

AGENDA – TOWN BOARD MEETING
October 26, 2023
7:30pm

PUBLIC HEARING: MS4 2022-2023 ANNUAL REPORT

PUBLIC HEARING: INTRODUCTORY LOCAL LAW #7 OF 2023

DISCUSSION: REVOCATION OF 105 DEKAY ROAD

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

REGULAR MEETING:

ACCEPTANCE OF MINUTES

- 1. Regular Meeting- October 12, 2023**
- 2. Public Hearing – October 12, 2023 “Introductory Local Law #6 of 2023 “Consider forming a Special District- Hillside Water District”**
- 3. Revocation Appeal Hearing – October 12, 2023 (105 DeKay Road)**

CORRESPONDENCE:

JOSEPH GEMELLARO - Part-Time Police Officer, Town of Warwick. Letter dated October 23, 2023 to the Police Chief informing him of his resignation.

BOB MCGRATH – Resident, Town of Warwick. Email dated September 30, 2023 to the Supervisor requesting to be appointed to the Community Preservation Advisory Board.

ORION RUSSELL BLAKE – Resident, Town of Warwick. Email dated October 23, 2023 to the Supervisor requesting that he be appointed as Chairman to Climate Smart Community Advisory Board and two other members as well.

DANIEL GIBSON – Building Inspector, Town of Warwick. Letter dated October 17, 2023 to the Town Board recommending a refund of a withdrawn application for a short-term rental renewal.

JOHN M. GRAHAM – Treasurer, Pine Island Fire District. Submitted 2024 Annual Budget Estimate to the Town Clerk on October 20, 2023.

KAREN SCHULZ – Office Administrator, Randie P. Paterno, P. C. Letter dated October 3, 2023 to the Town Clerk regarding a Notification to Municipality OCM-06009 of adult-use retail dispensary license application required for applying for an Adult Use Microbusiness in the Town of Warwick.

FLORIDA FIRE DISTRICT – Submitted on October 20, 2023 the adopted 2024 Florida Fire District Budget.

GREENWOOD LAKE JOINT FIRE DISTRICT - Copy of Resolution of the Greenwood Lake Fire District to Grant a Tax Exemption to Eligible Volunteer Firefighters as provided for Real Property Tax Law 466-A.

TOWNSHIP OF VERNON –A copy of Ordinance #23-21 adding Chapter 13, “Cannabis Establishment Licensing and Regulation.” To the Township Code, establishing local annual cannabis licenses for all cannabis establishments to operate in the Township, pursuant to the New Jersey Cannabis regulatory, enforcement assistance, and marketplace modernization Act and Ordinance #23-22 revising and supplementing Chapter 330 entitled “Land Development” to clarify regulations relative to permitted locations for Legal Cannabis uses within the Township of Vernon was received in the Town Clerk’s Office on October 13, 2023.

ALEXANDRA WILLIAMS – Orange County Government. Email to the Clerk dated October 23, 2023 regarding the upcoming Mobile DMV day to take place at the Town of Warwick Town Hall parking lot on November 1, 2023.

ANNA MARIE CALLI – Program Coordinator, Orange County Genealogical Society (OCGS). Email dated October 23, 2023 to the Clerk regarding an In-House Program on November 4, 2023 from 10;30am – 12pm. Also, information regarding their Holiday Party. The programs are free and open to the public. For more information visit www.ocgsny.org or contact Anna Calli at acalli1065@aol.com or annamariecalli@gmail.com .

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

CULVERT PIPES	Briller Rd.	Replace culvert pipe
	13 Conklin Rd.	Replace culvert pipe
	15 Conklin Rd.	Replace culvert pipe
DITCH WORK	Continental Rd.	Ditch roadsides
TREE WORK	Overhill Ln.	Clean up storm damage
MOWING	Town wide	Mow roadsides

POT HOLES	Town wide	Fill with hot mix
VEHICLE MAINT.	As needed	
EMERG. REPAIRS	As needed	
ROAD SIGNS	Town wide	Replace as needed
HAUL MATERIAL	Stockpile	Haul road grit to stockpile
WATER DEPT.	Park Dr.	Repair water main break

PARKS DEPARTMENT

Union Corners Park	Open	Town
Mountain Lake Park	Fishing Pond Open	Town
Mountain Lake Park Pool	CLOSED FOR THE SEASON	Town
Town of Warwick Dog Park	Open	Town
Airport Road Park	Open	Town
Cascade Lake Park	Open	Town
Wickham Woodland Park	Open	Town
Wickham Passive Boat Launch	Open	Town
Pine Island Park	Open	Town
Thomas P. Morahan Waterfront Park	CLOSED FOR THE SEASON	Village of GWL
Ben Winstanley Park	Open	Village of GWL
Village of GWL Dog Park	Open	Village of GWL

ENVIRONMENTAL CONSULTANTS REPORT SEPTEMBER 2023

COUNCILMAN DE ANGELO REPORT

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. ***Bid Proposal for the equipment, supplies and installation of a control panel (SCADA) and a cellular dialer to operate an alarm for Warwick Water System Well #11**

1. **TAM Enterprises**
114 Hartley Road
Goshen, NY 10924
Bid Proposal: \$5,907.00

2. **Ray Nebiker Electric LLC**
74 Woodland Rd
Ringwood, NJ 07456
Bid Proposal: \$19,229.10

2. ***Bid Proposal for Construction of Bike & Pedestrian trail**

1. **A-Tech Concrete Co.**
11 Taylor Road
Edison, NJ 08817
Bid Proposal: \$1,484,295.00

2. **Niko Development**
170 Cherry Valley Ave.
West Hempstead, NY 11552
Bid Proposal: \$2,704,260.00

3. **Rutledge Excavating, Inc.**
2496 Hancock Hwy.
Equinunk, PA 18417
Bid Proposal: \$1,554,744.28

3. **EARLY VOTING FOR ALL WARWICK RESIDENTS**

Early Voting for ALL Warwick residents will be at the Warwick Senior Center located at the back of the Town Hall Parking Lot on the following dates and times.

Saturday, October 28, 2023	9am to 5pm
Sunday, October 29, 2023	9am to 5pm
Monday, October 30, 2023	7am to 3pm
Tuesday, October 31, 2023	12 noon to 8pm
Wednesday, November 1, 2023	12 noon to 8pm
Thursday, November 2, 2023	9am to 5pm
Friday, November 3, 2023	7am to 3pm
Saturday, November 4, 2023	9am to 5pm
Sunday, November 5, 2023	9am to 5pm

4. **ELECTION DAY- November 7, 2023 from 6am- 9pm. All residents that did not cast their vote during Early Elections can vote at their REGULAR polling site on Election Day.**

5. **MOBILE DMV UNIT – The Orange County Clerk invites you Wednesday, November 1, 2023 10:00-12 Noon (Closed from 12-1) 1:00-3:30. The following transactions will be offered. All Registration Transactions, All License Transactions Including Real/Enhanced, Enforcement Transactions**

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

1. **SHORT TERM RENTAL PERMIT - 20 MILLER LANE**
2. **SHORT TERM RENTAL PERMIT- 20 DEER POND**
3. **ADOPT LOCAL LAW NO. 7 OF 2023 TO EXCEED TWO PERCENT PROPERTY TAX CAP**
4. **SCHEDULE PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. 8 OF 2023 ENTITLED “PETITION FOR AN AMENDMENT TO CHAPTER 164 (ZONING LAW) CREATING A SANDFORDVILLE ROAD SENIOR HOUSING DISTRICT AND OTHER MINOR MODIFICATIONS”**
5. **ACCEPT RESIGNATION OF PART-TIME POLICE OFFICER – JOSEPH GEMELLARO**
6. **APPOINT BOB MCGRATH – COMMUNITY PRESERVATION ADVISORY BOARD**
7. **CREATE A CLIMATE SMART COMMUNITY ADVISORY BOARD**
8. **APPOINT MEMBERS TO THE CLIMATE SMART COMMUNITY ADVISORY BOARD**
9. **ADOPT 2022-2023 MS-4 ANNUAL REPORT**
10. **APPOINT FULL TIME DPW LABORER – THOMAS HOFFMAN**
11. **HALLOWEEN CURFEW**
12. **SCHEDULE PUBLIC HEARING – 2024 PRELIMINARY BUDGET**
13. **SCHEDULE PUBLIC HEARING – 2024 SPECIAL DISTRICTS BUDGET**
14. **REFUND SHORT-TERM RENEWAL FEE – CASSANDRA HOVANCAK & SALAMON ROZENBERG**
15. **APPROVE SPECIAL EVENT – FOX WINE CHEESE & CHOCOLATE FESTIVAL**
16. **REPLACE TOWN HALL LIGHTING (OUTSIDE PARKING)**
17. **REQUEST TO SERVE ALCOHOL – EVELYN ACEVEDO**
18. **REQUEST TO SERVE ALCOHOL – WICK & GREENWOOD LAKE THEATER CO.**
19. **ACCEPT PROPOSAL FOR STAGE LIGHTING- MOUNTAIN LAKE PARK**
20. **APPOINT PART TIME DPW SEASONAL LABORER MARK BELLANTONE**
21. **AUTHORIZE SUPERVISOR TO SIGN AGREEMENT – NEARMAP IMAGING**
22. **APPOINT PART TIME DPW SEASONAL LABORER CHRISTINE C. ADAMI**
23. **APPOINT PART TIME DPW SEASONAL LABORER – FRANK ESPOSITO**

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

RECONVENE:

ADJOURN:

TENTATIVE

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Warwick will hold a public hearing on Thursday, October 26, 2023 at 7:30 p.m. at the Town Hall, 132 Kings Highway, Warwick, NY regarding the 2023 - 2024 MS4 Annual Report.

