation accordingly.

Adopted by the Mayor and Common Council of Gloucester City, this 23rd day in January, 2023.

Dayl R Baile, Mayor

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2023

RESOLUTION TO REFUND PAYMENTS ON VARIOUS UTILITY RECORDS

WHEREAS, there were over-payments made to various utility records due to changing of mortgage companies, selling of homes, etc.

WHEREAS, the interested parties have requested a refund of these over-payments, and

WHEREAS, these adjustments were reviewed by the Finance Committee and they have recommended that these refunds be approved and disbursed, and

WHEREAS, these adjustments are noted as follows:

Amount	Block/Lot	ID #	Address	Description
\$ 75.00	187/21	28126	206 Filmore	Title Company requested refund of credit

Send refund check to:

Homestead Title Agency
114 North Broad Street
Woodbury, NJ 08096

NOW, THEREFORE, BE IT RESOLVED that both the Tax Collector of the City of Gloucester City is authorized to adjust the tax accounts to make these refunds and the Chief Financial Officer is authorized to make the disbursements as noted and file the proper documentation accordingly.

BE IT FURTHER RESOLVED that the Tax Collector is also instructed to advise the property owners of the correct amounts due on these accounts when the refunds are completed and credits removed.

Adopted by the Mayor and Common Council of Gloucester City this 23rd day of January, 2023.

Dayl R. Baile, Mayor

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY

County of Camden, State of New Jersey

#R - 2023

RESOLUTION TO PROVIDE FOR BUDGET TRANSFERS

WHEREAS, the Chief Financial Officer of the City of Gloucester City has determined that certain 2022 budget appropriations for the year are insufficient; and

WHEREAS, certain other 2022 budget appropriations have sufficient balances;

NOW, THEREFORE BE IT RESOLVED, by the mayor and Common Council of the City of Gloucester City, in the County of Camden and the State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:5-59 the Chief Financial Officer be and is hereby authorized to make the following transfers between budget appropriation accounts for the year 2022:

See Exhibit A

Dayl R. Baile, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 23rd day of January, 2023.

Vanessa L. Little, City Clerk

Sch A

Transfers Jan-23

From	Util S/W	34,000.00	
	Finance S/W	26,000.00	

To	Util Legal		34,000.00
	Legal		26,000.00

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2023

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT
BETWEEN
INSITUFORM, LLC AND THE CITY OF GLOUCESTER CITY FOR COMBINED
SEWER AND PIPE CHARLES STREET

WHEREAS, a contract exists between Insituform, LLC and the City of Gloucester City for the Combined Sewer and Pipe Charles Street; and

WHEREAS, the cost of the original contract as awarded needs to be amended for price adjustments on quantities

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of Gloucester City, County of Camden, and State of New Jersey that the contract between Insituform, LLC and the City of Gloucester City for the Combined Sewer and Pipe for Charles Street project be amended:

Original Contract Amount:	\$564,941.00
Change Order #1 (decrease)	\$10,100.00
Adjusted Amount based on Change Order #1:	\$554,841.00

Dayl R. Baile, Mayor

Passed by the Mayor and Common Council of Gloucester City this 23rd day of January, 2023.

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2023

**RESOLUTION AWARDDING A CONTRACT TO PENNONI ENGINEERS FOR
BUILDING DEMOLITION OF 51 SOUTH BROWN STREET, BLOCK 151, LOT 15**

WHEREAS, the City of Gloucester City is desirous of obtaining professional services for the demolition of 51 South Brown Street, Block 151, Lot 15; and

WHEREAS, Pennoni Engineers is a reputable firm possessing expertise and specialty in the field of engineering and construction phase services as required by the City; and

WHEREAS, Pennoni Engineers has submitted a proposal for an amount not to exceed Fifty-One Thousand Dollars (\$51,000.00); and

WHEREAS, funds are available for this project as evidenced by the attached Certificate of Availability of Funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Gloucester City, in the County of Camden, that Pennoni Engineers be awarded a contract for the demolition of 51 South Brown Street, Block 151, Lot 15.

Dayl R. Baile, Mayor

Passed by the Mayor and Common Council of Gloucester City this 23rd day of January, 2023.

