

MAY 18, 2023 REGULAR MEETING OF MAYOR AND COUNCIL

READING OF PUBLIC MEETINGS LAW ARTICLE

Mayor Signorello read the following statement into the record:

“This meeting is called to order pursuant to the provisions of the New Jersey Open Public Meetings Act. Notice of this meeting was included in the Annual Notice of meetings published in the Union County Local Source and the Newark Star-Ledger on January 12, 2023. Said notice was posted on the bulletin board reserved for public notices in the Municipal Building and has remained continuously posted as required by Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C. 127.

Fire exits are located in the directions I am indicating. If you are alerted for a fire, please move in a calm, orderly manner to the nearest smoke-free exit.

Proper notice having been given; the Municipal Clerk is directed to include this statement in the minutes of this meeting.”

ROLL CALL

The following is an accounting of the Mayor and Council’s attendance upon roll call called by Borough Clerk/Administrator Casais:

Attendee Name	Organization	Title	Status	Arrived
Joseph Petrosky	Borough of Roselle Park	Councilman	P	7:00 PM
Gregory Johnson	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Signorello, Jr.	Borough of Roselle Park	Councilman	P	7:00 PM
Jay Robaina	Borough of Roselle Park	Councilman	P	7:00 PM
Rosanna Lyons	Borough of Roselle Park	Councilwoman	P	7:00 PM
Khanjan S. Patel	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:00 PM

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

Borough Clerk/Administrator Casais read a short prayer, followed by the Pledge of Allegiance.

COMMUNICATIONS

NONE

PROCLAMATIONS & PRESENTATIONS

1. Certificates of Recognition: 2023 RPHS Musical Cast, Crew and Staff

Mayor Signorello invited Councilman Signorello and RPHS Musical Director Doug Panetta to the dais. Councilman Signorello said he wanted to recognize the young men and women in the

room for what they do in the theater and to keep up the good work. Mr. Panetta said he is very proud of the kids and it's always an honor to be recognized by Mayor and Council.

APPROVAL OF MINUTES, PENDING ANY CORRECTIONS

NONE

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

Councilman Signorello moved that bills and payrolls be not read and passed for payment; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

PUBLIC PORTION

Councilman Signorello moved at 7:12 p.m. to open the public comment portion of the meeting on agenda items only; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Ed Rackler, 2 Linden Lane, Springfield, New Jersey

Commended Mayor and Council for passing this bold Ordinance and feels like they are leading the way compared to other municipalities.

He said unfortunately, it is very restrictive; especially the 4,000 feet from another cannabis establishment and the actual square footage. He noted there is very minimal to realistically no property.

Mayor Signorello invited Morgan Astorino to the dais. He said a D Variance would potentially be needed and every application would have to go to the Land Use Board due to conditional use. He said the Land Use Board can give relief in that area.

Mayor Signorello said we are a square mile town and we've had issues in the past with the same type of business being next to one another and we are trying to avoid this from happening.

Morgan Astorino said she is here on behalf of CME.

Mariann Brenner, 141 Charlotte Terrace

Said we are going to be surrounded by these in other towns, why do we need one, aside from the cumulative tax.

Noted we are a small town. Asked if we are ready for the problems that could possibly come with this; such as public safety and the town providing additional help. Public health-wise, she made note of the abundance of marijuana smoke that we are all inhaling now if we want to or not.

Asked if the dispensary is going to be opened seven days a week to purchase.

She said she is against this and said there is zero evidence that cannabis does not lead to other narcotics, but there is evidence that it does impede cognitive function.

Noted marijuana is still illegal on the State level. Just because the State says we can and other States say we can, doesn't mean that Roselle Park should have more than what we need.

Jennifer Makar, 217 Locust Street

Made note of all the public health issues associated with the use of cannabis, and read an article on these issues and other issues.

Joe DeIorio, 824 Larch Street

He asked if there would be five permitted cannabis businesses under this Ordinance; with two in the Industrial, two in the B3 and one in the B2. By making it a permitted use, does this remove the notification requirement, and asked if there was a map available.

Ms. Astorino said she had copies of the map to hand out if anyone would like one. They have buffers for childcare centers, schools, churches and parks.

Mr. DeIorio asked if the buffers for childcare centers, schools and churches is 250 feet.

Ms. Astorino said it's 500 feet for childcare centers, churches and parks; and 1,000 feet for schools.

Mr. DeIorio said some of the zones you have are right up against residential R-1 zones. The concern is then are you really giving the opportunity to then have this type of business up against a single-family residential zone, where you might not want something like that to occur. He asked would it be better to create a zone for this.

Borough Clerk Casais pointed out there are different set back requirements for medical strictly versus recreational. So, the 250 feet would be applicable to medical, not recreational.

Constance Quintela, 432 Walnut Street

Asked about the 1,000 feet from schools. Please consider the families and kids in the district.

She said we are a small town and possibly opening up three marijuana dispensaries for recreational use may be good for some, but for her and other families in the district this is not good. She thinks this will actually turn some people away from living in Roselle Park. She said please reconsider this and keep our town for families; safe and diverse for all our kids.

She said she is also concerned with kids using fake I.D. to purchase marijuana, and then giving it to younger kids.

Mayor Signorello noted by State law, there needs to be an I.D. scanner there; so, the fake I.D. issue should hopefully be mitigated. He said the only area that is zoned that would potentially be really close to a school is the ROB District. By nature of how we set this up, he said he feels it highly unlikely that you would see any applicants there.

Lucy Figueiredo, 330 Sheridan Avenue

She said she went to her doctor because she cannot sleep, and he suggested she go to one; so, she went to the one on Rt. 22. She said the Mayor was absolutely right; when you go in, you have to give them your identification. She noted once there, she was overwhelmed with all the information they gave her, and she left because she was so confused. She said four dispensaries is a bit much, but noted the security is very strict.

There being no one else wishing to speak, Councilman Signorello moved at 7:42 p.m. to close the public comment portion of the meeting on agenda items only; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

REPORTS OF DEPARTMENTS

Finance Department: Kenneth P. Blum, Jr., Chief Financial Officer

Friendly reminder that sewer bills will be mailed out next week and are due July 1st.

Noted second quarter tax bills are now late and delinquent notices will be going out the end of this week.

Administration/Borough Clerk: Andrew J. Casais, Business Administrator

Noted there are a lot of areas around town that are undergoing or have ongoing utility work. Right now, the East Side of town is a hot spot. The West Side of town, which has been under construction for the good part of the last three years, the utility companies through a partnership with the Borough will be doing roadway milling and paving starting next week on Thursday. He said that includes the entire balance of West Colfax Avenue from Laurel Avenue to Chestnut Street; there will also be a portion of West Roselle Avenue from Pine Street to Filbert Street; Elm Street from Sumner Avenue to Colfax Avenue; Filbert Street from Sumner Avenue to Colfax Avenue; all of Butler Avenue and a portion of Meadow Street will be milled and paved curb to curb. He said he is still waiting on the final schedule and will put that out as soon as he gets it. Milling will start on Thursday; it will be followed by milling on Friday, weather permitting. Operations will stop for the holiday weekend and then start on Tuesday. He said the Borough has made it clear that everything has to be off the street, and we have offered them space at the Department of Public Works to make sure that everything is off of the street for the holiday weekend.