All interested persons will be given the opportunity to be heard.

DATED: October 18, 2023

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF WARWICK
Eileen M. Astorino
Town Clerk**

INTRODUCTORY LOCAL LAW # 7 of 2023

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

Be it enacted by the Town of Warwick in the County of Orange, State of New York as follows:

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Warwick, County of Orange, State of New York (hereinafter "Warwick") pursuant to General Municipal Law § 3-c, and to allow Warwick to adopt a town budget for (a) town purposes and (b) any other special or improvement district governed by the Town Board for the fiscal year 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board of the Town of Warwick to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Warwick is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

TOWN OF WARWICK
INTRODUCTORY LOCAL LAW NO. 8 OF 2023
A LOCAL LAW TO AMEND THE ZONING LAW

BE IT ENACTED by the Town Board of the Town of Warwick, County of Orange, State of New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Senior Housing Floating Zone and minor modifications Local Law.

Section 2. Legislative Purpose.

The Town Board of Warwick finds that there exists a need for modest multifamily senior housing, appropriately located within the Town of Warwick. The Town Board finds that the Petitioner's (M G F Corp.) lot on the east side of Sanfordville Road approximately 1,500 feet north of Route 94 is appropriately located for the establishment of a Senior Housing District of up to 95 dwelling units adhering to the requirements of §164-49.2 of the Town of Warwick Code. This petition is consistent with the Town's Comprehensive Plan section 3.3 B (2). In addition, several minor clarifications in the code are proposed to clarify definitions and to create a new use Cannabis Microbusiness that NYS legislation has created so it may be managed in the best interests of the residents.

Section 3. Enabling Authority

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Amendment of Zoning Text Governing Density in Senior Housing Districts.

Section 164-49.1 E (Senior Housing Districts – Density) which currently reads as follows:

E. Density. The maximum number of dwelling units per acre (gross density) shall not exceed the number of dwelling units that would otherwise be permitted in the existing residential zoning district, except as provided for in § 261-b of the Town Law or as described below. In designating an SH District, the Town Board shall first determine that there will be no significant environmentally damaging consequences and that any increase in density is compatible with the development otherwise permitted.

(1) A density bonus shall be granted to senior housing developments meeting all of the requirements of this section. In granting the density bonus, a multiplier of five times the number of allowable building lots that could be obtained in a conventional layout shall be used to compute density. The conventional layout shall be based on the allowable density of the existing zoning district and shall exclude easements, roads and

Exhibit A

streets, slopes of 25% and greater, water bodies, floodplains, wetlands or other significant natural and cultural features identified on the site.

(2) An additional density bonus may be granted, subject to all provisions of § 261-b of the Town Law, if the Town Board determines that the applicant has provided additional community benefits, such as affordable senior housing or another suitable amenity.

Is hereby amended to read as follows:

E. Density. In designating an SH District, the Town Board shall first determine that there will be no significant environmentally damaging consequences and that any increase in density is compatible with the development otherwise permitted. The maximum number of dwelling units per acre (gross density) permitted in an SH District shall not exceed five times the number of dwellings that would otherwise, be permitted in a single-family detached residential subdivision.

(1) To determine the number of dwelling units permitted by the underlying zoning, a conventional layout yield subdivision map shall be provided conforming to all requirements of the underlying zoning district but excluding easements, roads and streets, slopes of 25% and greater, water bodies, floodplains, wetlands or other significant natural and cultural features identified on the site from the minimum lot area calculations.

(2) Where the underlying zoning does not permit single-family detached dwellings, the minimum lot area and bulk requirements for purposes of laying out the yield subdivision map shall utilize the full density bonus (four options density) lot area per dwelling unit allowed for cluster subdivisions as described in §164-41.1 D (2)(e)[7] and located in the Suburban Residential Low-Density (SL) District.

(3) An additional density bonus may be granted, subject to all provisions of § 261-b of the Town Law, if the Town Board determines that the applicant has provided additional community benefits, such as affordable senior housing or another suitable amenity.

Section 5. Zoning Map Designation of SH District Zoning for the Sanfordville Road Site

The Town of Warwick Zoning Map is hereby amended to designate the lot identified on the Town of Warwick Tax Map as Section 51, Block 1, Lot 1 as a Senior Housing District.

Exhibit A

Section 8. Minor Modifications- Definitions

In section 164-22 Definitions replace TRANSPORTATION TERMINAL with TRANSPORTATION FACILITY
 Add CANNABIS MICROBUSINESS – A small scale cultivation licensed operation as defined in Chapter II of Subtitle B of Title 9 of the Official Compilation of Codes, Rules, and Regulations of the State of New York section 123.12 as authorized by the NYS Cannabis Law except no retail sales may be conducted on the premise.

Section 9. Minor Modifications- Special Conditions

In Special Condition (152) (a) delete “shall consist of a single story” in the first sentence.

Section 10. Minor Modifications- Table of Uses.

Replace use 15 and insert new use 22 as follows:

Agricultural Uses	AI	RU	MT	CO	SL	S M	T N - O	OI	LB	DS	SH- F	LC	CB
15. Dormitory Accommodations for housing migratory agricultural workers	S (z) (20) (21)	S(b) (20) (21)	S(a) (20) (21)	S(y) (20) (21)	S(u) (20) (21)			S(u) (20) (21)		S(u) (20)(21) (53) (73-76) (126) (128) (129) (145)			S(u) (20) (21)
22. Cannabis Microbusiness	S (II) (3) (84- 86) (133- 134)												

Section 11. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Town of Warwick which conflict with the provisions of this Local Law are here by superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 12. Severability.

If any section, part or provision of this Local Law or the application there of to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision, or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 13. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

Pine Island Fire District
PO Box 306
Pine Island, NY 10969

RECEIVED

OCT 20 2023

**TOWN OF WARWICK
TOWN CLERK**

ANNUAL BUDGET ESTIMATE

Submitted by: PINE ISLAND FIRE DISTRICT – TOWN OF WARWICK, NY
For Year Beginning – January 1, 2024

Bonds-Truck Loan	37,936
Bond Interest-Truck Loan	4,327
Building Loan Principal -USDA	95,000
Building Loan Interest-USDA	64,378
Training	5,400
Personal Equipment	25,000
Office Equipment/Copier	0
Medical	9,000
Facilities Maintenance	21,000
New Equipment	16,000
Equipment Maintenance	39,300
Supplies	5,000
Insurances	55,000
Utilities	42,550
Communications	3,500
Service Awards	41,800
Professional Services	21,400
Reserve Contributions	20,000
Administrative	35,250
TOTAL	541,841
Less Income	2,400
Budget Request	539,441

John M. Graham
Treasurer, PIFD
October 19, 2023

Pine Island FIRE DISTRICT

2024 BUDGET SUMMARY

Total Appropriations (from page 13)

\$ 541,841

Less:

Estimated Revenues (from page 14)

\$ 2400

Estimated Appropriated Unreserved
Fund Balance

Amount to be Raised by Real Property Taxes

\$ 539,441

TAX APPORTIONMENT

(to be used when a district is in more than one town)

Town	Assessed Valuation (AV)	Equilization Rate (ER)	Full Valuation (AV+ER)	Total Full Valuation Percentage (1)÷(2)	Apportioned Tax = (3) x Real Property Tax to be Raised
		%	(1)	%(3)	\$ _____
		%	(1)	%(3)	_____
		%	(1)	%(3)	_____
Total			(2)	100%	\$ _____ *

* Must agree with Budget Summary "Amount to be Raised by Real Property Taxes".

Town

Apportioned Tax

\$ _____

Total Apportioned

\$ _____

I ☐ certify that the estimates were approved by the ☐ are commissioners on ☐

(Date)

Paulette Marie Rudy
Fire District Secretary

NOTE: ☐ File two certified copies of the adopted budget with the Town Budget Officer by November 7.