Vanessa L. Little, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023

RESOLUTION APPOINTING THOMAS E. HASSETT AS QUALIFIED PURCHASING AGENT

WHEREAS, the City desires to designate an individual to serve as the City's purchasing agent and engage such individual to be appointed as a part-time independent contractor as permitted by State Law; and

WHEREAS, initially the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) provided municipalities without a Qualified Purchasing Agent a maximum bid threshold of \$17,500.00 and municipalities with a Qualified Purchasing Agent a maximum bid threshold of \$44,000.00; and

WHEREAS, Thomas E. Hassett possesses all the necessary qualifications to serve the City in the capacity of a part-time, independent contractor Qualified Purchasing Agent, which will save the City considerable costs associated with an archaic and bureaucratically restricted procurement process established by State Law.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Gloucester City, County of Camden and State of New Jersey, that:

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.
2. The position of Thomas E. Hassett, QPA, shall be part-time in nature and he shall be designated specifically as an independent contractor and perform all services for a yearly stipend in the amount of \$1,500.00.
3. The Chief Financial Officer has hereby certified the availability of funds for the actions taken herein.

Dayl R. Baile, Mayor

Passed by the Mayor and Common Council of the City of Gloucester this 23rd day of January, 2023.

Vanessa L. Little, City Clerk,

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2023

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN
THE TOWNSHIP OF VOORHEES AND THE CITY OF GLOUCESTER CITY FOR THE
TRANSFER OF A 1987 INTERNATIONAL SAULSBURY RESCUE TRUCK**

WHEREAS, the Township of Voorhees (“Township”) and the City of Gloucester City (“City”) desire to enter into a Shared Services Agreement (“Agreement”) pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) (“Shared Services Act”), whereby the City transfers the use and title of a 1987 International Saulsbury Rescue Truck no longer needed for public purposes; and

WHEREAS, the Township is a body politic organized under the laws of the State of New Jersey and located in the County of Camden; and

WHEREAS the City is a body politic organized under the laws of the State of New Jersey and located in the County of Camden; and

WHEREAS, Shared Services Act authorizes local units of the State to enter into agreements with other participating inter-local units to provide or receive any service and/or goods that each local unit is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township has a need for the aforesaid equipment; and

WHEREAS, the City no longer has a need for the aforesaid equipment; and

WHEREAS, in the spirit of inter-municipal cooperation, and in furtherance of the principles underlying the Act, the Township and City have negotiated an Agreement for the transfer of the stated vehicle.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Gloucester City in the County of Camden and State of New Jersey as follows:

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Mayor and/or Common Council, Chief of Police and Clerk are authorized to take any and all actions necessary to execute a Shared Services Agreement by and between the City

of Gloucester City and the Township of Voorhees to transfer, for nominal consideration, a 1987 International Saulsbury Rescue Truck.

3. The Agreement shall be attached to this Resolution upon execution and kept on file in the Office of the City Clerk of the City of Gloucester City.
4. The subject Shared Services Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the Director.
5. This Resolution shall take effect immediately.

Dayl R. Baile, Mayor

Passed by the Mayor and Common Council of the City of Gloucester this 23rd day of January, 2023.

Vanessa L. Little, RMC

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2023

RESOLUTION AUTHORIZING HIRING OF POLICE OFFICER FOR THE
GLOUCESTER CITY POLICE DEPARTMENT

WHEREAS, the City is in need of hiring a Police Officer due to a vacancy in the Police Department; and

Jacob Bennett– Starting Salary \$59,456.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Gloucester City, that Jacob Bennett be hired as Police Officer for the Gloucester City Police Department effective February 23, 2023.

Dayl R. Baile, Mayor

Passed by the Mayor and Common Council of Gloucester City this 23rd day of January, 2023.

Vanessa L. Little, City Clerk

**ORDINANCE OF THE CITY OF GLOUCESTER CITY
COUNTY OF CAMDEN, STATE OF NEW JERSEY
#O__ - 2023**

**AN ORDINANCE OF THE CITY OF GLOUCESTER CITY, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY AMENDING THE GLOUCESTER CITY LAND DEVELOPMENT
ORDINANCE §36-96 TO PROVIDE FOR A CANNABIS ESTABLISHMENT AS
CONDITIONALLY PERMITTED USE OVERLAY ZONE**

WHEREAS, the City of Gloucester City ("Borough") is a municipal entity organized and existing under the laws of State of New Jersey and located in Camden County; and

