

**READINGTON TOWNSHIP COMMITTEE
MEETING – January 18, 2022**

Mayor Huelsebusch *calls the meeting to order at 6:00 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor J. Huelsebusch, Deputy Mayor J. Heller, Mr. J. Albanese, Mrs. BA Fort, and Mr. A. Mueller

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, Attorney S. Dragan

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit “A.”

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Police Department	Personnel	Certain information at the discretion of the Township Committee tonight...other Information will remain confidential
Conceptual Reorganization.....	Personnel	“ “ “
Professional Services.....	Contract Negotiations	“ “ “
♦ <i>Jerch, Vinci & Higgins, LLP (Township Auditors)</i>		
♦ <i>Sharon A. Dragan, Esq. (Township Attorney)</i>		
♦ <i>McManimon & Scotland (Bond Counsel)</i>		
♦ <i>Martin Allen, Esq. (Tax Appeal Attorney)</i>		
♦ <i>Fisher & Phillips LLP (Labor Attorney)</i>		
♦ <i>Van Cleef Engineering (Township Engineer)</i>		
♦ <i>Finelli Consulting Engineers Inc (Conflict Engineer)</i>		
♦ <i>Clarke•Caton• Hintz (Township Planners)</i>		
♦ <i>Brian Davis, Esq. / Stephen Davis, Esq. (Municipal Prosecutor)</i>		
♦ <i>Robert Ballard, III, Esq. (Alternate Prosecutor)</i>		
♦ <i>Scott Mitzner, Esq. (Public Defender)</i>		
♦ <i>Anthony M. Rotunno, Esq. (Alternate Public Defender)</i>		
♦ <i>Surenian, Edwards & Nolan LL (Special Counsel)</i>		
♦ <i>Richard Cushing, Esq. (Special Counsel)</i>		
♦ <i>Matthew Giacobbe, Esq. (Special Counsel)</i>		
♦ <i>JEC Computers LLC (Computer & Printer Maintenance)</i>		
♦ <i>AEIS (Inspection Svcs. for Lake Cushetunk Dam)</i>		
♦ <i>Animal Control Solutions (Animal Control Services)</i>		

Agricultural Maintenance Contract / Contract Negotiations..... Block 55, Lot 19.01	“	“	“
Amendment to Contract / Contract Negotiations..... Block 95, Lot 12.006	“	“	“
Executive Session Minutes..... • December 20, 2021	“	“	“
Executive Session Minutes..... • December 29, 2021	“	“	“
Affordable Housing..... Potential Litigation.....	“	“	“
Rotimi Owoh, Esq. (on behalf ofPotential Litigation..... African American Data Research Institute) v. Readington Police (Hunterdon), GRC Complaint No.2021-332	“	“	“
Attorney-Client Privilege..... Litigation	“	“	“
Oakland Drive West Pump Litigation	“	“	“
Pump Station Upgrade			
Civil Action Summons / Litigation.....	“	“	“
Rosedale and Rosehill Cemetery Association vs. Township of Readington and the Township of Committee of the Township of Readington			

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

2. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 p.m.

Mayor Huelsebusch led those present in the *Salute to the Flag*.

Executive Session:

Personnel / Police Department

A **MOTION** was made by Mr. Heller to accept the letter of retirement from Sergeant Alexander HooFatt, effective January 31, 2022, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

- Mr. Albanese -Aye
- Mrs. Fort - Aye
- Mr. Heller - Aye
- Mr. Mueller - Aye
- Mayor Huelsebusch - Aye

Personnel / Conceptual Reorganization

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services / Lerch, Vinci & Higgins (Township Auditors)

The following resolution was offered for consideration:

#R-2022-13

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL AUDITOR SERVICES**

WHEREAS, the Township of Readington has a need to acquire Municipal Auditing Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Lerch, Vinci & Higgins LLP has submitted a proposal indicating they will provide Municipal Auditor Services at an annual rate of \$37,300.00.

WHEREAS, Lerch, Vinci & Higgins LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Lerch, Vinci & Higgins LLP has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Lerch, Vinci & Higgins LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Lerch, Vinci & Higgins LLP as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Sharon A. Dragan, Esq. / Mason Griffin Pierson (Township Attorney)

The following resolution was offered for consideration:

#R-2022-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR TOWNSHIP ATTORNEY SERVICES

WHEREAS, the Township of Readington has a need to acquire Township Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) has submitted a proposal indicating she will act as Township Attorney at an annual rate of \$169,650 based on an estimated average of 98-100 hours per month; and

WHEREAS, Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) has completed and submitted a Business Entity Disclosure Certification which certifies that Sharon A. Dragan, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Sharon A. Dragan, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / McManimon & Scotland (Bond Counsel)

The following resolution was offered for consideration:

#R-2022-15

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
BOND ATTORNEY SERVICES**

WHEREAS, the Township of Readington has a need to acquire Bond Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, McManimon & Scotland, L.L.C. has submitted a proposal indicating they will provide Bond Attorney Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, McManimon & Scotland, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon & Scotland, L.L.C. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit McManimon & Scotland, L.L.C. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with McManimon & Scotland, L.L.C. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Martin Allen, Esq. (Tax Appeal Attorney)

The following resolution was offered for consideration:

#R-2022-16

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TAX ATTORNEY/BANKRUPTCY SERVICES**

WHEREAS, the Township of Readington has a need to acquire Tax Attorney/Bankruptcy Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Martin Allen, Esq. has submitted a proposal indicating he will provide Tax Attorney/Bankruptcy Services at a rate of \$175 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2022 budget.

WHEREAS, Martin Allen, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Martin Allen, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Martin Allen, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Martin Allen, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Fisher & Phillips, LLP (Labor Attorney)

The following resolution was offered for consideration:

#R-2022-17

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Labor Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Fisher & Phillips, LLP has submitted a proposal indicating they will provide Labor Counsel Services for rates as follows:

- Partner-Level Attorney - \$375.00 per hour.
- Senior Associate - \$295.00 per hour.
- Junior Associate - \$225.00 per hour

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Fisher & Phillips, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Fisher & Phillips, LLP has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Fisher & Phillips, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Fisher & Phillips, LLP as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Van Cleef Engineering (Township Engineer)

The following resolution was offered for consideration:

#R-2022-18

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL, ENGINEERING AND PROFESSIONAL LAND SURVEYING SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Engineering and Professional Land Surveying Services as a non-fair and open contract pursuant to the provision of *N.J.S.A. 19:44a-20.5* and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19.44A-20.5 et seq.* or in *N.J.S.A. 19.44a-8, et. seq.;* and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Van Cleef Engineering Associates, has submitted a proposal indicating they will provide Professional Engineering and Professional Land Surveying Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Van Cleef Engineering Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Van Cleef Engineering Associates, has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Van Cleef Engineering Associates, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file – *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Van Cleef Engineering Associates as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Finelli Engineering Consulting (Conflict Engineer)

The following resolution was offered for consideration:

#R-2022-19

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL
CONFLICT MUNICIPAL ENGINEER / INSPECTION SERVICES***

WHEREAS, the Township of Readington has a need to acquire the services for a backup/conflict Professional Engineer on an as needed basis as a non-fair and open contract pursuant to the provision of *N.J.S.A. 19:44a-20.5* and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19.44A-20.5 et seq.* or in *N.J.S.A. 19.44a-8, et. seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Finelli Consulting Engineers, Inc., has submitted a proposal indicating they will provide Professional Engineering/Construction Inspection Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Finelli Consulting Engineers, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Finelli Consulting Engineers, Inc., has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Finelli Consulting Engineers, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file – *N.J.A.C. 5:30-5.4*)

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Finelli Consulting Engineers, Inc., as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Clarke-Caton-Hintz (Township Planners)

The following resolution was offered for consideration:

#R-2022-20

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Professional Planning and Landscape Architectural Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Clarke•Caton•Hintz has submitted a proposal indicating they will provide Professional Planning and Landscape Architectural Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2022 budget.

WHEREAS, Clarke•Caton•Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Clarke•Caton•Hintz has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Clarke•Caton•Hintz from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Clarke•Caton•Hintz as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Brian Davis, Esq. / Stephen Davis, Esq. (Municipal Prosecutor)

The following resolution was offered for consideration:

#R-2022-21

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR MUNICIPAL PROSECUTOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Prosecutor services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Brian Davis and Stephen Davis, Esq. has submitted a proposal indicating he will provide Municipal Prosecutor services for \$150 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Brian Davis and Stephen Davis, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Stephen Davis, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Stephen Davis, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Brian and Stephen Davis, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Robert Ballard, Esq. (Alternate Prosecutor)

The following resolution was offered for consideration:

#R-2022-22

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR MUNICIPAL PROSECUTOR SERVICES**

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Prosecutor services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Robert Ballard III, Esq. has submitted a proposal indicating he will provide Municipal Prosecutor services for \$150 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Robert Ballard III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Robert Ballard III, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Stephen Davis, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Robert Ballard III, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Scott Mitzner, Esq. (Public Defender)

The following resolution was offered for consideration:

#R-2022-23

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL PUBLIC DEFENDER SERVICES**

WHEREAS, the Township of Readington has a need to acquire Municipal Public Defender Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Scott Mitzner, Esq. has submitted a proposal indicating he will provide Municipal Public Defender Services at a rate of \$110 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2022 budget.