APPROPRIATIONS

	Actual Expenditures 20 <u>23</u>	Budget as Modified 20 <u>23</u>	Preliminary Estimate 20 <u>24</u>	Adopted Budget 20 <u>24</u>
Salary - Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
Salary - Other	_____	_____	_____	_____
Other Personal Services	_____	_____	_____	_____
A3410.1 Total Personal Services	\$ _____	\$ _____	\$ _____	\$ _____
A3410.2 Equipment	<u>44,500</u>	<u>44,500</u>	<u>44,500</u>	<u>44,500</u>
A3410.4 Contractual Expenditures	<u>208,000</u>	<u>208,000</u>	<u>208,900</u>	<u>208,900</u>
A1930.4 Judgments and Claims	_____	_____	_____	_____
A9010.8 State Retirement System	_____	_____	_____	_____
A9025.8 Local Pension Fund	<u>41,800</u>	<u>41,800</u>	<u>41,800</u>	<u>41,800</u>
A9030.8 Social Security	_____	_____	_____	_____
A9040.8 Workers' Compensation	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>
A9050.8 Unemployment Insurance	_____	_____	_____	_____
A9060.8 Hospital, Medical and Accident Insurance	_____	_____	_____	_____
A9085.8 Supp. Bene. Payments to Disabled Firefighters	_____	_____	_____	_____
A9710.6 Redemption of Bonds	<u>126,903</u>	<u>126,903</u>	<u>132,936</u>	<u>132,936</u>
A97__6 Redemption of Notes	_____	_____	_____	_____
A9710.7 Interest on Bonds	<u>73,113</u>	<u>73,113</u>	<u>68,705</u>	<u>68,705</u>
A97__7 Interest on Notes	_____	_____	_____	_____
A9901.9 Transfer to Other Funds	<u>15,000</u>	<u>15,000</u>	<u>20,000</u>	<u>20,000</u>
Totals	\$ <u>534,316</u>	<u>534,316</u>	<u>541,841</u>	<u>541,841</u> *

* Transfer to Budget Summary, page 12

ESTIMATED REVENUES

	Actual Revenues 20 <u>23</u>	Budget as Modified 20 <u>23</u>	Preliminary Estimate 20 <u>24</u>	Adopted Budget 20 <u>24</u>
A2262 Fire Protection and Other Services to Other Districts and Governments	\$ <u>1650</u>	\$ <u>1650</u>	\$ <u>1650</u>	\$ <u>1650</u>
A2401 Interest and Earnings	<u>750</u>	<u>750</u>	<u>750</u>	<u>750</u>
A2410 Rentals				
A2660 Sales of Assets				
A2701 Refunds of Expenditures				
A2705 Gifts and Donations				
Miscellaneous (specify)				
A2770				
A2770				
A3389 State Aid, Other Public Safety (specify)				
A4389 Federal Aid, Other Public Safety (specify)				
A5031 Interfund Transfers				
Totals	\$ <u>2400</u>	\$ <u>2400</u>	\$ <u>2400</u>	\$ <u>2400</u> *

* Transfer to Budget Summary, page 12

FIRE DISTRICTS WORKSHEET A

COMPUTATION OF STATUTORY SPENDING LIMITATION

Divide the assessed valuation of the real property subject to taxation by the fire district as shown on each assessment roll for the district completed in the second calendar year prior to that in which the expenditures are to be made, by the town equalization rate established for each roll by the State Office of Real Property Services.

(Example: For budget prepared in year 2 (current year) and taxes to be raised and expended in year 3 (next year), use assessment roll completed in year 1 (last year) divided by the town equalization rate established for this assessment roll. Note: A different equalization rate is established for each year's assessment roll.)

Town	Assessed Valuations (AV)	Equalization Rates (ER)	Full Valuations (AV/ER)
	\$ 52,354,492	% 9.25	\$ 565,994,528
	\$	%	
	\$	%	
	Total Full Valuations		\$ 52,354,492
Less First Million of Full Valuation			1,000,000
Excess Over First Million of Full Valuation			\$ 617,349,000
Multiply Excess by One Mill			x .001
Expenditures Permitted on Full Valuation Above \$1,000,000			\$ 617,349.00
Add Expenditures Permitted on Full Valuation Below First \$1,000,000			2,000
Statutory Spending Limitation for 20____ (year 2)			\$ 615,349.00
Add Exclusions from Statutory Spending Limitation (Town Law, Section 176(18) (from Worksheet B)			283,341.00
Add Spending Authorized by Voters in Excess of Statutory Spending Limitation (Town Law, Section 179) (Proposition Adopted on_____)			898,690.00
Sum of Statutory Spending Limitation, Exclusions and Excess Spending Authorized by Voters			\$ 539,441.00
Less Budget Appropriations			
Statutory Spending Limitation Margin			\$ 359,249.00

FIRE DISTRICTS WORKSHEET B
EXCLUSIONS FROM STATUTORY SPENDING LIMITATION

1	Payments under contracts made pursuant to subdivisions 12 and 22 of Section 176 of the Town Law: Subdivision 12 - A contract for a supply of water and for furnishing, erecting, maintaining, caring for and replacing fire hydrants.	\$
	Subdivision 22 - A contract for furnishing fire protection within the fire district, including emergency services and general ambulance services.	
2	Payments under a lease to provide a supply of water for fire fighting purposes made pursuant to Subdivision 12-a of Section 176 of the Town Law.	
3	Principal and interest on bonds, bond anticipation notes, capital notes and certain budget notes, and interest on certain tax anticipation notes.	201,641
4	Compensation of paid fire district officers, fire department officers, firefighters and other paid personnel of the fire department, including fringe benefits.	
5	District's contribution to the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.	
6	Payments made when participating in a county self-insurance plan under the Workers' Compensation Law.	
7	Insurance premiums and any payments required as a self-insurer, pursuant to Volunteer Firefighters' Benefit Law and Workers' Compensation Law, less the amount of certain recoveries of benefits and compensation.	
8	Payment required annually to fund service awards to volunteer firefighters made pursuant to Article 11-A of the General Municipal Law.	41,850
9	Cost of blanket accident insurance to insure volunteer firefighters against injury or death resulting from bodily injuries suffered in the performance of their duties.	5000
10	Certain payments for the care and treatment of paid firefighters for disabilities incurred in performance of duty.	
11	District's contributions for Social Security.	
	Subtotal to carry forward (to next page)	\$ 748,441

FIRE DISTRICTS WORKSHEET B
EXCLUSIONS FROM STATUTORY SPENDING LIMITATION

	Subtotal carried forward: (from previous page)	\$ 248,441
12	Payment of principal and interest on tax anticipation notes for new fire districts.	
13	Payment of compromised claims and judgments under Subdivisions 28 and 30 of §176 of the Town Law.	
14	Cost of insurance secured to indemnify the fire district against liability arising out of ownership, use or operation of a motor vehicle owned by the fire district	
15	Payment of monetary awards to individuals pursuant to Subdivision 31 of §176 of the Town Law.	
16	Cost of fuel for the fire district's emergency vehicles, including fuel tax carryovers.	7500
17	Cost of annual independent audits required by Section 181-b (formerly Section 181-a) of the Town Law for fire districts with revenues of \$300,000 or more.	7400
18	Appropriations to, or expenditures from, most reserve funds established pursuant to the General Municipal Law.	20,000
19	District's contribution to the State's unemployment insurance fund for paid officers and employees	
20	Amounts received from fire protection, emergency reserve and general ambulance contracts	
21	Use of gift proceeds.	
22	Use of insurance proceeds received for the loss, theft, damage or destruction of real or personal property - when applied to repair or replace such property.	
23	Use of premiums from the sale of district obligations, the unexpended portion of the proceeds of fire district obligations, and the income (interest) and capital gains realized on the temporary investment of the proceeds of district obligations.	
Total Exclusions from Statutory Spending Limitation (to Worksheet A)		\$ 283,341

FIRE DISTRICTS WORKSHEET C
OTHER EXCLUSIONS FROM STATUTORY SPENDING LIMITATION
BORROWING AND RESERVE FUNDS

1)	Use of the proceeds of bonds, bond anticipation notes, capital notes or certain budget notes.	\$
2)	Expenditures from most reserve funds established pursuant to the General Municipal Law.	\$
3)	Use of premiums from the sale of obligations, the unexpended portion of the proceeds of fire district obligations, and the income and capital gains from the investment of the proceeds of obligations.	\$

NOTE: The items shown above also represent exclusions from the statutory spending limitation. However, the amounts associated with these items may not be available at budget preparation time. Therefore, this worksheet should be used during the fiscal year and at year's end to help determine if your district has stayed within legal requirements.