Scheduled Verbal Reports:

None (Scheduled for June 1, 2023)

Written Reports Received:

1. Police Chief's Report for April 2023
2. Court Administrator's Report for April 2023
3. Treasurer's Report for April 2023
4. Animal Control Officer's Report for April 2023
5. Fire Chief's Report for April 2023

Councilman Signorello moved to approve the following written Reports of Departments; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

ORDINANCES

SECOND READING AND PUBLIC HEARING

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2724

AN ORDINANCE AMENDING CHAPTER 7 ENTITLED "TRAFFIC," AND ESTABLISHING SECTION 45 TO BE ENTITLED "VEHICULAR REPAIRS ON PUBLIC STREETS"

Councilman Signorello moved to open the public hearing on Ordinance No. 2724; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2724; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2724 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

Councilman Patel asked if the changes from the introduction could be highlighted.

Borough Clerk Casais said the Governing Body established a delineation between heavy repairs and light repairs. What that basically did was consider heavy repairs to be anything that was being worked on the vehicle for a time that is greater than one hour, and light repairs would be a time less than one hour. The Borough will only allow light repairs for up to one hour on any public street. He said we also amended the failure to comply portion and penalty portion. So instead of it being a hardline \$500 per offense, it is up to \$250 for the first offense, and for second and subsequent offense, it would be \$500 or a period of community service.

<input type="checkbox"/> Vote Record – Ordinance No. 2724					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2726

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND ESTABLISH A CAP BANK FOR CALENDAR YEAR 2023 PURSUANT
TO N.J.S.A. 40A:4-45.14

Councilman Signorello moved to open the public hearing on Ordinance No. 2726; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2726; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2726 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2726					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Patel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Borough Clerk Cassis read the following Ordinance by title:

ORDINANCE NO. 2727

AN ORDINANCE AMENDING CHAPTER 10, SECTION 4, SUBSECTION 4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “RECREATION FEES ENUMERATED” TO ESTABLISH A FEE SCHEDULE FOR GRADES K-8 RECREATION FLAG FOOTBALL

Councilman Signorello moved to open the public hearing on Ordinance No. 2727; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2727; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2727 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2727					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Patel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2728

A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF ROSELLE PARK, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,196,000 THEREFOR, INCLUDING VARIOUS GRANTS IN THE AGGREGATE AMOUNT OF \$750,990 EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF \$1,320,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Councilman Signorello moved to open the public hearing on Ordinance No. 2728; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2728; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2728 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2728		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2729

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE BOROUGH OF ROSELLE PARK SO AS TO PERMIT CERTAIN CANNABIS BUSINESSES AS A CONDITIONAL USE WITHIN THE B-2 CENTRAL BUSINESS, B-3 ARTERIAL BUSINESS, AND I INDUSTRIAL ZONE DISTRICTS, AND ESTABLISHING A NEW CHAPTER 30 OF THE CODE OF THE BOROUGH OF ROSELLE PARK IMPLEMENTING A CANNABIS TRANSFER AND USER TAX WITHIN THE BOROUGH OF ROSELLE PARK

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

WHEREAS, on February 22, 2021, Governor Philip D. Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (hereinafter, the “Act”), which legalized the recreational use of marijuana by adults 21 years of age or older, and established 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 persons or entities involved in the growing, cultivating or production of cannabis;
- Class 2: Cannabis Manufacturer license, for persons or entities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3: Cannabis Wholesaler license, for persons or entities involved in obtaining and selling cannabis items for later resale by other applicable licensees;

Class 4: Cannabis Distributer license, for persons or entities 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 persons or entities that sell cannabis items and related supplies to consumers; and

Class 6: Cannabis Delivery license, for persons or entities 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 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within one-hundred eighty (180) days of the effective date of the Act (i.e., by August 22, 2021); and,

WHEREAS, the Mayor and Borough Council of the Borough of Roselle Park (hereinafter, the “Borough”) determined that, due to uncertainties regarding the potential future impacts that allowing one or more classes of recreational cannabis business might have on New Jersey municipalities in general, and on the Borough in particular, it was necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough’s residents and members of the public who visit, travel, or conduct business in the Borough to amend the Borough’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of Borough with specific exception of medical use regulations; and,

WHEREAS, Ordinance No. 2660 was adopted by the Borough on July 15, 2021 amending the Revised General Ordinances of the Borough of Roselle Park, 2007 (hereinafter, the “Ordinance”) to prohibit all manner of cannabis-related land use and development within the geographic boundaries of Borough with specific exception of medical use regulations; and,

WHEREAS, under the Act, every municipality has the option to authorize and regulate, in a manner consistent with the Act’s regulation of cannabis businesses, the number of licensed businesses, as well as their location, manner, and times of operation within its jurisdiction; however, the time of operation of delivery services would be subject only to regulation by the commission; and,

WHEREAS, the Act also permits any municipality to adopt an ordinance that authorizes a local transfer tax imposed on sales that occur within the municipality between a cannabis business that holds a cultivator, manufacturer, wholesaler, or retail cannabis license and another such licensed cannabis business; between cannabis retailers and customers; or any combination thereof at a rate not to exceed two percent (2.00%) of the receipts from each sale by a cannabis cultivator; two percent (2.00%) of the receipts from each sale by a cannabis manufacturer; one percent (1.00%) of the receipts from each sale by a cannabis wholesaler; and two percent (2.00%) of the receipts from each sale by a cannabis retailer and an equivalent user tax on non-sale transactions between cannabis businesses operated by the same license holder; and,

WHEREAS, the Borough has had sufficient time to carefully review all aspects of the Act and its impacts and wishes to amend the Ordinance to permit certain cannabis businesses that can promote the health, safety, and general welfare of the community; and,

WHEREAS, the Borough wishes to amend the Ordinance to authorize a local transfer and user tax as permitted by the Act; and,

WHEREAS, the Borough desires to simultaneously amend existing Ordinance regulations regarding Medical Cannabis Dispensaries.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that the Code of the Borough of Roselle Park be and hereby is amended and supplemented with insertions noted by **bold text** and deletions noted by ~~strikethrough text~~ as follows:

SECTION 1. Amendments to Chapter 40, Land Use

Part II: Land Subdivision and Site Plan Review

Article VI: Definitions

§ 40-601 TERMS DEFINED.

The following words, terms or phrases, when used in Chapter 40, Land Use, shall have the meanings ascribed in this section:

[...]