WHEREAS, Scott Mitzner, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Scott Mitzner, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Scott Mitzner, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Scott Mitzner, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Anthony Rotunno, Esq. (Alternate Public Defender)

The following resolution was offered for consideration:

#R-2022-24

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ALTERNATE MUNICIPAL PUBLIC DEFENDER SERVICES**

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Public Defender Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Anthony M. Rotunno, Esq. of Kuchinsky and Rotunno, PC. has submitted a proposal indicating he will provide Alternate Municipal Public Defender Services at a rate of \$95 per hour; and

WHEREAS, Anthony M. Rotunno, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Anthony M. Rotunno, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Anthony M. Rotunno, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Anthony M. Rotunno, Esq. described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Surenian, Edwards & Nolan (Special Counsel)

The following resolution was offered for consideration:

#R-2022-25

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL LITIGATION COUNSEL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Special Litigation Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44A-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC has submitted proposal indicating he will act as Special Litigation Counsel at the following rates: Attorney – \$200 per hour in addition to lower rates for supporting personnel; for the following matters:

Re: *Township of Readington Affordable Housing Obligations*

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Jeffrey R. Surenian, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Jeffrey R. Surenian, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC, as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Richard Cushing, Esq. Gebhardt & Kiefer (Special Counsel)

The following resolution was offered for consideration:

#R-2022-26

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL LITIGATION COUNSEL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Special Litigation Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44A-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Gebhardt & Kiefer, PC has submitted a proposal indicating they will act as Special Litigation Counsel at the following rates:

1. Airport Matters
\$335 per hour for Partners
\$285 per hour for Associates
\$120 per hour for Paralegals
2. 388 Route 22 Holdings, LLC Readington Realty v. Twp of Readington
\$300 per hour for Attorney
\$250 per hour for Associates
3. Rosedale and Rosehill Cemetery v. Twp of Readington
\$220 per hour for Attorney
\$100 per hour for Paralegal
4. New Matters – to be determined

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that Gebhardt & Kiefer, PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Gebhardt & Kiefer, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Gebhardt & Kiefer, PC, as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

Resolution #R-2022-26 cont'd:

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Matthew Giacobbe, Esq. (Special Counsel)

The following resolution was offered for consideration:

#R-2022-27

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL LITIGATION COUNSEL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Special Litigation Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44A-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Matthew J. Giacobbe, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC has submitted a proposal indicating they will act as Special Litigation Counsel at the following rates:

\$185 per hour for All Attorneys
\$90 per hour for Paralegals and Law Clerks

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Matthew J. Giacobbe, Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that Matthew J. Giacobbe, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Matthew J. Giacobbe, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Matthew J. Giacobbe, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire when the matter is resolved; and

Resolution #R-2022-27 cont'd:

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / JEC Computers (Computer & Printer Maintenance)

The following resolution was offered for consideration:

#R-2022-28

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Computer and Printer Maintenance Services; and

WHEREAS, JEC Computers, LLC has submitted a proposal indicating they will provide Professional Computer and Printer Maintenance Services at a rate of \$220 per month (\$2640 annually) and after two (2) *no charge* on-site visits, \$49.99 per visit plus \$99 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes entering into a contract with JEC Computers, LLC has described herein; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / AEIS (Inspection Services for Lake Cushetunk Dam)

The following resolution was offered for consideration:

#R-2022-29

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
INSPECTION SERVICES FOR THE LAKE CUSHETUNK DAM***

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, The Local Public Contract Law (*N.J.S.A.40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services with competitive bids must be publicly advertised.

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - (*N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

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

1. That the following contract has been awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:

- AEIS (Advanced Engineering & Inspection Services) for inspection services for the Lake Cushetunk Dam at a cost of \$17,700.00

2. Said contract shall expire on December 31, 2022.

3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.

4. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mrs. Fort - Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Professional Services / Animal Control Solutions (Animal Control Services)

The following resolution was offered for consideration:

#R-2022-30

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ANIMAL CONTROL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Animal Control Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

Resolution #R-2022-30 cont'd:

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500.00; and

WHEREAS, Animal Control Solutions has submitted a proposal indicating they will provide Animal Control Services at an annual rate of \$26,496; and

WHEREAS, Animal Control Solutions has completed and submitted a Business Entity Disclosure Certification which certifies that Animal Control Solutions has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Animal Control Solutions from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Animal Control Solutions as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2022; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Princeton Public Affairs Group (Governmental Relation Matters)

The following resolution was offered for consideration:

#R-2022-31

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

Resolution #2022-31 cont'd:

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Princeton Public Affairs Group (PPAG) to represent the Township on all governmental relations matters relating to the Township's legislative and regulatory matters at a rate of \$4,000 per month
2. Said contract shall expire on December 31, 2022.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mrs. Fort - Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Agriculture Maintenance Agreement / Block 55, Lot 19.01

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Amendment to Contract / Block 95, Lot 12.006

The following resolution was offered for consideration:

#R-2022-32

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey entered into a contract with Giuseppe Falco for the sale of an affordable housing unit located at 6 Owl Court, Three Bridges N.J. (Bl. 95, Lot 12.006), pursuant to Ordinance #40-2021 adopted on December 20, 2021; and

WHEREAS, it has since been discovered that there was a de minimis error in the purchase price as it should have stated \$178,943.00, instead of \$178,973.00 in order to comply the maximum permitted resale price under NJ COAH rules and regulations.

BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey that the aforesaid contract shall be amended to reflect the price of \$178,943.00 as required by State law.

Resolution #R-2022-32 cont'd:

BE IT FURTHER RESOLVED, that the Readington Township Mayor and/or Deputy Mayor, Township Administrator, Township Clerk, Township Housing Officer and Township Attorney, as applicable, are authorized to execute and deliver the amendment to the contract, the deed with affordable housing deed restriction, and all other documents, instruments and papers and to take any and all other action as they or any of them deem necessary or appropriate for the purpose of transferring the aforesaid property for affordable housing purposes in accordance with the regulations known as the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and any amendments thereto. In the event that any corrective documents are required to be placed of record in the future for the Township to receive the proper affordable housing credits under the Township's third round or future share plan, they are also authorized.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

A ***MOTION*** was made by Mr. Heller to adopt this resolution, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Attorney-Client Privilege / Executive Session Minutes / December 20, 2021

A ***MOTION*** was made by Mr. Heller to approve the Executive Session Minutes of December 20, 2021, for content only, seconded by Mrs. Fort with a vote of ayes all, nays none recorded. Mr. Muller abstained since he was not present at the meeting.

Attorney-Client Privilege / Executive Session Minutes / December 29, 2021

A ***MOTION*** was made by Mr. Heller to approve the Executive Session Minutes of December 29, 2021, for content only, seconded by Mr. Albanese with a vote of ayes all, nays none recorded. Mayor Huelsebusch and Mr. Mueller abstained since they were not present at that meeting.

Potential Litigation / Affordable Housing

Mayor Huelsebusch stated that this matter remains in Executive Session.

Potential Litigation / Rotimi Owoh, Esq. (on behalf of African American Data Research Institute) v. Readington Police Department (Hunterdon), GRC Complaint No. 2021-332

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / Attorney-Client Privilege

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / Oakland Drive West Pump Station Upgrade

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / Civil Action Summons / Rosedale and Rosehill Cemetery Association vs. Township of Readington and the Township Committee of the Township of Readington

Mayor Huelsebusch stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Huelsebusch read the following statement:

All items listed with an asterisk “” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.*

Mr. Heller requested to remove Item #2 and #3 from the Consent Agenda.

1. * **APPROVAL OF MINUTES** of meeting of December 20, 2021, December 29, 2021 and January 3, 2022
2. * **Tax Overpayments**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, there exist several tax overpayments from the prior tax year, and

WHEREAS, the Tax Collector desires to apply the prior year overpayments to the amounts due for 2022 as per the attached listing.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington that the Tax Collector is hereby authorized to apply the attached listing of property tax overpayments to the 2022 receivable.

2. * **Tax Cancellations**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the Readington Township Tax Collector recommends that property taxes owed for the year 2021 on the following properties be cancelled for the reasons stated:

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER</u>	<u>REASON</u>	<u>AMOUNT</u>
31/37.01	Unknown	Unknown Owner	\$ 36.71
61/4.01	Unknown	Unknown Owner	12.24
21.12/25	Readington Township	Exempt Owner	1,496.06
38/38.01	Readington Township	Exempt Owner	5,881.67
65/16	Readington Township	Exempt Owner	289.22
95/12.006	Readington Township	Exempt Owner	1,143.14
95/12.019	Readington Township	Exempt Owner	2,089.36
95/12.046	Readington Township	Exempt Owner	1,155.79
95/12.137	Readington Township	Exempt Owner	776.61
95/12.235	Readington Township	Exempt Owner	1,590.01
95/12.325	Readington Township	Exempt Owner	1,820.19

Resolution for Cancellation of Taxes cont'd:

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Tax Collector is hereby authorized to cancel \$16,291.00 from the tax records for the year 2021.

3. * ***Resolution Authorizing a Service Charge on Returned Checks for Insufficient Funds***

The following resolution was offered for consideration:

#R-2022-33

RESOLUTION AUTHORIZING A SERVICE CHARGE ON RETURNED CHECKS FOR INSUFFICIENT FUNDS

WHEREAS, N.J.S.A. 40:5-18 has been enacted to allow a municipality the authority to impose a service charge to be added on an account where payment by check or other written instrument was returned for insufficient funds; and

NOW THEREFOR, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey hereby authorizes the Township Officials, to charge a fee of \$20.00 per check or other written instrument for all checks returned for insufficient funds during the current fiscal year; and

BE IT FURTHER RESOLVED, that the Township Officials may require future payments to be tendered in certified check, cashier's check or cash, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to all Department Heads and the Municipal Auditor.

4. * ***Resolution Authorizing Morris County Cooperative Purchase (Gasoline and Diesel Fuel)***

The following resolution was offered for consideration:

#R-2022-34

RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES

WHEREAS, the Township of Readington wishes to purchase gasoline and diesel fuel from an authorized vendor under the Morris County Cooperative Purchasing Program for the calendar year 2022; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJS.A. 40A:II-12; and

WHEREAS, Griffith-Allied Trucking LLC, dba Allied Oil of 25 Old Camplain Road, Hillsborough, NJ 08844 has been awarded Morris County Cooperative Contract #1 for Gasoline, and Contract #12 for Ultra Low Sulfur Diesel Fuel, both for a three-year period, January 1, 2020 - December 31, 2022; and

WHEREAS, the Administrator recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$360,000 for Griffith-Allied Trucking LLC, dba Allied Oil.

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract.

Resolution #R-2022-34 cont'd:

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Griffith-Allied Trucking LLC, dba Allied Oil be awarded a contract for Gasoline and Ultra Low Sulfur Diesel Fuel; and

BE IT FURTHER RESOLVED, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

5. * **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	0-01	\$ 224,148.90
SEWER APPROPRIATIONS	0-02	\$ 4,570.47
CURRENT FUND	2-01	\$ 1,192,559.68
SEWER APPROPRIATIONS	2-02	\$ 104,360.92
TRUST FUNDS	X-03	\$ 15,479.40
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 38,303.85
PAYROLL DEDUCTIONS	X-06	\$ 200,188.33
REG & LOCAL SCHOOL TAX	X-07	\$ 6,753,765.56
DUE TO STATE OF NEW JERSEY	X-09	\$ 525.00
2018 CAP IMPROVEMENTS	X-18	\$ 5,631.24
2021 CAP IMPROVEMENTS	X-21	<u>\$ 35,093.44</u>
TOTAL OF ALL FUNDS		\$ 8,574,626.79

A **MOTION** was made by Mr. Mueller to approve the Consent Agenda (with the removal of Items #2 and #3), seconded by Mr. Albanese and on Roll Call vote the following was recorded:

- Mr. Albanese -Aye
- Mrs. Fort - Aye
- Mr. Heller - Aye
- Mr. Mueller - Aye
- Mayor Huelsebusch - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were no comments from the public.