FLORIDA FIRE DISTRICT

RECEIVED

OCT 20 2023

TOWN OF WARWICK
TOWN CLERK

	2023	2024
	adjusted budget	proposed budget
	Actual	Over/(Under) Budget
Interest & Earnings	\$1,500.00	\$12,000.00
Interest earned apparatus reserve	\$2,500.00	\$18,261.05
Interest earned equipment reserve	\$100.00	-\$27,699.13
Rent	\$3,000.00	-\$784.06
Sale of Equipment & Supplies	\$0.00	\$750.00
Insurance Recoveries	\$0.00	-\$27,500.00
Refund Prior Year Expenses	\$0.00	-\$8,798.00
Gifts & Donations	\$0.00	-\$8,322.98
Other Unclassified Revenues	\$0.00	\$0.00
	\$0.00	-\$3.50
Total Revenue	\$7,100.00	-\$90,618.72
Salaries	\$35,000.00	\$40,000.00
Chief's Supplies & Misc. Other	\$51,500.00	\$51,500.00
Fire Police Supplies	\$1,500.00	\$1,500.00
Training	\$3,000.00	\$3,000.00
Uniforms	\$4,000.00	\$4,000.00
Extra equipment per chief request	\$0.00	\$58,990.00
023 Tahoe	\$60,000.00	\$0.00
Insurance	\$40,000.00	\$5,075.77
Maintenance Contracts	\$6,500.00	\$40,000.00
Medical Expenses	\$15,000.00	\$6,500.00
Postage	\$500.00	\$10,000.00
Printing	\$400.00	\$500.00
Fisc.	\$5,000.00	\$400.00
Building Repairs & Maintenance	\$40,000.00	\$1,966.32
Equipment Repairs & Maintenance	\$16,000.00	\$13,962.20
Telephone	\$6,000.00	\$6,047.26
Annual Inspection Dinner	\$5,000.00	\$1,868.85
Shide Gas	\$6,000.00	\$5,000.00
Shide Diesel	\$6,000.00	\$1,639.51
ilage Allowance & Tolls	\$1,000.00	\$2,003.70
ilities- Electric	\$14,000.00	\$987.80
ilities- Gas	\$14,000.00	\$3,484.74
ilities- water	\$800.00	\$5,668.66
ilities- Sewage	\$500.00	\$258.00
apparatus Maintenance & Repairs	\$100,000.00	\$226.25
Arm System	\$750.00	-\$36,141.41
verisement	\$1,000.00	\$750.00
		\$1,000.00

I certify that this budget has been adopted by the Florida Fire District

Learning Services	\$10,000.00	\$8,883.79	\$1,116.21	\$12,000.00	
Dues & Association fees	\$1,500.00	\$170.00	\$1,330.00	\$750.00	
Professional Fees Legal	\$14,000.00	\$3,675.00	\$10,325.00	\$14,000.00	
Fees	\$200.00	\$0.00	\$200.00	\$200.00	
Professional Fees- Auditor	\$5,000.00	\$0.00	\$5,000.00	\$5,000.00	
Office Supplies	\$4,500.00	\$800.99	\$3,699.01	\$3,000.00	
Bank Service Charges	\$250.00	\$22.02	\$227.98	\$250.00	
Computer Support	\$4,500.00	\$3,250.00	\$1,250.00	\$4,500.00	
Printing Supplies	\$1,000.00	\$0.00	\$1,000.00	\$0.00	
Security	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	
Local Pension Fund	\$275,000.00	\$103,320.00	\$171,680.00	\$200,000.00	
Local Expense	\$2,300.00	\$1,735.00	\$565.00	\$3,060.00	
Transfer to Apparatus Reserve	\$0.00	\$0.00	\$0.00	\$100,000.00	
Workers Compensation Insurance	\$50,000.00	\$29,339.56	\$20,660.44	\$40,000.00	
Power Generator	\$45,000.00	\$0.00	\$45,000.00	\$0.00	
			\$0.00		
Total Appropriations	\$849,200.00	\$500,661.93	\$348,538.07	\$867,600.00	
Assets					
Estimated Revenues	\$7,100.00	\$97,718.72		\$20,000.00	
Estimated Appropriated Unreserved Funds	\$239,000.00			\$220,600.00	
Taxes to be raised	\$603,100.00	\$601,666.56		\$627,000.00	
Maximum allowed to be raised per tax cap					
2024	taxable valuation	equalization rate	full valuation	full valuation percentage	taxes to be raised tax rate
Assessed valuation					
own of Goshen	\$125,935,734	41.50%	\$303,459,600.00	27.38%	\$171,674.71 \$1.3632
own of Warwick	\$74,448,860	9.25%	\$804,852,540.54	72.62%	\$455,325.29 \$6.1159
			\$1,108,312,140.54	100.00%	\$627,000.00
2023	full valuation	equalization rate	full valuation	full valuation percentage	taxes to be raised tax rate
Assessed valuation					
own of Goshen	\$122,235,074	49.50%	\$246,939,543.43	26.47%	\$159,610.89000 \$1.30577
own of Warwick	\$74,445,906	10.85%	\$686,137,382.49	73.53%	\$443,489.11000 \$5.95720
			\$933,076,925.92	100.00%	\$603,100.00000

ULTRA-TECH™ LIGHTING

28 Church Street, Unit 11
Warwick, NY 10990

QUOTE

TO: Michael Sweeton
Warwick Town Hall
132 Kings Highway
Warwick, NY 10990

Ship To:
Warwick Town Hall
132 Kings Highway
Warwick, NY 10990

Sales Code: WARWICK SWEETON PARK
Invoice # 10232023

Date: 10/23/23

Item #	Description	Model	Quantity	Unit Price	Total (\$)
				\$	
1	150W Stage-Bright™ 110V ~ 277V	SBT-FL-300WLV	5	\$529.00	\$2,645.00
2	16/3 Outdoor Extention Cords	16/3 50 Foot	5	\$0.00	\$0.00
3	Custom Lighting Control Panel	Custom Panel	1	\$0.00	\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
		Subtotal			\$2,645.00

Shipping Estimate is TBD. Shipping is for a non-liftgate, standard truck with Notify before Delivery (call from driver on day of delivery). Delivery appointment has not been requested. If a liftgate or any other special delivery arrangements are needed, delivery charges will change.

Shipping	
Tax	\$0.00
DUE	\$2,645.00

Wire

Bank Wells Fargo Bank NA
Address 420 Montgomery Street
San Francisco, CA 94104
Routing # 121000248
Acct Title Ultra-Tech Lighting LLC
Acct # 8177246280

Send CHECK to:
Ultra-Tech Lighting, LLC
P.O. Box 566
Closter, NJ 07624-0566

ULTRA-TECH™ LIGHTING

28 Church Street, Unit 11
Warwick, NY 10990

QUOTE

Change to
ADD.00.1620.436

TO: Michael Sweeton
Warwick Town Hall
132 Kings Highway
Warwick, NY 10990

Ship To:
Warwick Town Hall
132 Kings Highway
Warwick, NY 10990

Sales Code: WARWICK
Invoice # 09282023

Date: 9/28/23

Item #	Description	Model	Quantity	Unit Price	Total (\$)
				\$	
1	300W Flood™ 110V ~ 277V	FBT-FL-300WLV	2	\$749.00	\$1,498.00
2					\$0.00
3					\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
		Subtotal			\$1,498.00

Shipping Estimate is TBD. Shipping is for a non-liftgate, standard truck with Notify before Delivery (call from driver on day of delivery). Delivery appointment has not been requested. If a liftgate or any other special delivery arrangements are needed, delivery charges will change.

Shipping	
Tax	\$0.00
DUE	\$1,498.00

Wire
Bank Wells Fargo Bank NA
Address 420 Montgomery Street
San Francisco, CA 94104
Routing # 121000248
Acct Title Ultra-Tech Lighting LLC
Acct # 8177246280

Send CHECK to:
Ultra-Tech Lighting, LLC
P.O. Box 566
Closter, NJ 07624-0566

X

**RESOLUTION OF THE GREENWOOD LAKE JOINT FIRE DISTRICT
TO GRANT A TAX EXEMPTION TO ELIGIBLE VOLUNTEER
FIREFIGHTERS AS PROVIDED FOR BY REAL PROPERTY TAX LAW 466-A**

WHEREAS, 466-A of the Real Property Tax Law authorizes the Fire District after a public hearing to grant a partial real property tax exemption to enrolled volunteer members of the Greenwood Lake Fire Department.

WHEREAS the Fire District has conducted a public hearing required by the statute and elicited public comment on said topic.

WHEREAS the Board of Fire Commissioners has determined that the granting of the tax exemption will enhance recruitment and retention of volunteer firefighters in the Fire Department.