BULK NONCONFORMING

Shall mean that part of a building or non-building use which does not conform to one (1) or more of the applicable bulk regulations prescribing the minimum floor area, maximum height of a building or non-building use, or the minimum lot area per dwelling unit, lot frontage, yards, courts, required spacing between the detached buildings on the same lot and usable open space on the lot for the district in which such building or non-building use is located, among other applicable regulations.

CANNABIS

All parts of the plant Cannabis sativa L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L.2021, c.16 (C.24:6I-31 et al.) for use in cannabis products, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

CANNABIS BUSINESS

Any person or entity that holds any of the six Classes of licenses established under P.L. 2021, c. 16, the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS CULTIVATOR

Any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells and may transport this cannabis to other cannabis cultivators or useable cannabis to cannabis manufacturers, cannabis wholesalers or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 Cannabis Cultivators license.

CANNABIS DELIVERY SERVICE

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributors license.

CANNABIS ESTABLISHMENT

A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to the other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturers license.

CANNABIS RETAILER

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers and sells these to the consumers from a retail store and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 Cannabis Retail license.

CANNABIS TESTING FACILITY

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

Any licensed person or entity that purchases or otherwise obtains, stores, sells, or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license.

[...]

DWELLING UNIT

Shall mean any room or group of rooms located within a dwelling forming a single habitable unit, which includes facilities for living, sleeping, cooking, eating, bathing and toilet purposes.

EXPANDED ALTERNATIVE TREATMENT CENTER (ATC)

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 under P.L. 2021, c. 16, the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”, in addition to its ATC operations.

[...]

MEDICAL CANNABIS DISPENSARY(IES)

Facility(ies) licensed by the State of New Jersey and the Borough of Roselle Park **pursuant to New Jersey's Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:61-1, et seq. (“Honig Act”)** to dispense medical cannabis in any form approved by the state and related supplies to qualified patients who 1) possess prescriptions issued by a licensed physician; and who 2) are registered with the State of New Jersey. **For the purposes of this definition. “alternative treatment centers” are also included within the definition of “medical cannabis dispensary.”**

[...]

Article XVI: Establishment of Districts and Map; General Regulations

[...]

§ 40-1603 REGULATIONS OF GENERAL APPLICATIONS.

Except as may be otherwise provided in Part 3, Zoning, of this chapter:

M. All classes of Cannabis Businesses as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough, are prohibited in the R-1, R-2, R-3, R-4, B-1, SCH and PD Zoning Districts.

[...]

Article XXI: ROB Residence Office Building District

§ 40-2102 PERMITTED USES.

[...]

B. Conditional Uses. A building or premises shall be used in the zone only if it meets the following conditions:

1. Cannabis Retailer (Class 5).

a. Conditional Use Standards.

- (1) Cannabis Businesses Establishments in the ROB Residence Office Business Zone District (Cannabis Business Establishments”)** are limited to persons or entities holding a **Class 5 Cannabis Retail license (“licensee”)** issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey, and/or its successors (the “CRC”).
- (2) There shall be no more than a total of one (1) Cannabis Business Establishment within the ROB Zone.**
- (3) Cannabis Business Establishments shall meet all requirements for licensure and hold an appropriate Class 5 retail license issued by the CRC.**
- (4) There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.**

b. General Standards for Cannabis Businesses.

- (1) No Cannabis Business Establishment will be allowed without approval of a site plan, upon public notice, submitted to the Municipal Land Use Board of the Borough of Roselle Park, who in their review and in the exercise of their discretion shall consider the site, its neighborhood, the health, safety and general welfare of the Borough and the properties adjacent to or affected by the proposed use. Such a site plan shall include no less than:**
 - (a) A parking and traffic plan;**
 - (b) A Traffic Impact Statement;**
 - (c) A lighting plan;**
 - (d) Any other detail that the Municipal Land Use Board requires to determine site plan approval.**
- (2) Cannabis Businesses Establishments owned and operated by separate licensees shall be separated by 4,000 feet within the Borough.**
- (3) A Cannabis Business Establishment shall not be located within 1,000 feet of any school and 500 feet of the property line of any existing church, childcare center, or any existing public park.**
- (4) Minimum gross floor area (GFA) shall be 2,500 square feet.**
- (5) Minimum off-street parking requirements shall be one space per 250 square feet of GFA or 35 spaces, whichever is greater.**
- (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.**

- (7) **The Cannabis Business Establishment shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.**
- (8) **Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.**

c. Design Standards for Cannabis Businesses.

- (1) **The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.**
- (2) **All Cannabis Business Establishment operations shall be conducted within a building. No operations shall be conducted outside a secure facility.**
- (3) **Each Cannabis Business Establishment shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:**
 - (a) **Type of security systems to be installed.**
 - (b) **Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.**
 - (c) **A system for record keeping and tracking of all cannabis and cannabis related products and materials.**
 - (d) **Type of lighting provided in and around the establishment.**
 - (e) **Details of any on-site security team or personnel or armed guard(s) on the premises.**
- (4) **No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.**

§ 40-2103 PROHIBITED USES.

[...]

G. ~~All classes of Class 1, Class 2, Class 3, Class 4 and Class 6 cannabis establishments or cannabis distributors or cannabis delivery services~~ **Cannabis Businesses** as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

[...]

Article XXIII: B-2 Central Business District

§ 40-2302 PERMITTED USES.

[...]

C. Conditional Uses. A building or premises shall be used in the zone only if it meets the following conditions:

[...]

2. Cannabis Retailer (Class 5).

a. Conditional Use Standards.

- (1) Cannabis Businesses Establishments in the B-2 Central Business Zone District (Cannabis Business Establishments)** are limited to persons or entities holding a **Class 5 Cannabis Retail license (“licensee”)** issued by the **Cannabis Regulatory Commission, Department of Treasury, State of New Jersey, and/or its successors (the “CRC”).**
- (2) There shall be no more than a total of one (1) Cannabis Business Establishments within the B-2 Central Business Zone.**
- (3) Cannabis Business Establishments shall meet all requirements for licensure and hold an appropriate Class 5 retail license issued by the CRC.**
- (4) There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.**

b. General Standards for Cannabis Businesses.

- (1) No Cannabis Business Establishment will be allowed without approval of a site plan, upon public notice, submitted to the Municipal Land Use Board of the Borough of Roselle Park, who in their review and in the exercise of their discretion shall consider the site, its neighborhood, the health, safety and general welfare of the Borough and the properties adjacent to or affected by the proposed use. Such a site plan shall include no less than:**
 - (a) A parking and traffic plan;**
 - (b) A Traffic Impact Statement;**

(c) A lighting plan;

(d) Any other detail that the Municipal Land Use Board requires to determine site plan approval.