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" ("CREAMMA"), 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 law establishes six specific types of cannabis related businesses that may be licensed by the state and allows each municipality to determine whether or not each of these types of businesses shall be permitted within their municipal boundaries

WHEREAS, CREAMMA Act authorizes municipalities to adopt by ordinance regulations governing the number of Cannabis Establishments, Cannabis distributors and Cannabis Delivery services, except for the delivery of Cannabis items and related supplies by a Cannabis delivery service based and initiated from outside of the municipality; and

WHEREAS, the law establishes six specific types of cannabis related businesses that may be licensed by the state and allows each municipality to determine whether or not each of these types of businesses shall be permitted within their jurisdictional boundaries as follows:

- 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 purchased 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.

WHEREAS, the Mayor and Council of the City of Gloucester has determined that in light of the foregoing it is in the best interest of the City to adopt and implement this Ordinance that is in keeping with goals of the Master Plan and is in best interest of the Borough and health, safety and welfare of its residents and visitors;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Gloucester City, County of Camden and State of New Jersey as follows:

Section 1: Cannabis licensed businesses in Class 1 – 6 shall be conditionally permitted in the Business Industrial, Port Cargo Handling and Planned Port Industrial Development zones of Gloucester City. These businesses may include Cannabis Cultivator, Cannabis Manufacturer, Cannabis Wholesaler, Cannabis Distributor, Cannabis Retailer and Cannabis Delivery as set forth and incorporated on the Zoning Maps attached hereto and made a part hereof. Furthermore, Cannabis licensed businesses in Class 5 shall be conditionally permitted in the RC & S – Retail Commercial and Service zone.

SECTION 2: Article III, § _____, entitled Definitions are amended to add the following:

Amend Section 3 – Definitions to include:

C-_: Cannabis - All parts of the plant *Cannabis sativa* and *Cannabis indica*, 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.2021, c.16 (C.24:61-31 et al.) for use in cannabis products, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

C-_: Cannabis Business - Any person or entity that holds any of the six Classes of licenses established under P.L. 2021, c. 16, the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act." (CREAMMA)

C-_: Cannabis Cultivator - Any licensed person or entity that grows, cultivates, or produces cannabis, 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. This person or entity shall hold a Class 1 Cannabis Cultivator license.

C-_: Cannabis Delivery Service - 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. This person or entity shall hold a Class 6 Cannabis Delivery license.

C-_: 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 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. This person or entity shall hold a Class 4 Cannabis Distributor license.

C-_: Cannabis Establishment - A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

C-_: Cannabis Establishment License- An establishment with one (1) or many of the licenses to operate as defined by the CREAMMA Act:

- 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 purchased 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.

C-__: 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. This person or entity shall hold a Class 2 Cannabis Manufacturer license.

C-__: Cannabis Product - A product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include: (1) usable cannabis by itself; or (2) cannabis extract by itself; or (3) any other cannabis resin by itself.

C-__: Cannabis Retailer - 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. This person or entity shall hold a Class 5 Cannabis Retailer license.

C-__: 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. This person or entity shall hold a Class 3 Cannabis Wholesaler license.

SECTION 3: Article IV, District Regulations, §_____, is hereby amended to include the following:

C. The Area and Bulk requirements specified in Article IV Section 1 for the Business Industrial, Retail Commercial and Service zone, Port Cargo Handling and Planned Port Industrial Development zones of Gloucester City shall apply to all new construction for licensed Cannabis Businesses (Cannabis Cultivator, Cannabis Manufacturer, Cannabis Wholesaler, Cannabis Distributor, Cannabis Retailer and Cannabis Delivery) located in that zone.

The minimum square footage for structures for Cannabis Retailers located in the RCS zone shall be 2,500 square feet. Pre-existing, non-conforming lots for area and bulk requirements in these zones shall be evaluated on a case-by-case basis. The evaluation process requires site plan approval by the Gloucester City Planning Board. During the evaluation process, the Planning Board will consider the suitability of the site for class of the licensed cannabis business, as well as, the prerequisite site requirements to ensure that the location of the facility does not adversely impact surrounding properties. Due consideration shall be given to buffering and landscaping techniques as a means to accomplish this task.

No Cannabis Business shall be permitted within 250 feet of any church, school or day care facility, or recreation facility (?).