NOW THEREFORE BE IT RESOLVED that an exemption be granted at ten (10 %) percent of the assessed value of the real property owned by an enrolled volunteer firefighter who meets the eligibility requirements established in this resolution;

BE IT FURTHER RESOLVED that the enrolled member of the Greenwood Lake Fire Department must meet the following requirements to be eligible for the tax exemption:

1. The enrolled member must reside in the district served by the Fire District
2. The property must be the primary residence of the enrolled member
3. The property is used exclusively for residential purposes, provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section.
4. The enrolled member has been certified by the Chief of the Fire Department to have served at least five (5) years of active service and such certification has been approved by the Board of Fire Commissioners.

BE IT FURTHER RESOLVED that an enrolled member of the Greenwood Lake Fire Department who accrues more than twenty years of active service as certified by the Chief of the Fire Department shall be granted the ten (10%) percent exemption as authorized by this resolution for the remainder of his or her life as long as the property for which the exemption is sought under this resolution is the primary residence of the enrolled member.

BE IT FURTHER RESOLVED that the exemption granted under this resolution shall continue for the un-remarried spouse of an enrolled member of the Fire Department who is killed in the line of duty upon the following conditions:

1. The un-remarried spouse is certified by the Chief of the Fire Department as the un-remarried spouse of the volunteer firefighter killed in the line of duty;
2. The deceased volunteer firefighter has been an enrolled member for at least five years;
3. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that the exemption granted under this resolution shall continue for the un-remarried spouse of a deceased member of the Fire Department under the following conditions:

1. The un-remarried spouse is certified by the Chief of the Fire Department as the un-remarried spouse of the deceased volunteer firefighter;
2. The deceased volunteer firefighter has been an enrolled member for at least twenty years;
3. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that any exemption granted under this Resolution shall be filed with the Town of Warwick on the forms designated by the Town; and

BE IT FURTHER RESOLVED that the Secretary of the Fire District is directed to provide the Town of Warwick with a copy of the Resolution; and

BE IT FURTHER RESOLVED THIS RESOLUTION shall be effective as of the date of its adoption.

The adoption of the foregoing resolution was duly put to vote and upon roll call, the vote was as follows:

Chairman Russo	AYE
Commissioner Nicholas	AYE
Commissioner Collins	AYE
Commissioner Lowenberg	AYE
Commissioner Dunlop	ABSENT

The resolution was thereupon duly adopted.

October 17, 2023

RECEIVED

OCT 13 2023

TOWN OF WARWICK
TOWN CLERK

TOWNSHIP OF VERNON
ORDINANCE #23-21

AN ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADDING CHAPTER 13, "CANNABIS ESTABLISHMENT LICENSING AND REGULATION," TO THE TOWNSHIP CODE, ESTABLISHING LOCAL ANNUAL CANNABIS LICENSES FOR ALL CANNABIS ESTABLISHMENTS TO OPERATE IN THE TOWNSHIP, PURSUANT TO THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE, AND MARKETPLACE MODERNIZATION ACT

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

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, cannabis use and possession; and

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

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the 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; and

WHEREAS, sections 31a-c of the Act, N.J.S.A. 24:61-45a-c, authorizes municipalities to adopt ordinances and regulations prohibiting outright and/or limiting the number of any class of licensed "cannabis establishment" (defined in section 33 of the Act, N.J.S.A. 24:61-33, as "a cannabis cultivator,

a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributor and cannabis delivery service allowed to operate within its municipal boundaries; and the location, manner and times of operation of such cannabis establishment, cannabis distributor and cannabis delivery service, except that the transportation and time of operations for cannabis delivery services, shall only be subject to the regulation by the Cannabis Regulatory Commission (the "Commission" or "CRC"); and

WHEREAS, pursuant to NJ.A.C. 17:30-5.1(b) of the CRC's Rules, any municipality that has timely adopted an ordinance prohibiting outright the operation of any cannabis establishment, distributor or the principal location of any cannabis delivery service business within a municipality in accordance with N.J.S.A 24:61-45b, may thereafter amend its ordinances to allow for, zone, license and regulate such cannabis establishments, distributors and the principal locations of cannabis delivery service businesses; and

WHEREAS, the Township Council recognizes the importance of fostering economic opportunities that provide jobs and ratables to the community, while ensuring that such uses can safely and seamlessly fit into the fabric of the community; and

WHEREAS, the Township Council has determined that the six (6) legal classes of cannabis under the Act can be permitted in the Township in such a way so as to safely and seamlessly fit into the fabric of the community while providing significant economic opportunities; and

WHEREAS, the Township Council has determined that such businesses engaged in a business with one of the six classes of legal cannabis licenses should be permitted as delineated in Chapter 330 Land Development Ordinances in the Township subject to the appropriate Township Licensure as delineated herein.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Vernon that the Code of the Township of Vernon shall be amended as follows:

SECTION 1.

§ 13-1 Purpose and Application.

- a. Purpose. This Section has been adopted by the Township Council of the Township of Vernon for the following purposes:
 1. To protect the public health, safety, and general welfare of the residents of the Township of Vernon by establishing strict licensing limits and regulations on the lawful sale and use of legal cannabis to persons age 21 years or older only, and at all times in conformity with the laws of the State of New Jersey, including without limitation, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), the rules and regulations of the New Jersey Cannabis Regulatory Commission (the "Commission" or "CRC"), and the Township Code, as may be amended from time-to-time hereafter.

2. To regulate the local licensing and operation of licensed Cannabis Establishments, each as defined in N.J.S.A. 24:61-33 of the Act, to protect against the unlawful operation, sale, and use of cannabis and marijuana.
 3. To establish certain conditions and limitations on the number of cannabis licenses authorized to be issued within the municipal boundaries of the Township through the local licensing process.
 4. To establish local regulations on the time, location and manner of licensed Cannabis Establishments and activities in accordance with State law.
 5. To establish limitations on the number and types of Cannabis Establishment licenses and cannabis marketplace activities.
- b. Applicability. The provisions herein shall apply to all licensees, persons, organizations and businesses operating and/or seeking to operate within the Township as any class of licensed Cannabis Establishment pursuant to the Act.

c.

§ 13-2 Definitions.

The terms used herein shall be as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," P.L. 2021, c. 16, N.J.S.A. 24:61-31, et seq. (the Act) as may be amended from time-to-time in accordance with State law. Should any of the definitions in this Section conflict with definitions located elsewhere in the Vernon Township Municipal Code, the definitions contained in the Act as noted herein shall control for purposes of this Section. If a word, term, or phrase is defined neither in the Act nor elsewhere in the Vernon Township Municipal Code, the most common dictionary definition is presumed to be correct.

§ 13-3 Prohibitions on Cannabis Consumption Areas.

- a. Pursuant to section 32 of the Act, N.J.S.A. 24:61-21, all Cannabis Consumption Areas are prohibited from being located or otherwise operated within the geographic boundaries of the Township of Vernon.

§ 13-4 Numerical Limit on Local Cannabis Licenses and Class Types of Cannabis Establishments Permitted.

- a. The following number and type of Township Establishment licenses, otherwise known as "local annual cannabis license" is/are authorized to be available for issuance by the Township on an annual basis pursuant to the Act and the regulations of the Commission and the Township Code:
 1. Two (2) Class 1 Cultivators, two (2) Class 2 Manufacturers, two (2) Class 3 Wholesalers, two (2) Class 4 Distributors, two (2) Class 5 Retailers; and two (2) Class 6 Deliveries in each respective Zoning District where such license class is permitted and

where the operator is holding the requisite current valid & active permits issued by the Commission in accordance with the Act, which authorizes the entities to cultivate & process, manufacture, wholesale, distribute, and sell to retail consumers cannabis, respectively, in accordance with the Township Code, and the Act and the regulations of the Commission, as may hereafter be amended. At no time shall such local annual license be transferrable from the initial licensee to another entity without prior formal licensing approval from the Commission and the Township.

- b. Except as provided in al above, no additional licenses or license class types shall be issued or otherwise made available by the Township except by formal adoption of an ordinance amending the provisions of the Township Code herein.
- c. Any person, organization and/or business, including a licensed Cannabis Establishment or operation of limited class type operating outside the scope of a license, found to engaged in the cultivation, manufacturing, wholesale, distribution, and/or retail sale of cannabis or cannabis items without first possessing a valid local annual cannabis license issued by the Township shall be subject to a civil fine and penalty as set forth hereinbelow.
- d. Resolutions of support. Resolutions of support obtained by a potential licensee from the Township Council shall be valid for the period of one (1) year, unless an extension is granted by the Township Council. Resolutions of support shall not be deemed as an agreement to hold a license available for the potential licensee.

§ 13-5 Municipal Licensure Requirements.