CORRESPONDENCE / OTHER INFORMATION

1. Letters dated November 15, 2021 from Jennifer Ader, Municipal Clerk, Township of Tewksbury regarding "**Adoption of An Ordinance of the Township of Tewksbury, Hunterdon County, New Jersey Accepting the Dedication of Barlow Drive**" and "**Adoption of An Ordinance of the Township of Tewksbury, Hunterdon County, New Jersey Amending Article IX, Fees, Guarantees, Inspections, Off-Tract Improvements and General Enforcement, Section 909, Site Plan Review, of the Development Regulations Ordinance.**" No action taken.
2. Letter dated December 17, 2021 from Joshua Eckert, Counsel for Jersey Central Power & Light Company, in **the Matter of the Petition of Jersey Central Power & Light Company for Approval of a Change to its Zero Emission Certificate Recovery Charge**. No action taken.

3. Email dated January 10, 2022 from Don Tretola, Department of Military and Veterans Affairs, regarding *NJ Jersey's Governor Program "We Value our Veterans."* No action taken.

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of Property Known as Block 73, Lot 15 in the Township of Readington, County of Hunterdon and State of New Jersey from Flood***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF PROPERTY KNOWN AS BLOCK 73, LOT 15 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM FLOOD.

Ordinance #01-2022

BE IT ORDAINED by the Mayor and Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, as follows:

Section 1. The Township of Readington authorizes the acquisition and acceptance of a *historically-designated* property known as Block 73, Lot 15 on the official Township Tax Map, consisting of approximately 1.54 +/- acres of land and a residence and other structures upon the land and located on 15 Dart's Mill Road in the Township, which property has been offered as a charitable donation to the Township by John and Eleanor Flood. *The Township intends to utilize the house on the property as an affordable housing unit.* Acceptance of the property is subject to the Township's receipt of clear and marketable title, an acceptable survey and satisfactory environmental inspection (including ability to install a suitable septic system on the property), to be undertaken by the Township at its own cost and expense. The Mayor, Deputy Mayor, Township Administrator, Township Clerk and/or Township Attorney, as applicable, are authorized to prepare and/or execute all documents necessary to accept and complete the donation transaction. A copy of the tax map showing the proposed property is attached hereto as Schedule A (On File in Clerk's Office). Said tax map depicting the property to be donated, together with the proposed donation agreement, shall be available for further inspection in the office of the Readington Township Clerk at the municipal building, 509 Route 523, Whitehouse Station, N.J. prior to the public hearing.

Section 2. This property is being acquired pursuant to N.J.S.A. 40A:12- 5, et seq., and any other applicable law. If the provision of any article, section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law.

Section 4. Evidence of Transaction.

Upon closing of title, the Deed and this Ordinance shall be recorded in the Hunterdon County Clerk's Office.

A MOTION was made by Mr. Heller to introduce this ordinance, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 7, 2022 at 7:45 p.m.

2. An Ordinance of the Township of Readington, Hunterdon County and State of New Jersey Repealing Ordinance #19-2021 which Prohibited All Classes of Cannabis Businesses within the Township and Amending Chapter 88 of the Code of the Township of Readington Entitled "Cannabis Businesses" to Permit Certain Classes of Cannabis Businesses

The following ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY REPEALING ORDINANCE #19-2021 WHICH PROHIBITED ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP AND AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON ENTITLED "CANNABIS BUSINESSES" TO PERMIT CERTAIN CLASSES OF CANNABIS BUSINESSES

ORDINANCE #02-2022

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 twenty-one 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 twenty-one 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 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 Distributer 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, 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

Ordinance #02-2022 cont'd:

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 21, 2021) and that failure to adopt such prohibitions would result in the automatic permission for the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items in all industrial zones, and the retail selling of cannabis items to consumers as a conditional use in all commercial and retail zones of the municipality for a period of five (5) years; and

WHEREAS, due to the above legislative requirements, the fact that at the time, no regulations had yet been adopted at the State level pertaining personal use cannabis and the uncertainties regarding the potential future impacts these businesses might have on New Jersey municipalities in general, and on Readington Township in particular, the Township Committee of Readington Township opted to adopt Ordinance #19-2021 on July 6, 2021 prohibiting all manner of cannabis-related businesses within the Township; and

WHEREAS, since the adoption of Ordinance #19-2021, the State of New Jersey enacted regulations concerning cannabis and medical cannabis establishments in the State and the Township has established a subcommittee to review the merits of permitting such establishments within the Township; and;

WHEREAS, there is a existing alternative treatment facility within the Township which cultivates and processes medical cannabis and has indicated to the Township that it wishes to pursue licenses to expand its operations to cultivate, manufacture, wholesale and distribute (but not sell at retail) personal use cannabis, in addition to medical cannabis, from its current location in the Township; and

WHEREAS, inquiries have been made by persons and companies that operate or seek to operate various types of cannabis establishments in New Jersey, particularly in Readington Township; and

WHEREAS, these companies have applied or will apply to the State of New Jersey for licensing and are awaiting review and approval of their applications for such license; and

WHEREAS, the current law and regulations recognize that municipalities play an important role in regulating the new cannabis industry and are thus permitted to enact restrictions on cannabis facilities that make sense for their communities, including controls regarding zoning approval and designation, hours of operation, deciding the number and kinds of licenses to be permitted within their borders and enacting a 2 % transfer tax on sales; and

WHEREAS, the Township Committee has determined that the operation of cannabis businesses represents unique and on-going challenges and concerns and therefore should be regulated based on what is appropriate for the Township of Readington and its residents.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, as follows:

SECTION 1. Preamble incorporated. The preamble to this ordinance is hereby incorporated as if fully restated herein.

SECTION 2. Ordinance #19-2021 entitled “An Ordinance Amending the Code of the Township of Readington, County of Hunterdon and State of New Jersey to Include Provisions Prohibiting All Classes of Cannabis Businesses Within the Township” set forth in Chapter 88 of the Code of the Township of Readington is hereby repealed in its entirety and shall be replaced with the following:

A. New Chapter. The Code of the Township of Readington is hereby amended to provide a new Chapter 88 entitled “**Cannabis and Medical Cannabis**” as follows:

Ordinance #02-2022 cont'd:

Subsection 88-1. Purpose of Chapter.

Notwithstanding any Federal law to the contrary, this Chapter is enacted to regulate and govern the use of Cannabis and Medical Cannabis and the number and types of permits issued in the Township pursuant to New Jersey's Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1, et seq. ("Honig Act"), the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act, N.J.S.A. 24:6I-32 et seq. ("CREAMMA") (collectively "the Acts") and the regulations adopted by the New Jersey Cannabis Regulatory Commission at N.J.A.C. 17-30, et seq.

Subsection 88-2. Definitions. For the purposes of this Chapter, the following definitions shall apply:

"ALTERNATIVE TREATMENT CENTER" means an organization issued a permit pursuant to the Jake Honig Compassionate Use Medical Cannabis Act," P.L. 2009, c.307 (C.24:6I-1 et al) to operate as a medical cannabis cultivator, a medical cannabis manufacturer, a medical cannabis dispensary or clinical registrant, as well as any alternative treatment center deemed pursuant to section 7 of that act (C.24:6I-7) to concurrently hold a medical cannabis cultivator permit, a medical cannabis manufacturer permit and a medical cannabis dispensary permit.

"CANNABIS" means all parts of the plant *Cannabis sativa* L., including indica and any and all hybrids, 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 CREAMMA for use in cannabis products as set forth in that 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 Honig Act and N.J.S.A. 18A:40-12.22, et al; marijuana as defined in N.J.S.A. 2C:35-2 and applied to any offense set forth in chapters 35, 35A and 36 of Title 2C of the New Jersey Statutes, N.J.S.A. 2C:35B-1 et seq., or marijuana as defined in N.J.S.A. 24:21-2 and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act" N.J.S.A. 24:2-1, et al; or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the "New Jersey Hemp Farming Act" N.J.S.A. 4:28-6, et al.

"CANNABIS CULTIVATOR" means any person or entity holding a Class 1 Cannabis Cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, 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" means the transportation of cannabis items and related supplies to a consumer. "Cannabis delivery" also includes the use by a licensed cannabis retailer of any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

"CANNABIS DELIVERY SERVICE" means any person or entity holding a Class 6 Cannabis Delivery license issued by the State of New Jersey 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 person or entity holding a Class 4 Cannabis Distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports 40 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.

Ordinance #02-2022 cont'd:

“CANNABIS ESTABLISHMENT” means, for the purposes of this ordinance, a cannabis cultivator, a cannabis manufacturer or a cannabis wholesaler, *as well as an expanded ATC*, but not a cannabis retailer, dispensary, clinical registrant or delivery service.

“CANNABIS ITEM” means any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin. “Cannabis item” does not include: any form of medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22, et al., or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the “New Jersey Hemp Farming Act” N.J.S.A. 4:28-6, et al.

“CANNABIS MANUFACTURER” means any person or entity holding a Class 2 Cannabis Manufacturer license issued by the State of New Jersey, 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 person or entity holding a Class 5 Cannabis license issued by the State of New Jersey 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 person or entity holding a Class 3 Cannabis Wholesaler license issued by the State of New Jersey 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.

“COMMISSION” or “CRC” means the New Jersey Cannabis Regulatory Commission established pursuant to CREAMMA.

“EXPANDED ATC” means a permitted Alternative Treatment Center pursuant to P.L. 2019, c. 153 and N.J.A.C. 8:64 that is authorized to operate a cannabis business or businesses pursuant to CREAMMA and the regulations found at N.J.A.C. 17-30 et seq, in addition to its ATC operations.

“MANUFACTURE” for the purpose of this ordinance, means “manufacturing” as performed by a cannabis manufacturer or a medical cannabis manufacturer.