SECTION 4: Article IV, District Regulations. "BI - Business Industrial", §_____; Article V, NOTE 11, Planned Port Industrial Development District, §_____ and Article V, NOTE 12, Port Cargo Handling Zone, §_____ are hereby amended to include all Cannabis Businesses as a Conditional Use in the aforesaid zones, including all license types, subject to specific terms and conditions. The RC & S - Retail Commercial and Service District is hereby amended to include all Cannabis Retail Businesses as a Conditional Use in the aforesaid zone subject to specific terms and conditions.

SECTION 5: Article IV §_____, District Regulations of the Land Use Ordinance of the City of Gloucester City is amended to add the following:

A. Purpose and Intent

The purpose and intent of the conditionally permitted cannabis businesses is to provide appropriate type of facility in appropriate location within the city while promoting economic growth that will preserve and maintain health, safety and welfare of the city and its residents.

B. Conditions of Operation for Cannabis Businesses:

- (1) All Cannabis Businesses Class 1 through 6, located within Gloucester City shall meet all requirements for licensure and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.
- (2) No Cannabis Business shall permit on-site consumption of Cannabis or Cannabis related products including no on-site sales and consumption of alcohol or tobacco products.
- (3) No outside storage of any Cannabis, Cannabis products or Cannabis related materials shall be permitted.
- (4) Hours of operation of any Cannabis Retail Facility shall be limited from 10:00 am to 7:00 pm, seven days a week.
- (5) No Drive Thru Facilities shall be permitted.
- (6) No outside exchange of product between the seller and the purchaser.
- (7) For each Cannabis Business located within Gloucester City a security plan to be approved by Gloucester City Police Department shall be provided to demonstrate how the facility will maintain effective security and control of the operations. The plan should include the following but not limited to:
 - Type of security systems to be installed.
 - Installation, operation and maintenance of security cameras covering all interior and exterior parking lots, loading areas and other such areas of the business
 - Tracking and record keeping of products and materials.
 - Type of lighting provided in and around the establishments.
 - Location on site security team and armed guard on premises.
- (8) No more than two (2) licenses shall be issued for each individual six (6) six cannabis category.

C. Conditions of Performance Standards:

- (1) All Cannabis Businesses, Class 1, 2, 3, 4, 5 & 6, shall provide detail information on Odor Control from these sites. This shall include air treatment systems with sufficient odor absorbing ventilation at exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable

sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located in the same building if the use occupies a portion of a building.

- (2) All Cannabis Businesses shall provide for noise mitigation features designed to minimize disturbance from machinery, processing and or packaging operations, loading and other noise generating equipment or machinery. All licensed facilities must operate within applicable State decibel requirements.
- (3) Loitering, disruption to/ and or obstruction of the free passage of persons or vehicles in immediate vicinity of the property shall be considered unlawful.

D. Conditions of Site Development Standards

- (1) All Cannabis Business operations such cultivation, manufacturing, wholesale packaging and retail shall be conducted within a building. No operations shall be conducted outside.
- (2) Class 1, Class 2, Class 3 & Class 4 shall have minimum lot area of 2.5 acres and shall be limited to two (2) licenses for each category.
- (3) No Cannabis Business shall be located within 250 feet of a house of worship, school, or day care.
- (4) Other than the minimum lot area requirements for Class 1, Class 2, Class 3 & Class 4 cannabis operations as required under this Section, all lot and bulk regulations shall comply with Article IV §_____, except that all lots in the RCS district must have a minimum 2,500 square foot structure along with the required on-site parking.
- (5) Parking: Each Cannabis Business shall comply with the following parking schedule which shall be used to calculate the required number of off-street parking spaces per use. Where the calculation results in a fraction of a space, the required number of parking spaces shall be rounded up to the nearest whole number.
 - a. Cannabis Cultivator - 1 per every 1,000 square feet of gross floor area or 1 per 2 employees at maximum shift, except that there shall be no fewer than four spaces.
 - b. Cannabis Delivery Service - 1 per every 1,000 square feet of gross floor area, plus 1 parking space for every delivery driver or fleet vehicle, except that there shall be no fewer than four spaces.
 - c. Cannabis Distributor - 1 per every 1,000 square feet of gross floor area, except that there shall be no fewer than four spaces.
 - d. Cannabis Manufacturer - 1 per every 1,000 square feet of gross floor area or 1 per 2 employees at maximum shift, except that there shall be no fewer than four spaces.