- (2) Cannabis Businesses Establishments owned and operated by separate licensees shall be separated by 4,000 feet within the Borough.
- (3) A Cannabis Business Establishment shall not be located within 1,000 feet of any school and 500 feet of the property line of any existing church, childcare center, or any existing public park.
- (4) Minimum gross floor area (GFA) shall be 2,500 square feet.
- (5) Minimum off-street parking requirements shall be one space per 250 square feet of GFA or 35 spaces, whichever is greater.
- (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.
- (7) The Cannabis Business Establishment shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.
- (8) Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.

c. Design Standards for Cannabis Businesses

- (1) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.
- (2) All Cannabis Business Establishment operations shall be conducted within a building. No operations shall be conducted outside a secure facility.
- (3) Each Cannabis Business Establishment shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:
 - (a) Type of security systems to be installed.

- (b) **Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.**
 - (c) **A system for record keeping and tracking of all cannabis and cannabis related products and materials.**
 - (d) **Type of lighting provided in and around the establishment.**
 - (e) **Details of any on-site security team or personnel or armed guard(s) on the premises.**
- (4) No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.**

§ 40-2303 PROHIBITED USES.

[...]

- C. ~~All classes of Class 1, Class 2, Class 3, Class 4 and Class 6 cannabis establishments or cannabis distributors or cannabis delivery services~~ **Cannabis Businesses** as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

[...]

Article XXIV: B-3 Arterial Business District

§ 40-2402 PERMITTED USES.

[...]

- F. **Conditional Uses.** A building or premises shall be used in the zone only if it meets the following conditions:

[...]

2. **Medical eCannabis dDispensary, as defined in § 40-601.**

- a. ~~**Conditional Use Standards for Medical Cannabis Dispensaries.** To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a medical cannabis dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D et seq.); and~~

(1) One (1) Medical Cannabis Dispensary or Expanded ATC shall be allowed within the B-3 Arterial Business District.

(2) There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.

- (3) No doctors' and/or physicians' offices shall be located on the same site as any state-licensed medical cannabis dispensary, and no recommendations from a doctor and/or physician for medical cannabis shall be issued onsite at any state-licensed medical cannabis dispensary within the Borough of Roselle Park.
- b. **General Standards for Medical Cannabis Dispensaries.** ~~One medical cannabis dispensary shall be allowed per zone district where the use is permitted; and~~
- (1) To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a Medical Cannabis Dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D et seq.).
 - (2) A Medical Cannabis Dispensary shall only be located on the ground floor (i.e. street-level) of any building in which it has been approved to be located.
 - (3) A Medical Cannabis Dispensary shall not be located within 250 feet of the property line of any existing church, school, childcare center, or any existing public park.
 - (4) Minimum gross floor area (GFA) shall be 2,500 square feet.
 - (5) Minimum parking requirements shall be one space per 250 square feet of GFA.
 - (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.
 - (7) The Medical Cannabis Dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.
 - (8) Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.
- c. **Design Standards for Medical Cannabis Dispensaries.** ~~A medical cannabis dispensary shall only be located on the ground floor (i.e. street level) of any building in which it has been approved to be located; and~~
- (1) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.
 - (2) Each Cannabis Business Establishment shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of

a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:

- (a) Type of security systems to be installed.
- (b) Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.
- (c) A system for record keeping and tracking of all cannabis and cannabis related products and materials.
- (d) Type of lighting provided in and around the establishment.
- (e) Details of any on-site security team or personnel or armed guard(s) on the premises.

(3) No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.

- ~~d. Minimum gross floor area of 2,500 square feet; and~~
- ~~e. Minimum parking requirements shall be one space per 250 square feet of gross floor area (GFA); and~~
- ~~f. A medical cannabis dispensary shall not be located within Drug Free School Safety Zones; and~~
- ~~g. A medical cannabis dispensary shall not be located within 250 feet of the property line of any existing church, parochial school, childcare center, or any existing public park; and~~
- ~~h. There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption of food, alcohol, tobacco, or marijuana by patrons; and~~
- ~~i. Hours of public operation shall be limited to 9:00 a.m. through 8:00 p.m., Monday through Sunday; and~~
- ~~j. The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department; and~~
- ~~k. No doctors' and/or physicians' offices shall be located on the same site as any state-licensed medical cannabis dispensary, and no recommendations from a doctor and/or~~

~~physician for medical cannabis shall be issued on site at any state licensed medical cannabis dispensary within the Borough of Roselle Park; and~~

~~l. Security. All facilities associated with dispensing cannabis shall be secured and shall have full time security protocols. Security protocols shall be submitted to the Roselle Park Police Department for compliance review with all safety and security standards established by the State of New Jersey for medical cannabis dispensaries. The Roselle Park Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures above and beyond the following requirements:~~

~~(1) A director of security shall be appointed by the facility owner and identified as such to the Roselle Park Chief of Police (or designee); and~~

~~(2) To the extent not already required by the entity's state license, all licensed facilities must provide a minimum of at least one armed security guard (or more if required by the State of New Jersey) during all times the facility is open to the public. At a minimum, the security guard shall be a state certified security officer whose certification is in good standing; and~~

~~(3) To the extent not already required by the entity's state license, all sites must be equipped with 24/7 closed circuit security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the storage or processing of marijuana products. Footage must be maintained for the duration required under state law but no less than 30 days; and~~

~~(4) All licensed facilities must provide the Roselle Park Police Department with access to security footage as soon as reasonably possible upon request by the Department; and~~

~~(5) Exterior lighting plans shall be reviewed and approved by the Borough Engineer in consultation the Roselle Park Police Department and submitted with site plan application; and~~

~~(6) Reception area shall use bulletproof glass and hardened doors separating reception area from patient area; and~~

~~(7) Panic buttons shall be installed and linked to the Roselle Park Police Department.~~

~~m. The medical cannabis dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application; and~~

~~n. Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.~~

3. Lessors of Miniwarehouses and Self-Storage Units-NAICS Group 531130.

- a. A minimum lot area of 20,000 square feet.
 - b. The use is 500 linear feet from the same use.
4. Cannabis Businesses, Expanded ATC facilities.
- a. **Conditional Use Standards for Cannabis Businesses and Expanded ATC facilities.**
 - (1) **Cannabis Businesses in the B-3 Arterial Business District (Cannabis Business Establishments”)** are limited to persons or entities holding a Class 1, Class 2, Class 3, Class 4 and Class 5 licenses (“licensee”) established under P.L. 2021, c. 16 as issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey, and/or its successors (the “CRC”), or Expanded ATC facilities as defined in § 40-601.
 - (2) **There shall be no more than a total of two (2) Cannabis Business Establishments and/or Expanded ATC facilities within the B-3 Zone.**
 - (3) **Cannabis Business Establishments and/or Expanded ATC facilities shall meet all requirements for licensure and hold an appropriate license issued by the CRC.**
 - (4) **There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.**
 - b. **General Standards for Cannabis Businesses and Expanded ATC facilities.**
 - (1) **No Cannabis Business Establishment and/or Expanded ATC facilities will be allowed without approval of a site plan, upon public notice, submitted to the Municipal Land Use Board of the Borough of Roselle Park, who in their review and in the exercise of their discretion shall consider the site, its neighborhood, the health, safety and general welfare of the Borough and the properties adjacent to or affected by the proposed use. Such a site plan shall include no less than:**
 - (a) **A parking and traffic plan;**
 - (b) **A Traffic Impact Statement;**
 - (c) **A lighting plan;**
 - (d) **Any other detail that the Municipal Land Use Board requires to determine site plan approval.**
 - (2) **Cannabis Businesses Establishments and/or Expanded ATC facilities owned and operated by separate licensees shall be separated by 4,000 feet within the Borough.**