“MEDICAL CANNABIS” means cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22 et al. “Medical cannabis” does not include any cannabis or cannabis item which is cultivated, produced, processed and consumed in accordance with CREAMMA.

“MEDICAL CANNABIS CULTIVATOR” means an organization holding a permit issued by the Cannabis Regulatory Commission that authorizes the organization to: possess or cultivate cannabis and deliver, transfer, transport, distribute, supply and sell medical cannabis and related supplies to other medical cannabis dispensaries, as well as to plant, cultivate, grow and harvest medical cannabis for research purposes. A medical cannabis cultivator permit shall not authorize the permit holder to manufacture, produce or otherwise create medical cannabis products or to deliver, transfer, transport, distribute, supply, sell or dispense medical cannabis, medical cannabis products, paraphernalia, or related supplies to qualifying patients, designated caregivers or institutional caregivers.

Ordinance #02-2022 cont'd:

“MEDICAL CANNABIS DISPENSARY” means an organization that is issued a permit by the Cannabis Regulatory Commission authorizing the organization to: purchase or obtain medical cannabis and related supplies from medical cannabis cultivators, purchase or obtain medical cannabis products and related supplies from medical cannabis manufacturers; purchase or obtain medical cannabis, medical cannabis products, and related supplies and paraphernalia from other medical cannabis dispensaries and from clinical registrants; deliver, transfer, transport, distribute, supply and sell medical cannabis and medical cannabis products to other medical cannabis dispensaries; furnish medical cannabis, including medical cannabis products, to a medical cannabis handler for delivery to a registered qualifying patient, designated caregiver; or institutional caregiver consistent with the requirements of the Honig Act; and possess, display, transfer, transport, distribute, supply, sell and dispense medical cannabis, medical cannabis products, paraphernalia, and related supplies to qualifying patients, designated caregivers and institutional caregivers. A medical cannabis dispensary permit shall not authorize the permit holder to cultivate medical cannabis, to produce, manufacture or otherwise create medical cannabis products. **Medical cannabis dispensaries are prohibited in the Township.**

“MEDICAL CANNABIS ESTABLISHMENT” means a medical cannabis cultivator or a medical cannabis manufacturer but not a medical cannabis dispensary, retailer or delivery service. For the purposes of this ordinance, “alternative treatment centers” are also included within the definition of “medical cannabis establishment”.

“MEDICAL CANNABIS MANUFACTURER” means an organization that is issued a permit by the Cannabis Regulatory Commission authorizing the organization to: purchase or obtain medical cannabis and related supplies from a medical cannabis cultivator or a clinical registrant; purchase or obtain medical cannabis products from another medical cannabis manufacturer or a clinical registrant; produce, manufacture or otherwise create medical cannabis products; and possess, deliver, transfer, transport, distribute, supply and sell medical cannabis products and related supplies to other medical cannabis manufacturer and to medical dispensaries and clinical registrants. A medical cannabis manufacturer permit shall not authorize the permit holder to cultivate medical cannabis or to deliver, transfer, transport, distribute, supply, sell, or dispense medical cannabis, medical cannabis products, paraphernalia, or related supplies to registered qualifying patients, designated caregivers, or institutional caregivers.

“MICROBUSINESS” shall have the same meaning as defined in N.J.S.A. 24:6I-33 and operated in accordance with N.J.A.C. 17:30-6.7. Per statute, it means a person or entity licensed by the State as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations and capacity and quantity of product: (1) employ no more than 10 employees; (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow about that plane not higher than 24 feet; (3) possess no more than 1,000 cannabis plants each month, except that a cannabis distributor’s possession of cannabis plants for transportation shall not be subject to this limit; (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis; (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof. **Cannabis microbusinesses are not permitted in the Township.**

“PUBLIC PLACE” or “QUASI-PUBLIC PLACE” means any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol consumption is not allowed, including but not limited to: a public street, road, thoroughfare, school, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library or any other public building, structure or area.

Ordinance #02-2022 cont'd:

Subsection 88-3. Cannabis, Microbusinesses and Medical Cannabis Establishments Generally Prohibited. Except for licensed establishments operating as cultivators, processors and/or manufacturers of cannabis and/or medical cannabis as specifically provided herein, pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16)(the “Act”) and under the general police powers of the Township provided under N.J.S.A. 40:48-1 in order to protect the general health, safety and welfare of the public, all cannabis microbusinesses, medical cannabis and cannabis retailers, dispensaries and/or cannabis delivery services as said terms are defined in section 3 of the Act and within this Chapter are hereby prohibited from operating anywhere in the Township of Readington, except for the delivery of cannabis items and related supplies within the Township by a delivery service located outside of the Township

Subsection 88-4. Number of Permitted Licenses for Medical Cannabis and Cannabis Establishments. There shall hereby be made available within the Township of Readington no more than one (1) municipal license for a qualifying entity or individual for either one (1) of the following: (1) a cannabis establishment; (2) a medical cannabis establishment or (3) an organization operating as both a cannabis establishment and a medical cannabis establishment within the same facility and location within the Township. Multiple classes of licenses within the definitions of (1) and (2) above may be combined at the same facility and on the same property in the Township, provided there is no more than one (1) such establishment operating within the Township. Such municipal license shall constitute “written municipal approval” required pursuant to “CREAMMA”, N.J.S.A. 24:6I-36(b)(1)(c)(i) and 24:6I-5(c) or the Honig Act, N.J.S.A. 24:6I-7 and the regulations found at N.J.A.C. 17-30, et seq.

Subsection 88-5. Licensing and Application Requirements:

(a) No one may operate a cannabis establishment or medical establishment (“Establishment”), operate an expanded alternative treatment center, or otherwise convert from an alternative treatment center to a cannabis establishment, or combination thereof, in the Township without a municipal license. A license must be requested and obtained annually upon approval of the Township Committee for the Establishment prior to, and as a condition of, permit or license renewal pursuant to CREAMMA, the regulations at N.J.A.C. 17-30, et seq. and this Chapter 88. Only the municipal permit or license, annually renewed pursuant to the above-cited authority, shall constitute the annually required written municipal approval required for the Establishment pursuant to the regulations of the Cannabis Regulatory Commission (“CRC”). Other written statements, letters, resolutions or other documents issued by the Township or any official, employee, or other representative shall not constitute annual or renewed “written municipal approval” for purposes of the CRC.

(b) In addition to a municipal license, in order to operate a cannabis establishment and/or medical cannabis establishment in the Township of Readington, the appropriate State licenses are required. A municipal license may be conditionally issued by the Township, but shall be contingent upon the locally licensed entity’s or individual’s subsequent receipt of a State permit or license of the same class or type of regulated cannabis activity issued by the Township, otherwise, it may be revoked. All applications for permits and licenses, all permits and licenses issued and all proceedings under this section shall be in accordance with all applicable laws of the state.

(c) In order to operate a cannabis establishment and/or medical cannabis establishment, the applicant shall be in possession of all applicable land use/zoning approvals and all construction permits and approvals from all municipal and State entities having jurisdiction over same.

(d) Persons seeking to obtain any classification of municipal cannabis license shall file an application with the Township Clerk on a standardized form established by the Township and available in the Township Clerk’s office. The Township Clerk shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by the Township until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- (i) Name, address of owner, applicant, property location, including address and lot and block on the official tax map and zone identification.

Ordinance #02-2022 cont'd:

(ii) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of a deed, lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the applicant contingent upon applicant's receipt of a license from the State of New Jersey.

(iii) The applicant and/or owner, as may be applicable, shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant and /or owner, as may be applicable, shall also certify under oath that they will not discriminate based on race, color, religion (creed), gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

(iv) The location proposed for licensing by the applicant, shall comply with all applicable municipal zoning laws and the location restrictions set forth in the Land Development portion of the Code of Readington Township.

(v) The applicant, owner and its principals, as may be applicable, shall submit, to the satisfaction of the Township Committee, proof of financial capability to open and operate a cannabis and/or medical cannabis establishment for which the applicant is seeking a license. Standards of proof of financial capability shall be determined by the Township.

(vi) The applicant shall submit all required fees (non-refundable) for the application and license in accordance with the fee schedule established in *section 88-6* below.

(vii) Copy of application form sent to the State of New Jersey (the class or classes of licenses applied for at the municipality must match the class or classes of licenses issued by the State of New Jersey and the applicant's name and entity, as well as owner's and principals' names and entities must also match on both applications).

(viii) Proof of the attainment of all other permits/approvals required by the Township including land use and zoning, Construction Code and Board of Health. Proof may be established by a letter, resolution or permit issued by the applicable entity.

(ix) In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.

(e) In the event there are multiple applicants for a license, the Township Clerk shall compile all applications submitted for review by the Township Committee and the Township Committee shall evaluate all applicants and issue a notification of award after consideration and evaluation of the following criteria:

(i) Applicant's and its owners' (if applicable) or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and/or retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of such businesses within the State of New Jersey and where the value of owner's experience shall outweigh the experience of non-owner principals (fifteen percent, not to exceed 2,500 words);

(ii) Applicant's and its owners' (if applicable) or principals' qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1000 words), and a summary of applicant's plans for storage of products and currency, disposal of waste, plans for odor control, storage of any hazardous chemicals, physical security, video surveillance, security personnel and visitor management (ten percent, not to exceed 2,500 words);

Ordinance #02-2022 cont'd:

(iii) Applicant's and its owners' (if applicable) or principals' experience conducting or supporting or plans to conduct institutional review board (IRB)-approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (five percent, not to exceed 2,500 words); whether the applicant has had any assurance accepted by the U.S. Department of Health and Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (five percent) and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine or osteopathic medicine with experience conducting cannabis-related research (five percent);

(iv) Applicant's and its owners' (if applicable) or principals' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment or Medical Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);

(v) Summary of the applicant's and its owners' (if applicable) environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey State environmental regulators for innovation in sustainability (three percent); and whether the applicant entity or its parent company holds any certification under international standards demonstrating that the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system (three percent);

(vi) Applicant's and its owners' (if applicable) or its principals' ties to the community, demonstrated by at least one shareholder's proof of residency in Readington Township for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in Readington Township for three or more years in the past five years (five percent); and

(vii) Applicant's and its owners' (if applicable) or its principals' demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a N.J. minority-owned, women-owned, or veteran-owned business (twenty percent in total; ten points for one certification and twenty points for two or more).