- a. Prior to commencing and engaging in any cannabis business activities and uses within the Township permitted by the Commission pursuant to a State-issued Class 1, 2, 3, 4, 5 or 6 license validly issued in accordance with the Act, any person, business, and/or organization shall first apply for and secure from the Township a local annual cannabis license. Except that nothing herein shall be read or construed to conflict with the statutory provisions as to Cannabis Delivery Services licensed by the Cannabis Regulatory Commission.
- b. The Township Administration shall begin accepting applications for Class 1, 2, 3, 4, 5 or 6 local annual cannabis licenses 15 days following final passage of this ordinance.
- c. The initial local annual cannabis license shall be valid until December 31, 2024. Thereafter the period of each annual local Cannabis Establishment license shall commence on January 1 and expire on December 31 of the calendar year.
- d. By no later than December 1 of any existing license year, the licensee shall be required to file an application for the renewal of a local annual cannabis license to be authorized to continue operation as a Class 1, 2, 3, 4, 5 or 6 Cannabis Establishment within the Township.
- e. All local annual cannabis licenses shall be conditional, and shall remain subject to all

State and local laws and regulations. Failure of any licensee to comply with such applicable laws shall be grounds for revocation and/or nonrenewal of the local annual cannabis license by the Township Administration.

- f. The initial application fee for each local annual cannabis license, of each class-type, shall be \$10,000 for all classes and the renewal application fee shall be \$10,000 for all classes. The application fee is non-refundable.
- g. A new licensee must file an application with the Township Land Use Board seeking site plan and associated approvals for a specific site within six (6) months of receiving a Township license. If application is not made within six (6) months, the Township license will be revoked.
- h. Unless the Township issues a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products/items from the premises of any Cannabis Establishment after the expiration date recorded on the face of the license.
- i. All local annual cannabis licenses shall be non-transferrable. All local annual cannabis licenses shall be specific to the property location authorized and approved by the Township and shall not otherwise be considered a "pocket license."
- j. The licensed premises of all licensees shall be subject to unannounced inspections by a designated representative of the Township. Access shall be permitted by the designated representative on demand by the Township's authorized representative.

§ 13-6 Application for Local License and Annual Local License Fee

- a. **Application Fee.** The applicant shall submit an application to the Office of the Municipal Clerk, under oath on a form furnished by the Township of Vernon, with an application fee as enumerated herein, which fee shall be nonrefundable. The initial application fee for each local annual cannabis license, of each class-type, shall be \$10,000 for all classes.
- b. **Annual License Renewal Fee.** The annual license renewal fee for successful applicants operating cannabis establishments in the Township of Vernon shall be implemented as required in accordance with the following fee schedule, renewal fees are non-refundable:

Class I Cannabis Cultivator license: ten thousand dollars (\$10,000.00).

Class 2 Cannabis Manufacturer license: ten thousand dollars (\$10,000.00). Class 3

Cannabis Wholesaler license: ten thousand dollars (\$10,000.00).

Class 4 Cannabis Distributor license: ten thousand dollars (\$10,000.00).

Class 5 Cannabis Retail license: ten thousand dollars (\$10,000.00).

Class 6 Cannabis Delivery license: ten thousand dollars (\$10,000.00)

- c. Upon the receipt of an application, the Office of the Municipal Clerk shall transmit the application to the Office of Police Chief for the Township Police Department or the Chiefs designee, the Mayor, the Business Administrator, and the Council President for review of the application. These departments shall review the application and forward their comments to the Clerk's Office fifteen (15) business days from transmission of the application.
- d. The Clerk shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete and shall not be processed by the Clerk and transmitted for review until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:
 1. The name and home address of the Applicant. If the Applicant is not a natural person, the Applicant shall submit a statement setting forth the names and home addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class or of all individual partners in the partnership who own a 10% or greater interest therein, as the case may be. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed with its home address. The disclosure shall be continued until names and home addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria has been listed.
 2. The name of any other business entities in which any of the individuals identified pursuant to subsection (b)(1) of this provision have or have had an ownership interest which: (i) cultivates, manufactures, wholesales or dispenses cannabis or cannabis products; (ii) invests or finances in any such entity; or (iii) is regulated by any governmental entity.
 3. A copy of the license issued by the Cannabis Regulatory Commission authorizing the Applicant to operate as a Licensed Cannabis Establishment with a copy of all application materials and documents submitted to the Commission for a license.
 4. An affidavit from the Applicant attesting to and accompanied by documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

5. Plans prepared by a duly licensed architect, engineer, or planner which shall depict the layout and design for the proposed location of the Licensed Cannabis Entity within the Township.
 - (a) The required plans shall depict the proposed security measures for the location. The plans shall be deemed confidential consistent with state law.
 - (b) The Applicant shall also provide either a lease agreement or agreement of sale for the property where the Applicant intends to operate the Licensed Cannabis Entity. The lease agreement or agreement of sale may be contingent upon the Applicant's ability to successfully: (i) obtain a Local License; and (ii) if applicable, obtain approval from the Vernon Township Planning Board and/or the Vernon Township Land Use Board.
6. Acknowledgment and agreement authorizing the Vernon Police Department to perform background checks and/or investigations regarding any individuals disclosed pursuant to subsection (b)(1) of this provision and any employees of the Applicant.
- e. The Office of Police Chief for the Vernon Police Department or the Chiefs designee, the Mayor or Mayor's designee, the Business Administrator, and the Council President, who may seek additional review from the Township Attorney, Engineer and/or Planner, shall evaluate any and all applicants and issue a notification of award after consideration and evaluation of the following criteria:
 1. Qualifications and Experience
Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principal, submission of formal business plan for the proposed Licensed Cannabis Entity including pro forma is required.
 2. Security Plan
Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement, and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance and digital storage, security personnel and their qualifications, and visitor and employee security management.
 3. Environmental Plan
Summary of the applicant's environmental impact and sustainability plan; whether

the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability; and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system.

4. New Jersey Minority-Owned

Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.

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

§ 13-7 Additional Requirements,

- a. Cannabis Establishments shall meet all of the requirements for licensure pursuant to the Act, the regulations of the Commission and all other applicable State and local laws.
- b. Cannabis Establishments shall at all times hold a valid current license or permit issued by the State of New Jersey, along with a local annual cannabis license issued by the Township to undertake cannabis activities at the permitted property. Both the Township and State-issued licenses are valid only for the location identified on the licenses and until the expiration date printed on the license. Both the Township- and State-issued licenses shall be prominently displayed inside the permitted Cannabis Establishment in a location where they can be easily viewed by State and local law enforcement and administrative authorities.
- c. Cannabis Establishments shall be conducted solely within the confines of the licensed location of the licensed premises on the permitted property. No Cannabis Establishment shall be permitted to operate from a movable, mobile or transitory location, except for the permitted transportation of cannabis products to and from the facility pursuant to State law by a licensed Class 6 Delivery Service.

- d. Cannabis Establishments shall comply with the Act, the regulations of the Commission, and the Township Code, including without limitation the Zoning Code, the Building Code, and the Housing and Property Maintenance Code, at all times.
- e. With the exception of loading activities incidental to the operation of the Cannabis Establishment, all operations shall occur indoors, within the enclosed licensed building, except as otherwise authorized for licensed Class 6 Delivery Services only.
- f. All Cannabis Establishments shall at all times adhere to the safety and security standards and plan established and approved by the Commission, including the requirements for the maintenance of a security system that meets State law requirements. In addition, all Cannabis Establishments shall also comply with the below provisions. The Vernon Township Chief of Police shall make the determination as to whether Cannabis Establishments are in compliance with the following provisions:
 - 1. Cannabis Establishments shall have security systems in place, along with a continuous recording system that records for a minimum 30-day archive. This system shall be shared with the Vernon Township Police Department via web browser providing direct access to real-time and archived video.
 - 2. Cannabis Establishments shall provide the Vernon Township Police Department with the name and telephone number of one staff person to notify during operating hours, and the name and cellphone number of at least two staff persons to notify after operating hours regarding suspicious activity.
 - 3. Outside areas of the premises shall be well-illuminated for safety and security, but not in a way that is counter to Township Code requirements for outdoor lighting and screening, or in a way that is obtrusive to pedestrians, drivers or other users of the public right-of-way.
 - 4. All cannabis in whatever form stored at the permitted premises shall be kept in a secure manner and shall not be visible from outside the permitted premises, nor shall it be processed, exchanged, displayed or dispensed outside the confines of the licensed structure of the premises. No cannabis products shall be visible from a public sidewalk, public street or right-of-way, or any other public place.
 - 5. Cannabis Establishments shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with local and State laws, including the rules and regulations of the Commission.
 - 6. Cannabis Establishments shall be equipped with ventilation systems sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by the ordinary senses. The ventilation system shall be inspected and approved by the Township Construction Official.
 - 7. The hours of operation for all Cannabis Establishments shall be limited to 9:00 a.m. to

10:00 p.m. Eastern Standard Time.