- (3) A Cannabis Business Establishment and/or Expanded ATC facilities shall not be located within 1,000 feet of any school and 500 feet of the property line of any existing church, childcare center, or any existing public park.
 - (4) Minimum gross floor area (GFA) shall be 2,500 square feet.
 - (5) Minimum off-street parking requirements shall be one space per 250 square feet of GFA or 35 spaces, whichever is greater.
 - (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.
 - (7) The Cannabis Business Establishment and/or Expanded ATC facilities shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.
 - (8) Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.
- c. Design Standards for Cannabis Business Establishments and Expanded ATC facilities.
- (1) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.
 - (2) All Cannabis Business Establishment and/or Expanded ATC facility operations shall be conducted within a building. No operations shall be conducted outside a secure facility.
 - (3) Each Cannabis Business Establishment and/or Expanded ATC facility shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:
 - (a) Type of security systems to be installed.
 - (b) Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.

- (c) **A system for record keeping and tracking of all cannabis and cannabis related products and materials.**
 - (d) **Type of lighting provided in and around the establishment.**
 - (e) **Details of any on-site security team or personnel or armed guard(s) on the premises.**
- (4) No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.**

§ 40-2403 PROHIBITED USES.

Such uses stated in § 40-2103 are prohibited.

- A. ~~All classes of cannabis establishments or cannabis distributors or~~ **Class 6** cannabis delivery services as said ~~terms are~~ **term is** defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

[...]

Article XXV: I Industrial District

§ 40-2502 PERMITTED USES.

- A. A building or premises may be used for any industrial purpose, except the following:

[...]

- 69. Class 5 Cannabis Retailer and Class 6 cannabis delivery services as defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.**

- B. Conditional uses. A building or premises shall be used in the zone only if it meets the following conditions:

[...]

- 2. **Medical eCannabis dDispensary, as defined in § 40-601.**
 - a. **Conditional Use Standards for Medical Cannabis Dispensaries.** ~~To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a medical cannabis dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D et seq.); and~~

- (1) One (1) Medical Cannabis Dispensary or Expanded ATC shall be allowed within the I Industrial District.**

- (2) **There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.**
 - (3) **No doctors' and/or physicians' offices shall be located on the same site as any state-licensed Medical Cannabis Dispensary, and no recommendations from a doctor and/or physician for medical cannabis shall be issued onsite at any state-licensed medical cannabis dispensary within the Borough of Roselle Park.**
- b. **General Standards for Medical Cannabis Dispensaries.** ~~One medical cannabis dispensary shall be allowed per zone district where the use is permitted; and~~
- (1) **To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a Medical Cannabis Dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D et seq.).**
 - (2) **A Medical Cannabis Dispensary shall only be located on the ground floor (i.e. street-level) of any building in which it has been approved to be located.**
 - (3) **A Medical Cannabis Dispensary shall not be located within 250 feet of the property line of any existing church, school, childcare center, or any existing public park.**
 - (4) **Minimum gross floor area (GFA) shall be 2,500 square feet.**
 - (5) **Minimum parking requirements shall be one space per 250 square feet of GFA.**
 - (6) **Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.**
 - (7) **The Medical Cannabis Dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.**
 - (8) **Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.**
- c. **Design Standards for Medical Cannabis Dispensaries.** ~~A medical cannabis dispensary shall only be located on the ground floor (i.e., street level) of any building in which it has been approved to be located; and~~
- (1) **The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.**

(2) Each Cannabis Business Establishment shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:

(a) Type of security systems to be installed.

(b) Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.

(c) A system for record keeping and tracking of all cannabis and cannabis related products and materials.

(d) Type of lighting provided in and around the establishment.

(e) Details of any on-site security team or personnel or armed guard(s) on the premises.

(3) No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.

d. General Standards for Cannabis Businesses and Expanded ATC facilities

~~d. Minimum gross floor area of 2,500 square feet; and~~

~~e. Minimum parking requirements shall be one space per 250 square feet of gross floor area (GFA); and~~

~~f. A medical cannabis dispensary shall not be located within Drug Free School Safety Zones; and~~

~~g. A medical cannabis dispensary shall not be located within 250 feet of the property line of any existing church, parochial school, childcare center, or any existing public park; and~~

~~h. There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption of food, alcohol, tobacco, or marijuana by patrons; and~~

~~i. Hours of public operation shall be limited to 9:00 a.m. through 8:00 p.m., Monday through Sunday; and~~

~~j. The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system~~

may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department; and

- ~~k. No doctors' and/or physicians' offices shall be located on the same site as any state-licensed medical cannabis dispensary, and no recommendations from a doctor and/or physician for medical cannabis shall be issued on site at any state-licensed medical cannabis dispensary within the Borough of Roselle Park; and~~
- ~~l. Security. All facilities associated with dispensing cannabis shall be secured and shall have full time security protocols. Security protocols shall be submitted to the Roselle Park Police Department for compliance review with all safety and security standards established by the State of New Jersey for medical cannabis dispensaries. The Roselle Park Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures above and beyond the following requirements:
 - ~~(1) A director of security shall be appointed by the facility owner and identified as such to the Roselle Park Chief of Police (or designee); and~~
 - ~~(2) To the extent not already required by the entity's state license, all licensed facilities must provide a minimum of at least one armed security guard (or more if required by the State of New Jersey) during all times the facility is open to the public. At a minimum, the security guard shall be a state-certified security officer whose certification is in good standing; and~~
 - ~~(3) To the extent not already required by the entity's state license, all sites must be equipped with 24/7 closed circuit security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the storage or processing of marijuana products. Footage must be maintained for the duration required under state law but no less than 30 days; and~~
 - ~~(4) All licensed facilities must provide the Roselle Park Police Department with access to security footage as soon as reasonably possible upon request by the Department; and~~
 - ~~(5) Exterior lighting plans shall be reviewed and approved by the Borough Engineer in consultation the Roselle Park Police Department and submitted with site plan application; and~~
 - ~~(6) Reception area shall use bulletproof glass and hardened doors separating reception area from patient area; and~~
 - ~~(7) Panic buttons shall be installed and linked to the Roselle Park Police Department.~~~~
- ~~m. The medical cannabis dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application; and~~

~~n. Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.~~

3. Cannabis Businesses, Expanded ATC facilities.

a. Conditional Use Standards for Cannabis Businesses and Expanded ATC facilities.