(f) Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended *at* the Township Committee's discretion for an additional 6 months for good cause. No license to operate shall be issued until the applicant has received a State license and satisfied other prerequisites of municipal licensing. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months of the municipality's issuance, unless extended for good cause, the Township Committee shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

Subsection 88-6. Licensing Fees

(a) Cannabis Establishment License

- (i) Application and Year One: \$10,000
- (ii) Subsequent Annual Renewal Permit Fee: \$5,000

(b) Medical Cannabis Establishment License

- i) Application and Year One: \$10,000
- (ii) Subsequent Annual Renewal Permit Fee: \$5,000

Separate fees shall be due for each license applied for (ie. medical or adult use cannabis establishment), but classes may be combined under each type of establishment. (For example, if an adult use cannabis establishment holds Class I, II and IV licenses, then only one fee shall be charged for the adult use license).

Ordinance #02-2022 cont'd:

If the Township must hire one or more consultants to evaluate a first-time or renewal application for a license, the Applicant will be responsible for the review fees of the Township's hired consultant(s).

Subsection 88-7. Terms of license and renewals.

(a) Any municipal license issued pursuant to this Chapter shall be valid for a period of one (1) year from the date of issuance and shall be renewed in accordance with the provisions of this Chapter.

(b) The Township Committee may, at its discretion, adjust the renewal date of the municipal license to correlate with an applicant's State licensing and renewal schedule.

(c) Renewal of any license shall be governed by code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.

(d) Transfer of ownership of any municipal license or change of location of any license or modification to expand a licensed premises shall be subject to municipal approval pursuant to the same qualification requirements as in the originally-approved application. A change of location shall not be approved unless the location has been specifically permitted by the Township's land use ordinance.

(e) Except where the Township has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, cultivate, sell, distribute, transfer, transport or otherwise remove cannabis or cannabis products from the *premises* of any licensee after the expiration date recorded on the face of the license.

(f) Any suspension, revocation or non-renewal of the municipal permit or license pursuant to CREAMMA and/or the regulations promulgated thereto, as may be amended from time-to-time, or any suspension, revocation or non-renewal of a CRC-issued license or permit for the Establishment, or adjudication of felony criminal guilt by the Establishment or its principals shall constitute an automatic revocation of the municipal license for the Establishment, at which time operation of the Establishment must cease. With respect to a suspension, revocation or non-renewal of a Township or CRC-issued permit or license, the Establishment may not reinstate its municipal license until the Township and/or CRC permit or licenses are reinstated. A criminal adjudication voids and prohibits any future reinstatement of Township permits/licenses.

Subsection 88-8. Operating Requirements and Prohibitions.

(a) Hours of operation by licensees shall be from 8:00 a.m. to 8:00 p.m. only, with the exception of on-site security.

(b) Unless otherwise permitted by State labor laws, no persons under the age of twenty-one (21) shall be allowed in a Cannabis/Medical Cannabis Establishment unless accompanied by a parent or legal guardian.

(c) No cannabis shall be smoked, eaten or otherwise consumed or ingested on the premises of any Cannabis/Medical Cannabis Establishment. Smoking, consumption or ingestion of cannabis shall not be permitted at any public or quasi public place.

(d) A Cannabis/Medical Cannabis establishment shall be secured and have full-time security protocols in place subject to review and approval from the Readington Township Police Department which shall include at least a twenty-four (24) hour security video system with footage to be kept for at least thirty (30) days and a vault for storage of money when the Cannabis/Medical Cannabis Establishment is closed. Prior to the commencement of any operations, a Cannabis/Medical Cannabis Establishment must first obtain written approval of its protocols from the Readington Township Police Chief or the Chief's designee. The Readington Township Police Chief or Chief's designee, shall have the authority to require additional safety and security measures.

(e) Cannabis plants, products and paraphernalia shall not be visible from any exterior windows, nor shall the existence of cannabis within a building be perceptible from the exterior of the building as viewed from a street or residence.

Ordinance #02-2022 cont'd:

(f) All operations related to the manufacturing, cultivation and processing of cannabis, including the disposal of cannabis waste, shall be performed in a fully-enclosed space within a building. Shipping and receiving may occur within exterior locations closely related to the building that are designated for shipping and receiving.

(g) Greenhouse lighting shall not be visible from the exterior of the building.

(h) The Licensee shall be in compliance with all Township regulations pertaining to odor control as contained within the Township's Land Development ordinances; specifically, any odors generated inside the facility shall not be detectable by a person of reasonable sensitivity anywhere on adjacent property or within adjacent public rights-of-way.

(i) A Cannabis/Medical Cannabis Establishment shall provide to the Readington Township Police Department and its Dispatch Office, Office of Emergency Management Coordinator, and the Fire Code Official with the name, email address and twenty-four hour phone number of the responsible staff person for the Cannabis/Medical Cannabis Establishment to notify in the event of suspicious activity or an emergency.

(j) In no event shall a Cannabis/Medical Cannabis Establishment in the Township of Readington be open to the public.

(k) Readington Township's Health Department, Police Department, Construction Code Official, Zoning Officer and/or Fire Code Official shall, from time to time, make an inspection of the Cannabis/Medical Cannabis Establishment for the purpose of determining whether the provisions of this section are being complied with. It shall be unlawful for a licensed Cannabis/Medical Cannabis Establishment to refuse to allow such inspection or to hinder such inspection.

(l) A Cannabis/Medical Cannabis Establishment shall furnish the Township with copies of any documents issued by any outside agencies (including, but not limited to County, State and/or Federal governmental agencies) having jurisdiction over same. These documents shall be provided to the Township within ten business days of their issuance and shall include, but are not limited to, inspection reports, operating permits, administrative approvals, administrative *orders*, and notices of violation.

Subsection 88-9. Disciplinary Actions; Sanctions; Penalties.

(a) **Disciplinary actions.** Procedures for investigation of license violations and for suspension, revocation or other licensing sanctions as a result of any such violation shall be as follows:

- (i) First offense: Up to \$1,000 per violation per day;
- (ii) Second offense: Up to \$2,500 per violation per day;
- (iii) Third violation shall result in a summary suspension.
- (iv) If a second offense is on-going for more than 10 days, a summary suspension may be imposed.
- (v) Each day a violation continues after notification that it exists shall constitute a separate offense.

(b) **Summary Suspension.** Notwithstanding the foregoing section, when the Township Committee, or its authorized representative or designee, has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety and/or general welfare has been jeopardized and requires emergency action, the Township Committee, or its authorized representative or designee, may enter a summary suspension order for the immediate suspension of such license pending further investigation.

(i) The summary suspension order shall be in writing and shall state the reason(s) therefore. The licensee shall be afforded an opportunity for an appeal process as outlined herein.

(ii) The Township Committee shall convene a review panel consisting of the Administrator, a second administrative officer designated by the Township Committee, and the Chief of Police. The matter shall be scheduled within 30 days of the date of the order.

Ordinance #02-2022 cont'd:

(iii) For purposes of this section (b) “reasonable grounds” means one or more complaints that have been substantiated by a certified consultant designated by the Township, or other fault or instance of non-compliance found during an inspection conducted pursuant to Subsection 88-8(k) above.

(iv) The review panel is authorized to impose any fines, conditions, restrictions, suspensions or combination thereof authorized by the State of New Jersey. In the absence of State specified penalties, the Township may issue fines up to, but not to exceed, \$2,500 per separate offense per day, and/or suspension of license for a period not to exceed six (6) months.

Subsection 88-10. Revocation of Municipal License.

Any license issued under this Ordinance may be suspended or revoked for violation of any provisions of the Township Code or any applicable ordinance, statute or any of the rules or regulations promulgated by the CRC. Suspension or revocation of a license shall be in addition to any other penalty which may be imposed for a violation of Township Ordinances. No refund will be issued by the Township for any suspended or revoked license.

Subsection 88-11. State License. The Township Committee may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended or revoked. In that event, operation must cease until the license(s) and municipal zoning permit are reinstated or reissued.

SECTION 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 4. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts 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 valid and enforceable.

SECTION 5. Renumbering. The sections, subsections and provisions of this ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 6. Effective Date. This ordinance shall take effect upon passage and final publication as provided by law.

A MOTION was made by Mr. Albanese to introduce this ordinance, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 7, 2022 at 7:45 p.m.

3. An Ordinance of the Township of Readington, Hunterdon County and State of New Jersey Amending and Supplementing Chapter 88 of the Code of the Township of Readington to Establish a Cannabis Transfer Tax and User Tax in the Township

The following ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON TO ESTABLISH A CANNABIS TRANSFER TAX AND USER TAX IN THE TOWNSHIP

ORDINANCE #03-2022

BE IT ORDAINED, by the Township Committee of the Township of Readington, in the County of Hunterdon, State of New Jersey, as follows:

SECTION 1. Chapter 88 of the Code of the Township of Readington entitled "Cannabis and Medical Cannabis" is hereby amended and supplemented to provide the following new Section:

Subsection 88-xx . Cannabis Taxation.

A. Purpose. The purpose of this section is to implement N.J.S.A. 40:48I-1 and 24:6I-46 of the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act ("CREAMMA") which authorizes a municipality to impose Cannabis Transfer and User Taxes on cannabis for adult use, but not medical use. All terms herein shall have the same meaning as found in N.J.S.A. 24:6I-33, section 3 of CREAMMA and Chapter 88 of the Code, unless otherwise stated.

B. Cannabis Transfer Tax.

(1) Except for that portion of sales of "medical cannabis" defined as such under the "Jake Honig Compassionate Use Medical Cannabis Act" (N.J.S.A. 24:6I-1, *et seq.*) (the "Honig Act"), there shall be a transfer tax imposed on the receipts from the sale of cannabis and cannabis items from the following licensed person(s) or entity(ies) located in Readington Township:

- (i) From a cannabis cultivator to another cannabis cultivator; and/or
- (ii) From one cannabis establishment to another cannabis establishment; and/or
- (iii) By any combination thereof.

The transfer tax rate shall be assessed at 2% of the receipts from each sale by a cannabis cultivator and/or cannabis manufacturer and shall be assessed at 1% of the receipts from each sale by a cannabis wholesaler.

(2) The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.

(3) The transfer tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.