8. Cannabis Establishments shall post conspicuous signage inside and outside the building that consumption of cannabis is prohibited anywhere on the premises, including the parking area and inside vehicles in the parking area.
9. Prohibition on Mobile Structures. Each Cannabis Establishment shall at all times conduct business within the confines of a licensed premises. No Cannabis Establishment shall be housed or operated in a vehicle or any movable or mobile structure. Nothing herein shall be deemed to apply to or otherwise conflict with the statutory and regulatory provisions applicable to Cannabis Delivery Service holding a valid and current license issued by the New Jersey Cannabis Regulatory Commission

§ 13-8 Local Cannabis Transfer and User Taxes.

- a. Establishment of Transfer and User Tax. Pursuant to section 40 of the Act, N.J.S.A. 40:481-1a(l), the following user and transfer taxes are hereby established on all Cannabis Establishments operating within the Township, at the maximum amount as permitted by the laws of the State of New Jersey or the amounts set forth below, whichever is greater:
 1. A transfer tax of 2% shall be imposed on the gross receipts from each sale of all cannabis and cannabis items by any cannabis cultivator, manufacturer, or retailer; a transfer tax of 1% shall be imposed on the gross receipts from each sale of all cannabis and cannabis items by any cannabis wholesaler.
 2. The transfer tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.
 3. The transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.
 4. In addition, there shall be a 2% user tax imposed on any concurrent license holder operating more than one Cannabis Establishment.
 5. 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 on the license holder's business that is located in the Township to any other of the license holder's businesses, whether located in this municipality or any other municipality.
 6. The user tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.
 7. Any transaction for which the user or transfer tax hereinabove is imposed, is exempt from the tax imposed under the Sales and Use Tax Act, except for those which generate receipts from the retail sales by cannabis retailers in the case that the retail sale of

cannabis should become legal in the Township.

8. A total of 15% of the funds received from the user taxes in this section will be designated for training and equipment for the Vernon Township Police Officers, Drug Recognition Experts and associated costs, and substance abuse programs.
9. A total of 10% of the funds received from the user taxes in this section will be designated to the Municipal Planning and Zoning Department for administration and enforcement purposes.

b. Remittance of Cannabis Taxes; Delinquencies.

1. All transfer and user taxes collected by any Cannabis Establishment pursuant to this Chapter shall be remitted to the Township's Chief Financial Officer on a monthly basis.
2. Delinquent taxes. If the transfer tax or user tax is not paid when due, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the Cannabis Establishment's premises.
3. 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.
4. The Township shall file in the office of its Tax Collector a statement showing the amount and due date of the unpaid balance of cannabis taxes and identifying the lot and block number of the parcel of real property that comprises the delinquent Cannabis Establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.
5. Failure of the Cannabis Establishment to make full payment of the user and transfer taxes hereinabove imposed shall be grounds for the immediate revocation and/or termination of any local annual cannabis license and/or any local annual cannabis license shall not be renewed unless until all outstanding user and transfer taxes are paid in full. All user and transfer taxes shall also be paid should the licensee make application to the Vernon Township Planning Board and/or the Vernon Township Land Use Board.

§ 13-9 Corporate Designee Contact.

All Cannabis Establishments operating within the Township shall be required to designate a corporate representative of the business who shall be available 24 hours daily to serve as the primary person of contact for the business, and shall have full authority to make decisions on behalf of the business in the event of an emergency. The Cannabis Establishment shall provide the up-to-date direct telephone and email contact information for the corporate representative to the Township Police Department and the Township

Administrator and shall assure that such contact information remains current at all times. At a minimum, the corporate representative shall be responsible to respond to the Township in the event of a report of criminal activity, adverse odor event, or any suspected violation of applicable State and/or local laws.

§ 13-10 Civil Fines and Penalties.

- a. Any person(s), firm(s), business(es), corporation(s) and/or other organization(s), including any licensed Cannabis Establishment, found in violation of any provision(s) of the Township Code shall be subject to a civil fine and penalty not exceeding \$2,000, in accordance with the Township Code.
- b. Any violation of the Township Code by a licensed Cannabis Establishment may be grounds for revocation and/or nonrenewal of any issued local annual cannabis license. Upon reasonable notice to the licensee by the Township Administration, a hearing shall be conducted before the Township Council to decide whether sufficient grounds exist to revoke any and all classes of local annual cannabis licenses issued to the licensee. The licensee may be permitted to be represented by legal counsel during the hearing, to present evidence, testimony and witnesses.
- c. Each and every day any person(s), firm(s), business(es), corporation(s) and/or other organization(s), including any licensed Cannabis Establishment, remains in violation of the provisions of the Township Code after the deadline for compliance set forth in any notice of violation issued by the enforcing officer(s) of the Township, shall be considered a continuing violation punishable as a separate and distinct offense and subject to a separate civil fine and penalty for each and every day the violation continues.
- d. The Municipal Court or Superior Court shall have jurisdiction to hear and decide any action(s) brought to enforce the provisions of the Township Code, the hearing for which shall be conducted in a summary manner pursuant to N.J.S.A. 2B12-16a, and any final order imposing fines and penalties for a violation of this code shall be enforceable in the Municipal Court or Superior Court and collectible as a lien against the property of the violator in accordance with the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq.

SECTION 2.

SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 3.

NOTICE

The Township Clerk is directed to give notice at least ten (10) calendar days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 4.

EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on October 12, 2023, and the same came up for final passage and was adopted at the Meeting of the Township Council held on November 27, 2023 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

Marcy Gianattasio, Clerk
Township of Vernon

Howard Burrell, Mayor

Township of Vernon

INTRODUCED: October 12, 2023

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.		X	X			
Rizzuto, P.			X			
Sparta, B.			X			
Tadrick, J.	X		X			
Buccieri, N.			X			

ADOPTED:

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.						
Rizzuto, P.						
Sparta, B.						
Tadrick, J.						
Buccieri, N.						

RECEIVED

OCT 13 2023

**TOWN OF WARWICK
TOWN CLERK**

TOWNSHIP OF VERNON

ORDINANCE #23-22

**AN ORDINANCE AMENDING, REVISING, AND SUPPLEMENTING CHAPTER 330
ENTITLED "LAND DEVELOPMENT" TO CLARIFY REGULATIONS RELATIVE TO
PERMITTED LOCATIONS FOR LEGAL CANNABIS USES WITHIN THE TOWNSHIP
OF VERNON**

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

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use, and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator License, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer License, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler License, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer License, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer License, for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery License, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities, by ordinance, to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors, or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, the Township Council of the Township of Vernon has previously adopted Ordinances 21-25, 21-16 and 22-11 to permit and regulate legal cannabis within the Township, which it now seeks to repeal and replace in order to create more cohesive and clear standards for legal cannabis uses; and

WHEREAS, the Township Council of the Township of Vernon finds after having reviewed the various zoning districts within the municipality and reviewing the restrictions of those locations within the Highlands Preservation Area, generally, zones which permit commercial and industrial uses are suitable locations as conditional uses for the Class 1, 2, 3, and 4 designated marketplaces as set forth above and below and Class 5 and 6 marketplaces should be permitted as a conditional use in commercial and retail zones, as set forth above and below;

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey as follows: Section 330 of the Township Land Development Ordinance shall be amended, revised, and supplemented as follows:

SECTION 1.

Ordinances 21-16, 21-25 and 22-11 are repealed in their entirety and replaced with the following sections.

SECTION 2.

Schedule A: Permitted, Conditional and Accessory Uses and Structures (Section 330-160) Township of Vernon

Legend:

P=Permitted Use

A= Permitted Accessory Use

C= Conditional Use

R-2 Cultivation Removed

Uses	R-1	R-2	R-3	SR	PLC	C-1	C-2	C-3	CR	AET	LI	C	MTC	P	PLLC	TC	MVMU
Cannabis																	C
Cannabis cultivator										C	C						C
Cannabis distributor											C						C
Cannabis manufacturer											C						C
Cannabis wholesaler											C						C
Cannabis delivery						C	C	C			C					C	C
Cannabis retailer						C	C	C			C					C	C
Cannabis medical dispensary						C	C	C			C					C	C

SECTION 3.

Section 330-5 "Language and Definitions" shall be amended, revised, and supplemented as follows:

Cannabis

All parts of the plant *Cannabis sativa* L., whether growing or no, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in the Act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L. 2009, c. 307 (C. 24:61-1 et al.) and P.L. 2015, c. 158 (C. 18A:40-12.22 et al.); marijuana as defined in N.J.S. 2C:35-2 and applied to any offense set forth in Chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L. 2001, c. 114 (C. 2C:35B-1 et seq.), or marijuana, as defined in Section 2 of P.L. 1970, c. 226 (C. 24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L. 1970, c. 226 (C. 24:21-1 et. al.); or, hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act," P.L. 2019, c. 238 (C. 4:28-6 et. al.).