- e. Cannabis Retailer - 6 per every 1000 square feet of gross floor area plus one space for each employee. No on-street parking will be considered for the cannabis retail operations in the RC & S District.
- f. Cannabis Wholesaler - 1 per every 1,000 square feet of gross floor area, except that there shall be no fewer than four spaces.

- (6) Pre-existing, non-conforming lots for area and bulk requirements in zones other than the RCS zone shall be evaluated on a case-by-case basis. The evaluation process requires site plan approval by the Gloucester City Planning Board. During the evaluation process, the Planning Board will consider the suitability of the site for class of the licensed cannabis business, as well as, the prerequisite site requirements to ensure that the location of the facility does not adversely impact surrounding properties. Due consideration shall be given to buffering and landscaping techniques as a means to accomplish this task.

SECTION 6: The attached zoning maps shall be filed in accordance with the Municipal Law Use Law including the Camden County Planning Board. The zoning map of the City of Gloucester shall likewise be amended consistent with the maps attached hereto.

SECTION 7: Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Gloucester City inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 8: If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication 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 9: This ordinance shall take effect upon its passage and publication as provided for by law.

Dayl Baile, Mayor

Passed on First Reading: January 19, 2023

Adopted by the Mayor and Common Council of Gloucester City this ____ day of _____, 2022.

Vanessa L. Parent, RMC,
Certified Municipal Registrar

**ORDINANCE OF THE CITY OF GLOUCESTER CITY
COUNTY OF CAMDEN, STATE OF NEW JERSEY
#O__ - 2023**

AN ORDINANCE OF THE CITY OF GLOUCESTER CITY, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF GLOUCESTER CITY, ENTITLED "CANNABIS MUNICIPAL TAX" TO COLLECT A STATUTORILY AUTHORIZED TWO PERCENT (2%) MUNICIPAL TRANSFER TAX ON CANNABIS SALES BY CLASS I, II AND V LICENSE HOLDERS AND ONE PERCENT (1%) MUNICIPAL TRANSFER TAX ON CANNABIS SALES BY CLASS III LICENSE HOLDERS

WHEREAS, the City of Gloucester City, ("City") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, on February 21, 2021, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act ("CREAMMA") was signed into law; and

WHEREAS, CREAMMA both legalizes and decriminalizes adult use cannabis within New Jersey; and

WHEREAS, the law establishes six (6) specific classes of cannabis businesses that may be licensed by the State and allows each municipality to determine whether or not each of these types of businesses shall be permitted within their municipal boundaries; and

WHEREAS, the City is concurrently amending its zoning ordinance to permit Class I through VI licensed cannabis businesses to operate within a Cannabis Overlay Zone within the City; and

WHEREAS, Section 40 of CREAMMA authorizes the imposition of a municipal tax on the lawful sale of cannabis; and

WHEREAS, the City desires to impose a two percent (2%) municipal transfer tax on revenues generated by the lawful sale of cannabis by Class I, II and V license holders, and a one percent (1%) municipal tax on revenues generated by the lawful sale of cannabis by Class III license holders;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Common Council of the City of Gloucester City, County of Camden, and State of New Jersey as follows:

SECTION 1. Title II: General Legislation, Chapter _____ of the Code of the City of Gloucester City, is amended to include a provision entitled: "Cannabis Municipal Tax" with a new Section ____ as follows:

§ _____ Cannabis Municipal Tax.

Pursuant to Section 40 of the New Jersey Cannabis Regulatory, Enforcement and Marketplace Modernization Act (CREAMMA), the following municipal tax shall be collected from the following cannabis license holders:

- A. A two percent (2%) municipal transfer tax shall be imposed on the lawful sale of cannabis produced by any Class I, II and V license holder.

B. A one percent (1%) municipal transfer tax shall be imposed on the lawful sale of cannabis produced by any Class III license holder.

SECTION 2: Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Gloucester City inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3: If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication 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 4: This ordinance shall take effect upon its passage and publication as provided for by law.

Dayl Baile, Mayor

Passed on First Reading: January 19, 2023

Adopted by the Mayor and Common Council of Gloucester City this ____ day of _____, 2023.

Vanessa L. Parent, RMC,
Certified Municipal Registrar