Ordinance #03-2022 cont'd:

C. Cannabis User Tax.

- (1) Except for that portion of sales of "medical cannabis" defined as such under the "Jake Honig Compassionate Use Medical Cannabis Act" (*N.J.S.A. 24:6I-1, et seq.*) (the "Honig Act"), there shall be a user tax imposed on any concurrent license holder operating more than one cannabis establishment.
- (2) The user tax rate shall be assessed at 2% on any concurrent license holder operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis, or cannabis items not otherwise subject to the transfer tax imposed pursuant to this Chapter, from the license holder's establishment that is located in the Township of Readington to any of the other license holder's establishments, whether located in the Township of Readington or another municipality.
- (3) The user tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis. Any transaction for which the user tax is imposed is exempt from the tax imposed under the Sales and Use Tax Act.
- (4) The user tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.

D. Collection of Cannabis Transfer and User Tax.

- (1) Every cannabis establishment required to collect the transfer and use taxes imposed by this Section shall be personally liable for the transfer and use tax imposed, collected or required by this Section and CREAMMA and shall have the same rights to collection of said tax as afforded by CREAMMA. In the event a cannabis establishment institutes an action or proceeding to collect transfer or use taxes from another cannabis establishment or consumer, as applicable, the CFO of the Township shall be joined as a party in any such action or proceeding.
- (2) No cannabis establishment required to collect the transfer and user taxes imposed by this Section shall advertise or hold out to any person, or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer or that the transfer tax or user tax will be refunded to the cannabis establishment or to the consumer.
- (3) Remittance and Reporting of Cannabis Taxes.
 - (i) The taxes imposed by this section shall be paid to the Township (to the attention of its Chief Financial Officer) on a quarterly basis no later than the fifteenth (15th) day of the month following the last month of the quarter along with a report certified as true and accurate by the Cannabis Establishment's Chief Financial Officer, Controller or other similarly situated person showing the gross revenues for the Cannabis Establishment (separating the gross revenues of the medical cannabis) for each month of the quarter.
 - (ii) A Cannabis Establishment operating within the Township of Readington shall file on an annual basis no later than April 15th of each year, a financial report from an independent accountant certifying as to the annual revenues for the preceding year, distinguishing the medical cannabis from the adult use cannabis.

Ordinance #03-2022 cont'd:

(4) Delinquent Taxes.

(i) If the transfer tax or user tax is not paid when due, the unpaid balance and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises.

(ii) The lien shall be superior and paramount to the interest in the parcel or any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

(iii) The municipality shall file in the office of its Tax Collector a statement showing the amount and due date of the unpaid balance of cannabis taxes and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

(iv) The annual municipal permit issued pursuant to this Chapter shall not be renewed for the cannabis establishment should any transfer or user tax pursuant to this Section be delinquent.

5. A copy of this Section shall be transmitted to the NJ State Treasurer and to every Cannabis Establishment within the Township of Readington.

SECTION 2. Renumbering. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the section, paragraph subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. Inconsistency. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Readington that is inconsistent with the provisions of this Ordinance is hereby superseded to the extent of such inconsistency.

SECTION 5. Effective Date. This ordinance shall take effect upon passage and final publication as provided by law.

A MOTION was made by Mr. Albanese to introduce this ordinance, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 7, 2022 at 7:45 p.m.

4. ***An Ordinance of the Township of Readington to Amend the Zoning Map and Article IV "District Regulations" of Chapter 148 "Land Development" of the Code of the Township of Readington to Create a New Zone Known as the Licensed Cannabis Business Overlay (LCBO) Zone District***

The Committee discussed removing the section regarding energy conservation and adding the requirement that a copy of a will serve letter for public water connection be provided to the Township.

The following ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON TO AMEND THE ZONING MAP AND ARTICLE IV "DISTRICT REGULATIONS" OF CHAPTER 148 "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF READINGTON TO CREATE A NEW ZONE KNOWN AS THE LICENSED CANNABIS BUSINESS OVERLAY (LCBO) ZONE DISTRICT

Ordinance #04 -2022

BE IT ORDAINED by the Township Committee of the Township of Readington in the County Hunterdon, State of New Jersey that the following amendments shall be made to Chapter 148 "Land Development" of the Code of the Township of Readington as follows:

SECTION I. Purpose.

The Licensed Cannabis Business Overlay (LCBO) zone is created to establish an appropriate location within the existing Business B zone where Class 1, 2, 3 and 4 licensed cannabis establishments can operate in accordance with the spatial requirements of the Business B zone. This zone mirrors the location of an existing medical cannabis cultivation and manufacturing business and is intended to provide for the continued operation of said business pursuant to the enhanced land use standards contained herein. The zoning map of the Township of Readington is amended to identify the location of the Licensed Cannabis Business Overlay (LCBO). A series of new definitions are necessary to complement the land use regulations of the LCBO, such that §148-9 Definitions is amended to add definitions relative to the establishment of a cannabis business with Readington Township.

SECTION II. Zoning Map Amendment. Article III "Zoning Districts and Zoning Map", Section 148-10 "Zoning Districts and Section 148-11 "Zoning Map" are all hereby amended to add the "Licensed Cannabis Business Overlay (LCBO) zone on the portion of Block 14, Lot 49 located within the Business (B) Zone". The zoning map amendment dated January 7, 2022 is attached hereto as Schedule A and is made a part of this chapter.

SECTION III. Definitions. The following terms and definitions shall be added to Subsection 148-9 of the Readington Township Land Development Ordinance:

“ALTERNATIVE TREATMENT CENTER” means an organization issued a permit pursuant to the Jake Honig Compassionate Use Medical Cannabis Act,” P.L. 2009, c.307 (C.24:6I-1 et al) to operate as a medical cannabis cultivator, a medical cannabis manufacturer, a medical cannabis dispensary or clinical registrant, as well as any alternative treatment center deemed pursuant to section 7 of that act (C.24:6I-7) to concurrently hold a medical cannabis cultivator permit, a medical cannabis manufacturer permit and a medical cannabis dispensary permit.

“CANNABIS” means all parts of the plant Cannabis sativa L., including indica and any and all hybrids, 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 CREAMMA for use in cannabis products as set forth in that 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 Honig Act and N.J.S.A. 18A:40-12.22, et al; marijuana as defined in N.J.S.A. 2C:35-2 and applied to any offense set forth in chapters 35, 35A and 36 of Title 2C of the New Jersey Statutes, N.J.S.A. 2C:35B-1 et seq., or marijuana as defined in N.J.S.A. 24:21-2 and

Ordinance #04-2022 cont'd:

applied to any offense set forth in the “New Jersey Controlled Dangerous Substances Act” N.J.S.A. 24:2-1, et al; or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the “New Jersey Hemp Farming Act” N.J.S.A. 4:28-6, et al.

“CANNABIS CULTIVATOR” means any person or entity holding a Class 1 Cannabis Cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, 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” means the transportation of cannabis items and related supplies to a consumer. “Cannabis delivery” also includes the use by a licensed cannabis retailer of any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

“CANNABIS DELIVERY SERVICE” means any person or entity holding a Class 6 Cannabis Delivery license issued by the State of New Jersey 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 person or entity holding a Class 4 Cannabis Distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports 40 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, for the purposes of this ordinance, a cannabis cultivator, a cannabis manufacturer or a cannabis wholesaler, as well as an expanded ATC, but not a cannabis retailer, dispensary, clinical registrant or delivery service.

“CANNABIS EXTRACT” means a substance obtained by separating resins from cannabis by: (1) a chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane, or propane; (2) a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure or (3) any other process identified by the Cannabis Regulatory Commission by rule or regulation.

“CANNABIS FLOWER” means the flower of the plant *Cannabis sativa* L. within the plant family Cannabaceae.

“CANNABIS ITEM” means any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin. “Cannabis item” does not include: any form of medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22, et al., or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the “New Jersey Hemp Farming Act” N.J.S.A. 4:28-6, et al.

“CANNABIS LEAF” means the leaf of the plant *Cannabis sativa* L. within the plant family Cannabaceae.

Ordinance #04-2022 cont'd:

“CANNABIS MANUFACTURER” means any person or entity holding a Class 2 Cannabis Manufacturer license issued by the State of New Jersey, 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 PARAPHERNALIA” means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing a cannabis item into the human body. "Cannabis paraphernalia" does not include drug paraphernalia as defined in N.J.S.2C:36-1 and which is used or intended for use to commit a violation of chapter 35 2or 362 of Title 2C of the New Jersey Statutes.

“CANNABIS PRODUCT” means 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 usable cannabis by itself, or (2) cannabis extract by itself; or (3) any other cannabis resin by itself.

“CANNABIS RESIN” means the resin extracted from any part of the plant *Cannabis sativa* L., including cannabis extract and resin extracted using non-chemical processes, processed and used in accordance with P.L. 2021, c.16 (C.24:6I-31 et al.). Cannabis resin does not include: any form of medical cannabis dispensed to registered qualifying patients pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” PL 2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); hashish 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 as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense of 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 RETAILER” means any person or entity holding a Class 5 Cannabis license issued by the State of New Jersey 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 TESTING FACILITY” means an independent, third-party entity meeting accreditation requirements established by the Cannabis Regulatory Commission that is licensed to analyze and certify cannabis items and medical cannabis for compliance with applicable health, safety, and potency standards.

“CANNABIS WHOLESALER” means any person or entity holding a Class 3 Cannabis Wholesaler license issued by the State of New Jersey 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.

“COMMISSION” or “CRC” means the New Jersey Cannabis Regulatory Commission established pursuant to CREAMMA.

“CONSUMER” means a person 21 years of age or older who purchases, directly or through a cannabis delivery service, acquires, owns, holds, or uses cannabis items for personal use by a person 21 years of age or older, but not for resale to others.

Ordinance #04-2022 cont'd:

“CONSUMPTION” means the act of ingesting, inhaling, or otherwise introducing cannabis items into the human body.

“EXPANDED ATC” means a permitted Alternative Treatment Center pursuant to P.L. 2019, c. 153 and N.J.A.C. 8:64 that is authorized to operate a cannabis business or businesses pursuant to CREAMMA and the regulations found at N.J.A.C. 17-30 et seq, in addition to its ATC operations.

“HEMP OR INDUSTRIAL HEMP” means a variety of the Cannabis sativa plant species that is grown specifically for industrial use. It can be used to make a wide range of products including paper, rope, textiles, clothing, biodegradable plastics, paint, insulation, biofuel, food, and animal feed. Regulated through the USDA, the allowable amount of total THC may not exceed 0.3% at harvest.