- (1) Cannabis Businesses in the I Industrial District (Cannabis Business Establishments”) are limited to persons or entities holding a Class 1, Class 2, Class 3, and Class 4 licenses (“licensee”) established under P.L. 2021, c. 16 as issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey, and/or its successors (the “CRC”), or Expanded ATC facilities as defined in § 40-601.**
- (2) There shall be no more than a total of two (2) Cannabis Business Establishments and/or Expanded ATC facilities within the I Zone.**
- (3) Cannabis Business Establishments and/or Expanded ATC facilities shall meet all requirements for licensure and hold an appropriate license issued by the CRC.**
- (4) There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.**

b. General Standards for Cannabis Businesses and Expanded ATC facilities.

- (1) No Cannabis Business Establishment and/or Expanded ATC facilities will be allowed without approval of a site plan, upon public notice, submitted to the Municipal Land Use Board of the Borough of Roselle Park, who in their review and in the exercise of their discretion shall consider the site, its neighborhood, the health, safety and general welfare of the Borough and the properties adjacent to or affected by the proposed use. Such a site plan shall include no less than:
 - (a) A parking and traffic plan;**
 - (b) A Traffic Impact Statement;**
 - (c) A lighting plan;**
 - (d) Any other detail that the Municipal Land Use Board requires to determine site plan approval.****
- (2) Cannabis Businesses Establishments and/or Expanded ATC facilities owned and operated by separate licensees shall be separated by 4,000 feet within the Borough.**

- (3) A Cannabis Business Establishment and/or Expanded ATC facilities shall not be located within 1,000 feet of any school and 500 feet of the property line of any existing church, childcare center, or any existing public park.
 - (4) Minimum gross floor area (GFA) shall be 2,500 square feet.
 - (5) Minimum off-street parking requirements shall be one space per 250 square feet of GFA or 35 spaces, whichever is greater.
 - (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.
 - (7) The Cannabis Business Establishment and/or Expanded ATC facilities shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.
 - (8) Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.
- c. **Design Standards for Cannabis Business Establishments and Expanded ATC facilities.**
- (1) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.
 - (2) All Cannabis Business Establishment and/or Expanded ATC facility operations shall be conducted within a building. No operations shall be conducted outside a secure facility.
 - (3) Each Cannabis Business Establishment and/or Expanded ATC facility shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:
 - (a) Type of security systems to be installed.
 - (b) Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.

- (c) **A system for record keeping and tracking of all cannabis and cannabis related products and materials.**
 - (d) **Type of lighting provided in and around the establishment.**
 - (e) **Details of any on-site security team or personnel or armed guard(s) on the premises.**
- (4) **No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.**

SECTION 2. Establishment of Chapter 30, Cannabis Transfer Tax and User Tax

Chapter 30: ~~(RESERVED)~~ Cannabis Transfer Tax and User Tax

§ 30-1 PURPOSE.

It is the purpose of this Chapter to implement the provisions of P.L. 2021, c. 16, which state that a municipality may adopt an ordinance imposing a tax at a uniform percentage on the sale of cannabis or cannabis items by a cannabis establishment that is located in the municipality at a rate not to exceed two percent (2.00%) of the receipts from each sale by a cannabis cultivator; two percent (2.00%) of the receipts from each sale by a cannabis manufacturer; one percent (1.00%) of the receipts from each sale by a cannabis wholesaler; and two percent (2.00%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment.

These taxes are applicable to persons or entities who are holders of any of the six (6) Classes of licenses established under P.L. 2021, c. 16, the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

§ 30-2 TAX ESTABLISHED.

- A. Transfer Tax. There is hereby established a local cannabis transfer tax in the Borough of Roselle Park, which shall be fixed at a uniform percentage rate of two percent (2.00%) of the receipts from each sale by a cannabis cultivator; two percent (2.00%) of the receipts from each sale by a cannabis manufacturer and one percent (1.00%) of the receipts from each sale by a cannabis wholesaler.**
- B. User Tax. In addition to the tax established in § 30-2.A., a user tax, at the equivalent transfer tax rates, is hereby established on any concurrent license holder, as permitted by section 33 of P.L.2021, c.16 (C.24:6I-46), 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 § 30-2.A, from the license holder’s establishment that is located in the Borough of Roselle Park to any of the other license holder’s establishments, whether located in this Borough or another municipality.**

- C. **Exemptions.** Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, shall be exempt from the tax imposed under the “Sales and Use Tax Act,” P.L.1966, c.30 (C.54:32B-1 et seq.).

§ 30-3 TAX IN ADDITION TO OTHER TAXES OR FEES.

The cannabis transfer tax and user tax imposed pursuant to this chapter shall be in addition to any other tax or fee imposed by law.

§ 30-4 COLLECTION.

- A. **Collection and Payment.** The transfer tax or user tax imposed by this chapter shall be collected or paid, and remitted to the Borough of Roselle Park by the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the Borough by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or 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.
- B. **Liability.** Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the Chief Financial Officer of Borough of Roselle Park shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.
- C. **Charges.** No cannabis establishment required to collect a transfer tax or user tax 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 the consumer.
- D. **Remittance.** All revenues collected from a transfer tax or user tax pursuant to this section shall be remitted to the Borough of Roselle Park Chief Financial Officer on a quarterly basis payable for the prior three month’s activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and

June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§ 30-5 PAYMENT; VENDOR VIOLATIONS AND PENALTIES.

- A. Collection and Administration. The Chief Financial Officer of the Borough of Roselle Park shall collect and administer any transfer tax or user tax imposed by this chapter.**
- B. Enforcement. The Borough of Roselle Park shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this chapter in the same manner as provided for municipal real property taxes.**
- C. Unpaid Taxes. In the event that the transfer tax or user tax imposed by this chapter is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.**
- D. Statements. The Borough of Roselle Park shall have on file in the office of its tax collector a statement showing the amount and due date of the unpaid balance 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.**

SECTION 3. Invalidation

If any section or portion of a section of this Ordinance shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 4. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 5. Captions and Editing Indications.

Any captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 6. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

Councilman Signorello moved that Ordinance No. 2729 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on June 15, 2023; seconded by Councilman Johnson.

Councilman Patel asked about the map and said most of it looks like it will be on West Westfield Avenue.

Councilman Patel made a motion to table Ordinance No 2729 until the June 1, 2023 meeting to include the map. Seeing there was no second motion; said motion failed.

Councilwoman Lyons stated she is definitely not for this Ordinance and will be voting no.

Ms. Astorino of CME said she had a few talking points to read through. For conditional use standards, all of them are conditional uses, so deviations for those specifically would require a D-3 variance. That would be things like license requirements, number of establishments, expanding them, and no alcohol/tobacco on site consumption. She said general standards would require a C variance and that would be site plan approval, parking and traffic planning, impact statements, set back/separation distances, off street parking and hours of operation. Design standards would just require waivers and that would be things like air treatment, location of operation and storage, and security plans. She said security plans would require the approval of the Roselle Park Police Department upon initial approval and renewed every two years.