“MANUFACTURE” for the purpose of this ordinance, means “manufacturing” as performed by a cannabis manufacturer or a medical cannabis manufacturer.

“MEDICAL CANNABIS” means cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22 et al. “Medical cannabis” does not include any cannabis or cannabis item which is cultivated, produced, processed and consumed in accordance with CREAMMA.

“MEDICAL CANNABIS CULTIVATOR” means an organization holding a permit issued by the Cannabis Regulatory Commission that authorizes the organization to: possess or cultivate cannabis and deliver, transfer, transport, distribute, supply and sell medical cannabis and related supplies to other medical cannabis dispensaries, as well as to plant, cultivate, grow and harvest medical cannabis for research purposes. A medical cannabis cultivator permit shall not authorize the permit holder to manufacture, produce or otherwise create medical cannabis products or to deliver, transfer, transport, distribute, supply, sell or dispense medical cannabis, medical cannabis products, paraphernalia, or related supplies to qualifying patients, designated caregivers or institutional caregivers.

“MEDICAL CANNABIS DISPENSARY” means an organization that is issued a permit by the Cannabis Regulatory Commission authorizing the organization to: purchase or obtain medical cannabis and related supplies from medical cannabis cultivators, purchase or obtain medical cannabis products and related supplies from medical cannabis manufacturers; purchase or obtain medical cannabis, medical cannabis products, and related supplies and paraphernalia from other medical cannabis dispensaries and from clinical registrants; deliver, transfer, transport, distribute, supply and sell medical cannabis and medical cannabis products to other medical cannabis dispensaries; furnish medical cannabis, including medical cannabis products, to a medical cannabis handler for delivery to a registered qualifying patient, designated caregiver; or institutional caregiver consistent with the requirements of the Honig Act; and possess, display, transfer, transport, distribute, supply, sell and dispense medical cannabis, medical cannabis products, paraphernalia, and related supplies to qualifying patients, designated caregivers and institutional caregivers. A medical cannabis dispensary permit shall not authorize the permit holder to cultivate medical cannabis, to produce, manufacture or otherwise create medical cannabis products. Medical cannabis dispensaries are prohibited in the Township.

“MEDICAL CANNABIS ESTABLISHMENT” means a medical cannabis cultivator or a medical cannabis manufacturer but not a medical cannabis dispensary, retailer or delivery service. For the purposes of this ordinance, “alternative treatment centers” are also included within the definition of “medical cannabis establishment”.

“MEDICAL CANNABIS MANUFACTURER” means an organization that is issued a permit by the Cannabis Regulatory Commission authorizing the organization to: purchase or obtain medical cannabis and related supplies from a medical cannabis cultivator or a clinical registrant; purchase or obtain medical cannabis products from another medical cannabis manufacturer or a clinical registrant; produce, manufacture or otherwise create medical cannabis products; and possess, deliver, transfer, transport, distribute, supply and sell medical cannabis products and related supplies to other medical cannabis manufacturer and to medical dispensaries and clinical registrants.

Ordinance #04-2022 cont'd:

A medical cannabis manufacturer permit shall not authorize the permit holder to cultivate medical cannabis or to deliver, transfer, transport, distribute, supply, sell, or dispense medical cannabis, medical cannabis products, paraphernalia, or related supplies to registered qualifying patients, designated caregivers, or institutional caregivers.

“MICROBUSINESS” shall have the same meaning as defined in N.J.S.A. 24:6I-33 and operated in accordance with N.J.A.C. 17:30-6.7. Per statute, it means a person or entity licensed by the State as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations and capacity and quantity of product: (1) employ no more than 10 employees; (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow about that plane not higher than 24 feet; (3) possess no more than 1,000 cannabis plants each month, except that a cannabis distributor’s possession of cannabis plants for transportation shall not be subject to this limit; (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis; (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof. Cannabis microbusinesses are not permitted in the Township.

“PUBLIC PLACE” or “QUASI-PUBLIC PLACE” means any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol consumption is not allowed, including but not limited to: a public street, road, thoroughfare, school, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library or any other public building, structure or area.

“THC” means Delta-90-tetrahydrocannabinol and its precursor, tetrahydrocannabinolic acid, the main psychoactive chemicals contained in the cannabis plant.

SECTION IV. Chapter 148, Article IV of the Code of the Township entitled "District Regulations" is hereby amended to add the following new section:

Subsection 148---- Licensed Cannabis Business Overlay (LCBO) zone

The Licensed Cannabis Business Overlay (LCBO) zone is created to establish an appropriate location within the existing Business B zone where Class 1, 2, 3 and 4 licensed cannabis business(es) may be located.

(1) Permitted Principal Uses

- (a) Cannabis Cultivation Facility for which a current and legal Class 1 Cannabis license has been issued for the proposed establishment by the State of New Jersey.
- (b) Cannabis Manufacturing Facility for which a current and legal Class 2 Cannabis license has been issued for the proposed establishment by the State of New Jersey.
- (c) Cannabis Wholesaler for which a current and legal Class 3 Cannabis license has been issued for the proposed establishment by the State of New Jersey.
- (d) Cannabis Distributor for which a current and legal Class 4 Cannabis license has been issued for the proposed establishment by the State of New Jersey.

Ordinance #04-2022 cont'd:

(2) Permitted Accessory Uses

- (a) Directional and building identification signs
- (b) Off-street parking and loading
- (c) Outdoor seating and pedestrian paths for employee use
- (d) Refuse and recyclable storage (non-cannabis)
- (e) Site lighting
- (f) Solar parking canopies
- (g) Utilities

(3) Limitation on the number of Cannabis Businesses

- (a) **Maximum Number Permitted within Township.** The number of Cannabis Businesses located within the Township shall not exceed one (1). A single entity that holds any combination of a cannabis cultivator license (Class 1), a cannabis manufacturer license (Class 2), a cannabis wholesaler license (Class 3), or a cannabis distributor license (Class 4) shall be permitted, so long as it is on the same premises.
- (b) **Maximum Number Permitted in Zone.** The number of Cannabis Businesses located within the Licensed Cannabis Business Overlay (LCBO) Zone shall not exceed one (1). A single entity that holds any combination of a cannabis cultivator license (Class 1), a cannabis manufacturer license (Class 2), a cannabis wholesaler license (Class 3), or a cannabis distributor license (Class 4) shall be permitted, so long as it is on the same premises.

(4) Security

- (a) A cannabis business licensee shall maintain security on the site pursuant to Readington Township's licensing requirements.

(5) Hours of Operation. Hours of operation by licensees shall be from 8:00 a.m. to 8:00 p.m. only, with the exception of on-site security.

(6) Site Development Standards. These standards provide enhanced regulations above and beyond the specific requirements of the Business B Zone and the general site development requirements of Chapter 148 Land Development, which remain applicable within the Licensed Cannabis Business Overlay Zone (LCBO). Where a conflict exists, the more stringent standard shall apply.

- (a) The existence of cannabis within a building shall not be perceptible from the exterior of the building as viewed from a street or residence.
- (b) Cannabis plants, products, and paraphernalia shall not be visible from any exterior windows.
- (c) All operations related to the manufacturing, cultivation, and processing of cannabis, including the disposal of cannabis waste, shall be performed in a fully enclosed space within a building. Shipping and receiving may occur within exterior locations closely related to the building that are designated for shipping and receiving.
- (d) **Lighting.** Greenhouse lighting shall not be visible from the exterior of the building.

Ordinance #04-2022 cont'd:

(e) Odor Control

- [1] For any licensed cannabis business, the facility shall have an air treatment system with sufficient odor absorbing ventilation and exhaust systems, along with any other physical or operational elements, such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property or within adjacent public rights-of-way.
- [2] Odor shall otherwise be as regulated in Article XII, §148-71.E.

(7) Expansion of Facility

- (a) Expansion of the facility shall not be permitted without site plan approval.
- (b) A cannabis business shall not be eligible for a site plan waiver as regulated in §148-120.A.

(8) Signs

- (a) No cannabis business shall display signs containing text and/or images intended to promote consumption of legal marijuana products.
- (b) No cannabis business shall place or cause to be placed any off-site advertising signs.
- (c) No signs, other than directional or building identification shall be permitted. No commercial message of any kind shall be contained on directional signs.
- (d) All signs shall be subject to the regulations of Chapter 148 Article XII

(9) Public Water Connection

- (a) Recognizing that a cannabis cultivation operation is water intensive, public water service is required for any cannabis cultivator license (Class 1) in order to protect the groundwater supply and the public from potential negative impacts resulting from the consumption of groundwater, including reductions in available water supply and degradation of water quality.
- (b) Any facility operating as a class 1 cultivator facility shall apply for a public water connection to provide all water demands of the facility within one (1) year of the passage of the ordinance. A copy of the application and will-serve letter shall be provided to the municipality.
- (c) Any facility operating as a class 1 cultivator facility shall connect to, and utilize, a public water service to provide for all water demands of the facility within three (3) years of the passage of the ordinance.
- (d) After completing a public water service connection, all existing sources of groundwater shall be disconnected. Furthermore, all facilities and structures formerly devoted to the use of groundwater shall be abandoned, removed and disposed of in accordance with all applicable regulations. Areas of the site formerly devoted to the use of groundwater infrastructure shall be restored in accordance with applicable standards and regulations. A plan showing the restoration of the site, including any necessary details, shall be approved by the Township Engineer and any other relevant outside agency.

SECTION V. All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

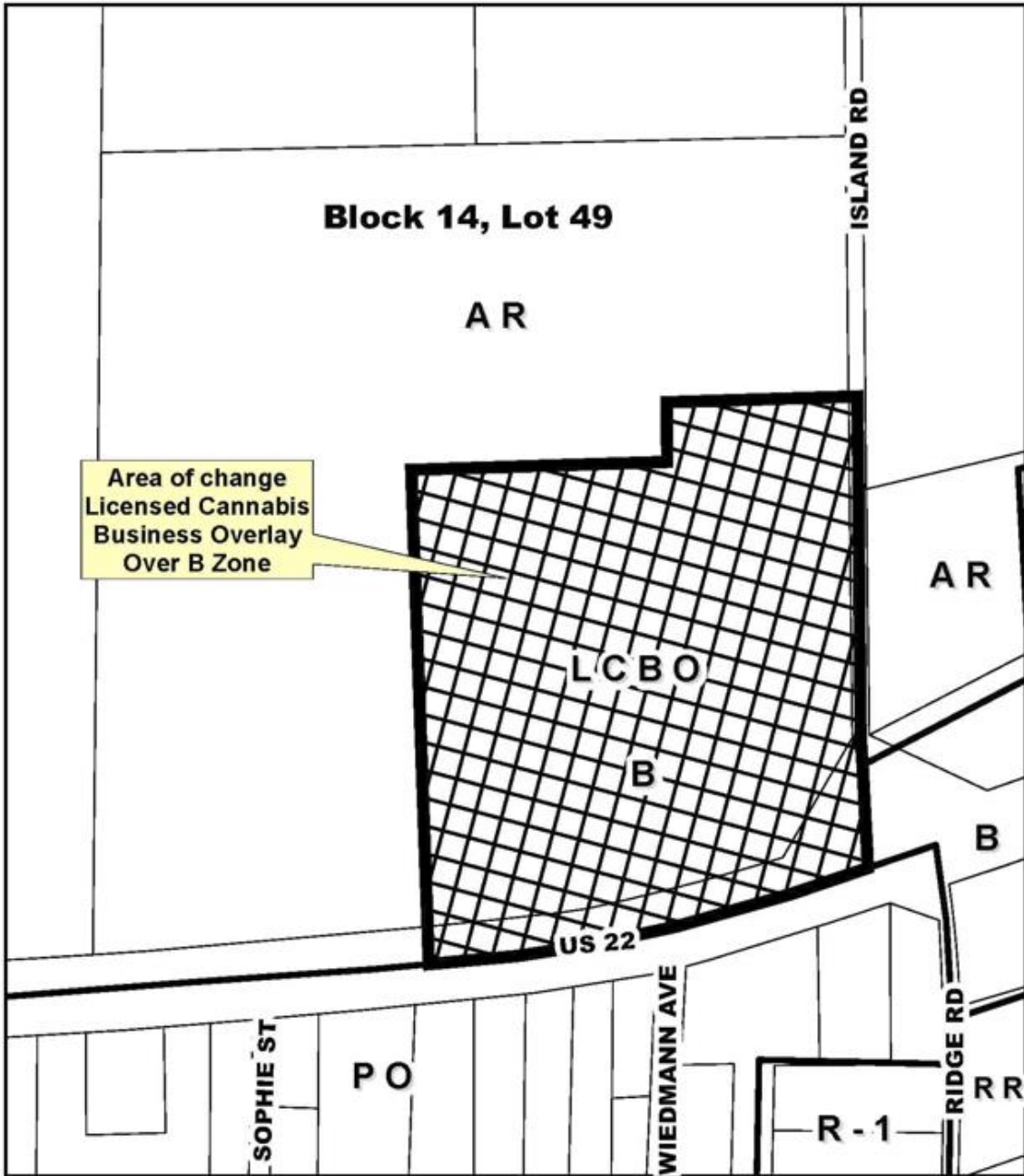
Ordinance #04-2022 cont'd:

SECTION VI. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION VII. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.



SECTION VIII. If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION IX. This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.



Area of change
 Licensed Cannabis
 Business Overlay
 Over B Zone

Legend

-  Existing Zone Boundaries
-  Area of Proposed Overlay

Parcel Source: Tax Parcels for Readington Township August 2021 / Clarke Caton Hintz
 Zoning Source: Zoning Map for Readington Township / Clarke Caton Hintz / December 2021



Proposed Zoning Map Change Licensed Cannabis Business Overlay

Readington Township, Hunterdon County, NJ January 7, 2022

Clarke Caton Hintz 
 Architecture
 Planning
 Landscape Architecture

A **MOTION** was made by Mr. Heller to introduce this ordinance as amended, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mrs. Fort - Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mayor Huelsebusch - Aye

The Public Hearing was scheduled for February 7, 2022, at 7:45 p.m.

5. Resolution to Amend 6 Owl Court Contract for Sale of An Affordable Housing Unit

This matter was addressed under the Executive Session.

6. Resolution of the Township Committee of the Township of Readington, in the County of Hunterdon, New Jersey, Referring the Proposed Redevelopment Plan for Block 36, Lot 4, 5, 5.02, 5.04 65 and 66 to the Township of Readington Planning Board

The following resolution was offered for consideration:

#R-2022-35

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, REFERRING THE PROPOSED REDEVELOPMENT PLAN FOR BLOCK 36, LOTS 4, 5, 5.02, 5.04, 65 AND 66 TO THE TOWNSHIP OF READINGTON PLANNING BOARD

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), specifically N.J.S.A. 40A:12A-7, the governing body of a municipality may direct the municipality’s planning board to provide a recommendation and report in relation to adoption of a redevelopment plan, or an amendment thereto or revision thereof; and

WHEREAS, the Township Committee (the “**Township Committee**”) of the Township of Readington, in the County of Hunterdon, New Jersey (the “**Township**”), by Resolution No. R-2021-49, adopted on March 1, 2021, (i) designated Block 36, Lots 65 and 66 on the official Tax Maps of the Township as a condemnation area in need of redevelopment (the “**Condemnation Redevelopment Area**”); and (ii) designated Block 36, Lots 4, 5, 5.02 and 5.04 on the official Tax Maps of the Township as a non-condemnation area in need of redevelopment (the “**Non-Condemnation Redevelopment Area**” and, together with the Condemnation Redevelopment Area, the “**Redevelopment Area Properties**”) in accordance with Redevelopment Law; and

WHEREAS, the Township desires to adopt a redevelopment plan for the Redevelopment Area Properties; and

WHEREAS, Clarke Caton Hintz (Michael Sullivan, ASLA AICP and Emily Goldman, PP, AICP) has prepared a redevelopment plan for the Redevelopment Area Properties, entitled “Block 36 Redevelopment Plan”, dated January 13, 2022 (the “**Redevelopment Plan**”); and

WHEREAS, the Township Committee desires to authorize and direct the Township Planning Board (the “**Planning Board**”) to review the proposed Redevelopment Plan and issue a report concerning such Redevelopment Plan, such report to include an identification of any provision in the Redevelopment Plan which is inconsistent with the Township’s Master Plan and recommendations concerning such inconsistencies and any other matters as the Planning Board deems appropriate.

Resolution #2022-35 cont'd:

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, in the County of Hunterdon, New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The Planning Board is authorized and directed to review the Redevelopment Plan and to advise the Township Committee of its findings in connection therewith in accordance with N.J.S.A. 40A:12A-7(e).
3. The Township Clerk shall immediately forward a certified copy of this Resolution and the Redevelopment Plan to the Planning Board for review.
4. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Albanese to adopt this resolution, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

7. Request for Financial Support for Clean Communities - letter dated December 16, 2021 from Raritan Headwaters

A **MOTION** was made by Mr. Heller to contribute \$1,000 toward Clean Communities, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

8. * Resolution Authorizing a Service Charge on Returned Checks for Insufficient Funds

This matter was addressed under the Consent Agenda.

9. 2022 Sewer Rate - memo dated January 3, 2022, from Kris Boxwell, Tax Collector

Deputy Mayor Heller inquired if the sewer rate for 2022 would remain the same.

A **MOTION** was made by Mr. Heller to approve the 2022 sewer rate at an annual rate of \$460 per unit, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mrs. Fort	- Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

10. ***Discharge of Mortgage / Block 21.04, Lot 507.01 (709 Well Sweep Road)***

Attorney Dragan provided a brief explanation of the discharge of mortgage process.

A ***MOTION*** was made by Mr. Heller to approve the discharge of mortgage on the property, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mrs. Fort - Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mayor Huelsebusch - Aye

11. * ***Resolution Authorizing Morris County Cooperative Purchase (Gasoline and Diesel Fuel)***

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Sheola requested that the Committee consider approving an additional \$1,500 for Finelli Consulting Engineers to complete the application for the subdivision on James Street.

A ***MOTION*** was made by Mrs. Fort to approval the additional cost of \$1,500 for Finelli Consulting Engineers, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mrs. Fort - Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mayor Huelsebusch - Aye

Administrator Sheola spoke to the retirement of Alex HooFatt from the Police Department and wished him well on his future endeavors.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER'S REPORT

Engineer O'Brien reported that he recently attended a Department of Transportation (DOT) meeting regarding median openings on Route 22. Engineer O'Brien also reported that 2022 road improvement discussions are in the works. Engineer O'Brien further reported that he will be receiving a report from CSL Services regarding the temporary meters installed in the Readington Lebanon Sewer Authority system.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese stated that he had nothing further to report.

BETTY ANN FORT

Mrs. Fort reported that the Historic Preservation Commission requested funding for \$2,000 for historic district signage and the museums has hired a historic preservation person to assess repairs needed to the museums.

JONATHAN HELLER

Mr. Heller stated that he had nothing further to report.

JUERGEN HUELSEBUSCH

Mayor Huelsebusch reported on safety improvements at the intersection of County Road 523 and Pleasant Run Road. Mayor Huelsebusch continued that there will be an update to the Farmland Preservation Plan that will be reviewed by the Planning Board in February.

ADAM MUELLER

Mr. Mueller commended the Department of Public Works for clearing the roads during the recent snow.

COMMENTS FROM THE PUBLIC

Jerry Cook, Railroad Avenue, inquired about the Township rabies clinic and asked if there was any update on the letter sent to NJ Transit regarding his request for a quiet zone.

Neil Hendrickson, Glenmont Road, spoke to brine and salt treatment on roads and the Township Adopt a Road program.

Kathleen Schumer, Van Cleef Drive, spoke to the stormwater runoff issues that they are continuing to experience at the Regency at Readington development and asked for assistance from the Committee to resolve this matter between The Farm and Toll Brothers.

George Hespe, Van Cleef Drive, reiterated the concerns of Ms. Schumer to address the stormwater runoff issues at The Farm and Regency at Readington properties.

Todd Terricone, Lamington Road, commented on the Ryland Inn and Ryland Developers projects.

Andrew Roth, County Route 523, commented on the proposed cannabis ordinances and the Verano facility.

George Hespe, 68 Van Cleef Drive, inquired if Verano would be selling cannabis at retail.

Andrew Roth, County Route 523, spoke about current events of 5G regarding radio frequency.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, ***A MOTION*** was made by Mr. Heller at 9:40 p.m. to adjourn the meeting, seconded by Mr. Mueller with vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M Parker, *RMC*
Municipal Clerk