Councilman Johnson asked if we are looking at 3 ROB's, because he felt this was overkill and would like to make an amendment to 2 ROB's.

Mayor Signorello said it would be one for the entire ROB.

Borough Clerk Casais said the ROB is one zone. It can be in multiple places, but it is one zone.

Councilman Johnson thanked the Mayor and Borough Clerk Casais for the clarification on this matter.

Councilman Robaina made a motion to change the distance from Class 5 retailers to the High School to 1,500 feet; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Amend Ordinance No. 2729 to Change Distance from Class 5 Retailers to High School to 1,500 Feet					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Signorello moved to adopt Ordinance No. 2729 as amended; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2729 as Amended					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Lyons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

Borough Clerk Casais read all Resolutions by title into the record.

The following Resolutions listed on Consent Agenda were offered by Councilman Signorello; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

RESOLUTION NO. 140-23

REQUESTING PERMISSION FROM THE COUNTY OF UNION TO CLOSE CHESTNUT STREET FROM CHARLES STREET TO GRANT AVENUE ON TUESDAY, AUGUST 8, 2023 FROM 4:00 P.M. TO 10:00 P.M. FOR THE 2023 NATIONAL NIGHT OUT CELEBRATION

WHEREAS, the Borough of Roselle Park will host its annual National Night Out celebration on Tuesday, August 8, 2023; and,

WHEREAS, the aforementioned event will be held, in part, on Chestnut Street from Charles Street to Grant Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby requests approval from the Union County Board of County Commissioners to close Chestnut Street, from Charles Street to Grant Avenue on Tuesday, August 8, 2023, from 4:00 a.m. to 10:00 p.m. in order to hold its 2023 National Night Out celebration.

RESOLUTION NO. 141-23

APPROVING THE TIME-DUE CALCULATION AND TERMS OF FINAL PAYMENT FOR MADELINE COLANDRO

WHEREAS, Madeline Colandro resigned from employment with the Borough of Roselle Park upon the close of Borough business on Friday, May 12, 2023; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Madeline Colandro that the break-down of time-due compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days/Hours</u>	<u>Daily/Hourly Rate</u>	<u>Amount Due</u>
2023 Vacation Days	14 Days	\$203.80	\$2,853.20
2023 Personal Days	2 Days	\$203.80	\$407.60
2024 Vacation Days (14 Vacation Days, Prorated for 4 Months & 12 Days)	5.12 Days	\$203.80	\$1,043.46
2023 Compensatory Time	5.00 Hours	\$29.1143	\$145.57
Total Due			<u>\$4,449.83</u>

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Chief Financial Officer is hereby directed to pay Madeline Colandro the entitled compensation at the above schedule.

RESOLUTION NO. 142-23

SUPPORTING THE CLICK IT OR TICKET SEAT BELT
MOBILIZATION OF MAY 22, 2023 – JUNE 4, 2023

WHEREAS, there were six-hundred ninety-four (694) motor vehicle fatalities in New Jersey in 2022; and,

WHEREAS, approximately forty-percent (40%) of the motor vehicle occupants killed in those traffic crashes were not wearing a seat belt; and,

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and,

WHEREAS, the National Highway Traffic Safety Administration estimates that one-hundred thirty-five thousand (135,000) lives were saved by safety belt usage nationally between 1975-2000; and,

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 22, 2023 through June 4, 2023 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and,

WHEREAS, the Division of Highway Traffic Safety has set a goal of further increasing the seat belt usage rate in the state from the current level of ninety-three percent (93%); and,

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 22, 2023 through June 4, 2023 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

REPORTS OF BOROUGH COUNCIL

Councilman Signorello

Commended the Theater Club on the wonderful job they did in the past, and especially this year with The Addams Family.

Noted the last couple of weeks he has been doing a bit of planting and learning how to plant lettuce and tomatoes with the younger kids at the Middle School.

He was sorry to hear that Councilman Robaina's Tour de Roselle Park has been rescheduled.

Reminded residents to please cut your grass and try to keep your property neat.

Provided contact information.

Borough Clerk Casais said with everyone looking at the map, that based off of the amendment the Governing Body just adopted, that map is outdated now. So, as soon as we have a new map, he will have it circulated and put on the website.

Councilman Johnson

On May 8th had a meeting with Police Chief Frino regarding traffic studies and public safety concerns in the First Ward.

On May 9th attended the Board of Education Meeting at the High School.

On May 12th had a Board of Education/Council Liaison Meeting with Dr. Kirkland discussing innovative ways we can work together in the best interest of the community.

Also, on May 12th attended the Roselle Park Environmental Commission installation of two new beds at the Community Garden.

On May 17th attended both the New Jersey Veterans General Caucus and the Diversity & Inclusion Meetings.

He wanted to recognize the month of May as International Walk, Bike and Row to School Month. As 2023 Board of Education Liaison, he has been advocating to some of the schools, the importance and benefits that can be received by participating in initiatives such as Safe Routes to Schools or Bike/Pedestrian Programs from Easy Ride link on Facebook page or go to the Easy Ride website to participate in the Golden Sneaker or Bike Charm Award. The deadline to submit applications is June 9, 2023.

Noted the Roselle Park Diversity & Inclusion Committee will be presenting an event for residents and guests called Karaoke for Pride, which will be held at 7:00 p.m. on June 8, 2023 at Los Altos Restaurant. He said there will be music, food and plenty of giveaways; all are welcome.

Thanked all residents who reached out to him regarding proper care of vegetative and overgrowth within and surrounding our drainage water basin/culvert systems in the First Ward. Noted he was advised by the DPW Superintendent we will be on a schedule to be maintained weekly as needed.

Noted he would like to revise and update our phone, employee email and communication policies. He would like to propose a phone network system that would be capable of recording Borough phone lines or simply seek from our current vendor to see if we can add that feature. This measure would serve as a deterrent against inappropriate communication towards residents and help prevent any unfounded accusations directed at employees.

Borough Clerk Casais said we have a social media archiving system, so that anytime there is an interaction on social media, it is captured.

Councilman Johnson encouraged all that their voice matters, and that he would always put the needs of Roselle Park residents first.

Provided contact information.

Councilman Petrosky

Expressed condolences to the Suskie and Bollwage families.

May 10th attended the Recreation Meeting.

May 11th attended the Hometown Heroes Meeting; will be putting banners on Chestnut Street and Westfield Avenue and will be ready for Memorial Day.

May 15th attended the Historical Society Meeting; still looking for donations for the storage unit they are renting.

May 17th attended the Fire Department Memorial Service; very touching ceremony.

May 18th attended the Joint Sewer Meeting, where we approved a construction bid and also the insurance renewal for this year.

Looking forward to the upcoming Memorial Day Parade and Service.

Made note that the Dough Boy statue at the Library will be 100 years old on September 3, 2023.

Provided contact information.

Councilwoman Lyons

Congratulated Councilman Robaina, his wife and Julie on the birth of baby Isaac.

Attended a fundraiser for the Roselle Park High School Class of 2024 and commended everyone that was involved.

Attended Meridia's monthly gathering. The highlight of the night was a little girl named Dyra, who goes to Lands Music School.

Attended the Fire Department Memorial Service. It was a beautiful service honoring the memory of those deceased members.

Attended the Library Board Meeting and made mention of various Library programs and noted the Library is looking for donations for the Summer Reading Program.

Made note of the postponed Tour de Roselle Park and the upcoming Memorial Day Parade and Service.

Reminder to please download the MyRosellePark app.

Provided contact information.

Councilman Patel

May 12th attended the installation of two new beds at the Community Garden from the County of Union.

May 16th attended a social event at Meridia and networked with the residents and updated them about the crosswalk being expected to be done by the end of June by the DOT.

Noted at the last Council Meeting, the results of the traffic study on Amsterdam Avenue and worked with the Police Chief regarding those who were speeding. He said he saw a pattern of speeding at around 7:00 a.m. and from 1:00 p.m. to 3:00 p.m. So, he asked the Police Chief to have someone patrol the area during that timeframe. He said the Police Chief reminded all residents that if they notice someone speeding through the streets, please report the vehicle to the non-emergency number.

May 17th attended the 84th Fire Memorial Service.

As Liaison to the Environmental Commission, the Environmental Commission Photo Ceremony and the Community Garden Opening Day were both a success.

Made note of some of the events happening within Roselle Park: Tour de Roselle Park has been postponed for a later date in June due to the weather; the NJ MVC on Wheels will be posted on the Roselle Park website; May 29th will be the Annual Memorial Day Parade and Service at 10:00 a.m.; registration is open for the Borough Wide Garage Sale on June 10th and 11th from 9:00 a.m. to 6:00 p.m.; Bulk Waste on the East Side is June 15th and on the West Side is June 16th and on June 16th Pride Fest will be hosted at Iorio Deli from 6:30 p.m. to 9:30 p.m.

Reminded residents to use the MyRosellePark app for events; especially for notifications and to report any concerns.

Provided contact information.

Councilman Robaina

May 12th joined the majority of Council with the Environmental Commission at the Community Garden.

May 14th Happy belated Mother's Day to everyone. On Mother's Day afternoon we welcomed our son, Isaac Alexander.

May 18th joined Mayor Signorello and Councilman Signorello at the Middle School for the Community Garden Grant Ceremony where we were awarded raised beds as part of the 2023 Kids Dig In Program. Thanked everyone with the School District that were involved.

As Clean Communities Liaison, reported the Borough has been awarded \$25,248.60 as part of the 2023 Clean Communities Grant Program. The grant money goes towards our community clean ups and seasonal educational programs. Thanked Clean Communities Coordinator Rupen Shah, Business Administrator Andrew Casais and CFO Ken Blum for their diligent work on this grant application.

The May 20th Bike Clinic, Helmet Giveaway and Tour de Roselle Park have been rescheduled for Saturday, June 24th.

Noted he has heard about kids riding bikes around town improperly and not obeying traffic laws. So, we are getting Easy Ride to come in to the Middle School on June 9th for a presentation to target 5th and 6th graders and talk more about pedestrian safety and bicycle safety for 7th and 8th graders to make sure they are properly using our roadways.

Thanked residents for reaching out to allow him to help address their issues. Feel free to use the MyRosellePark app; it's very helpful.

Provided contact information.

Mayor Signorello

He said we have to do something about the Westfield Avenue yellow line corners where people should not be parking. If someone is parked in that yellow zone, someone cannot see him and he can't see them; it's bad.

Hoped everyone can join us for Memorial Day.

Noted he was bummed out about the bike tour and hoped we can reschedule it.

Thanked the State of New Jersey for the \$86,000 grant money for Acker Park renovations. Thanked Borough Clerk Casais and our grant writers, The Aubrey Group.

Thanked former Mayor DeIorio; it was a lot of fun and glad we can wrestle a little bit and said we were all winners that night.

He said he appreciated everyone's concern and coming out about recreational marijuana. He thinks this is not the first time they will be voting on this Ordinance. It's going to be a learning process. He said he is heartened by what he has seen so far from medical use, that we will do this in a controlled and meaningful way that is better for the Borough. Noted at the next meeting, we will be introducing the licensing piece of this.

Provided contact information.

PUBLIC PORTION

Councilman Signorello moved at 8:27 p.m. to open the public comment portion of the meeting on any subject matter; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Joe DeIorio, 824 Larch Street

Regarding the recreational marijuana Ordinance, he read Industrial can have two, B3 can have two, B2 can have one and ROB can have one; but then there is a 4,000 sq. ft. restriction, so you cannot have one within the other. Especially if Breakwater gets the first one, where else would they go. The only place that he could see was in the First Ward in the B3, all the way towards the end of town.

Mayor Signorello said the Municipal Land Use Board can grant relief there should it be a fit, but it's partially by design. The Municipal Land Use Board can variance the restricted area.

Ed Rackler, 2 Linden Lane, Springfield, New Jersey

Noted Breakwater could come in and oppose this and now you are in litigation. He said even to present, it's a significant obstacle and resources to put forth to maybe get a variance. He said it's an extremely difficult process.

Mayor Signorello said the goal here is to make sure we do not have a backlog of 1,000 applicants. The goal is to have qualified individuals come into Roselle Park and understand they are going to face two gauntlets: the Mayor and Council, and the Municipal Land Use Board.

Constance Quintela, 432 Walnut Street

Asked if we are still staying 1,500 feet from schools.

Mayor Signorello said the State Statute is 1,000 feet, but the Municipal Land Use Board can give relief and say 1,200 feet. However, you can also have a voice on this as well.

She asked when is the next Municipal Land Use Board Meeting.

Mayor Signorello replied there will be a Special Municipal Land Use Board Meeting on May 31st; and that's commentary on this as a whole.

Councilman Signorello asked if 35 parking spots is written in stone.

Mayor Signorello said relief can be given on this through the Municipal Land Use Board.

Lucy Figueiredo, 330 Sheridan Avenue

Asked can't we do other things for the kids in this town.

Mayor Signorello said we are looking for additional soccer fields and looking to have kids practice at Hawthorne right now. We just got a grant for Acker Park, which will cost \$2 million dollars to rehab. He said we are working on plans for Aldene Park, which will cost another \$2 million dollars and we are doing this without additional State Aid year after year to the tune of \$2 million dollars.

We have legacy property owners here. We now fine empty stores and owners who don't care if they run it at a loss and use it as a tax write off. He said we can only make things attractive to move in, but we cannot stipulate by law this is what you have to do.

There being no one else wishing to speak, Councilman Signorello moved at 8:49 p.m. to close the public comment portion of the meeting on any subject matter; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

ADJOURNMENT

There being no further business to come before the meeting, Councilman Signorello moved at 8:49 p.m. to adjourn; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Attest:

Andrew J. Casais, RMC
Borough Clerk