Cannabis Cultivator

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

Cannabis Delivery

Any licensed business or entity involved in 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. This person or entity shall hold a Class 6 Cannabis Delivery License.

Cannabis Distributor

Any licensed business or entity involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another. This person or entity shall hold a Class 4 Cannabis Distributor License.

Cannabis Establishment

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

Cannabis Medical Dispensary

See Cannabis Retailer.

Cannabis Manufacturer

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

Cannabis Retailer

Any licensed business or entity that is involved in the sale of cannabis items and related supplies are sold to consumers. This person or entity shall hold a Class 5 Cannabis Retailer License. See also Cannabis Medical Dispensary.

Cannabis Wholesaler

Any licensed business or entity that is involved in obtaining and selling cannabis items for later resale by other licensees. This person or entity shall hold a Class 3 Cannabis Wholesaler License.

License

A license issued under relevant State law including a license that is designated as either:

- A. Class 1 Cannabis Cultivator License
- B. Class 2 Cannabis Manufacturer License
- C. Class 3 Cannabis Wholesaler License
- D. Class 4 Cannabis Distributor License
- E. Class 5 Cannabis Retailer License
- F. Class 6 Cannabis Delivery License

The term includes a conditional license for a designated class, except when the context of the provisions of relevant State law otherwise intend to only apply for a license and not a conditional license.

Manufacture

The drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. "Manufacture" does not include packaging or labeling.

Wholesale Trade

Shall mean establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers, industrial, commercial, institutional, or professional business users, other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

SECTION 4.

Section 330-189 "Conditional Uses" shall be amended, revised, and supplemented as follows:

(30) – Cannabis Retailer. Cannabis Retailers shall meet the following conditions and standards when permitted as a conditional use:

- (a) Eligible locations. Facilities for cannabis retailers shall be no less than 1,000 feet from any school, public park, public ball field, child-care center, or the Vernon PAL facility. Distances shall be measured door to door as one would travel as a pedestrian.
- (b) Location. Cannabis retailers shall be separate and distinct from growing operations.
- (c) Highlands Preservation Area. Any cannabis retailer proposed in the Highlands Preservation Area must obtain a Highlands Exemption or Highlands Exception prior to submission to the Land Use Board.
- (d) Buildings. All cannabis retailers shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
- (e) Signage. Signs shall not promote consumption of any cannabis products.

- (f) Site plan approval is required. Site plan approval shall require submission of a safety and security plan and emergency services access plan to the Land Use Board for review.
- (g) License requirements. Cannabis retailers shall obtain a Township Cannabis License prior to application before the Land Use Board.
- (h) Accessibility. Any cannabis retailer shall only have one primary public access point, which shall be directly adjacent to the right-of-way or parking area of the building. Access should not be through common entrances with other uses.
- (i) Hours of operation for cannabis retailers shall be limited to 9:00 a.m. to 10:00 p.m.
- (j) Interior security. Cannabis retailers' interiors shall provide a secure location for storage of products with minimum products in any customer service area.
- (k) Exterior loitering and security. People shall not be permitted to congregate outside of a cannabis retailer, loiter or wait in line to access the cannabis retailer. The facility shall have a plan in place if interior capacity is exceeded, i.e., numbers are given and customers wait in their vehicles until called.
- (l) Product consumption: No products shall be permitted to be consumed on-site.
- (m) State license. The facility must have a valid license to operate from the State of New Jersey.
- (n) Any cannabis facility is subject to compliance with all state laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

(31) – Cannabis Delivery. Cannabis Delivery services shall meet the following conditions and standards when permitted as a conditional use:

- (a) Eligible locations. Facilities for cannabis retailers shall be no less than 1,000 feet from any school, public park, public ball field, child-care center, or the Vernon PAL facility. Distances shall be measured door to door as one would travel as a pedestrian.
- (b) Location. Cannabis retailers shall be separate and distinct from growing operations.
- (c) Highlands Preservation Area. Any cannabis delivery use proposed in the Highlands Preservation Area must obtain a Highlands Exemption or Highlands Exception prior to submission to the Land Use Board.
- (d) Buildings. All cannabis facilities shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
- (e) Signage. Signs not promote consumption of any cannabis products.
- (f) Site plan approval is required. Site plan approval shall require submission of a safety and security plan and emergency services access plan to the Land Use Board for review.
- (g) License requirements. Cannabis facilities shall obtain a Township Cannabis License prior to application before the Land Use Board.
- (h) Hours of operation for cannabis delivery services shall be limited to 9:00 a.m. to 10:00 p.m.
- (i) Interior security. Cannabis facility interiors shall provide a secure location for storage of products with minimum products in any customer service area.
- (j) Product consumption: No cannabis products shall be permitted to be consumed on-site.

- (k) State license. The cannabis facility must have a valid license to operate from the State of New Jersey.
- (l) Any cannabis facility is subject to compliance with all state laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

(32) – Cannabis Cultivator, Manufacturer, Wholesaler or Distributor. Cannabis Cultivator, Manufacturer, Wholesaler, or Distributor shall meet the following conditions and standards when permitted as a conditional use:

- (a) Location: Cannabis Cultivator facilities shall be the only facilities permitted in the AET shall be on lots with a minimum of six (6) acres.
- (b) Highlands Preservation Area. Cannabis facilities proposed in the Highlands Preservation Area must obtain a Highlands Exemption or Highlands Exception prior to submission to the Land Use Board.
- (c) Buildings: All cannabis facilities shall be enclosed in heated/air-conditioned permanent buildings, not hoop houses, greenhouses or other temporary structures.
- (d) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
- (e) Site plan approval is required. Site plan approval shall require submission of a safety and security plan and emergency services access plan to the Land Use Board for review.
- (f) Odor Control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property. Odor from the facility shall be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township.
- (g) Buffering. Cultivator facilities located in the AET Zone must maintain a 100-foot buffer from property lines.
- (h) Lighting. Cultivator facilities located in the AET Zone shall limit lighting to the minimum necessary for safety requirements in parking areas and walkways to have a maximum 1.0 footcandle. Lighting shall be downward facing and not exceed 0.1 footcandle at the property line.
- (i) License requirements. Cannabis facilities shall obtain a Township Cannabis License prior to application before the Land Use Board.
- (j) State license. The facility must have a valid license to operate from the State of New Jersey.
- (k) Any cannabis facility is subject to compliance with all state laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

SECTION 4.

SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 5.

NOTICE

The Township Clerk is directed to give notice at least ten (10) calendar days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 6.

EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on October 12, 2023, and the same came up for final passage and was adopted at the Meeting of the Township Council held on November 27, 2023 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

Marcy Gianattasio, Clerk
Township of Vernon

Howard Burrell, Mayor

Township of Vernon

INTRODUCED: October 12, 2023

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.	X		X			
Rizzuto, P.			X			
Sparta, B.			X			
Tadrick, J.		X	X			
Buccieri, N.			X			

ADOPTED:

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Distasi, P.						
Rizzuto, P.						
Sparta, B.						
Tadrick, J.						
Buccieri, N.						

ORANGE COUNTY CLERK KELLY ESKEW



INVITES YOU TO THE

ORANGE COUNTY MOBILE DMV UNIT

TRANSACTIONS OFFERED

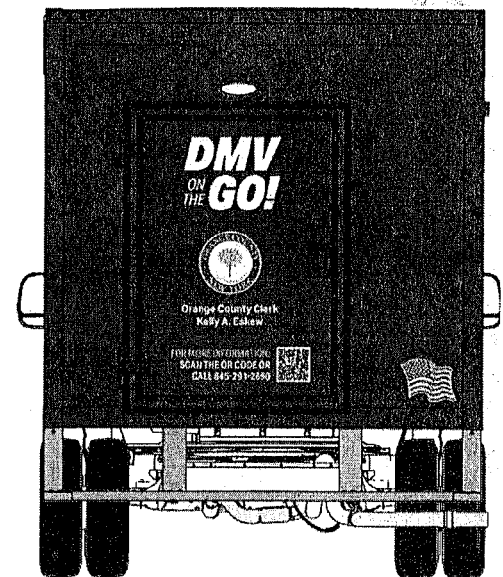
- ALL REGISTRATION TRANSACTIONS
- ALL LICENSE TRANSACTIONS INCLUDING
REAL/ENHANCED
- ENFORCEMENT TRANSACTIONS

WEDNESDAY, NOVEMBER 1ST

10:00-12

CLOSED 12-1

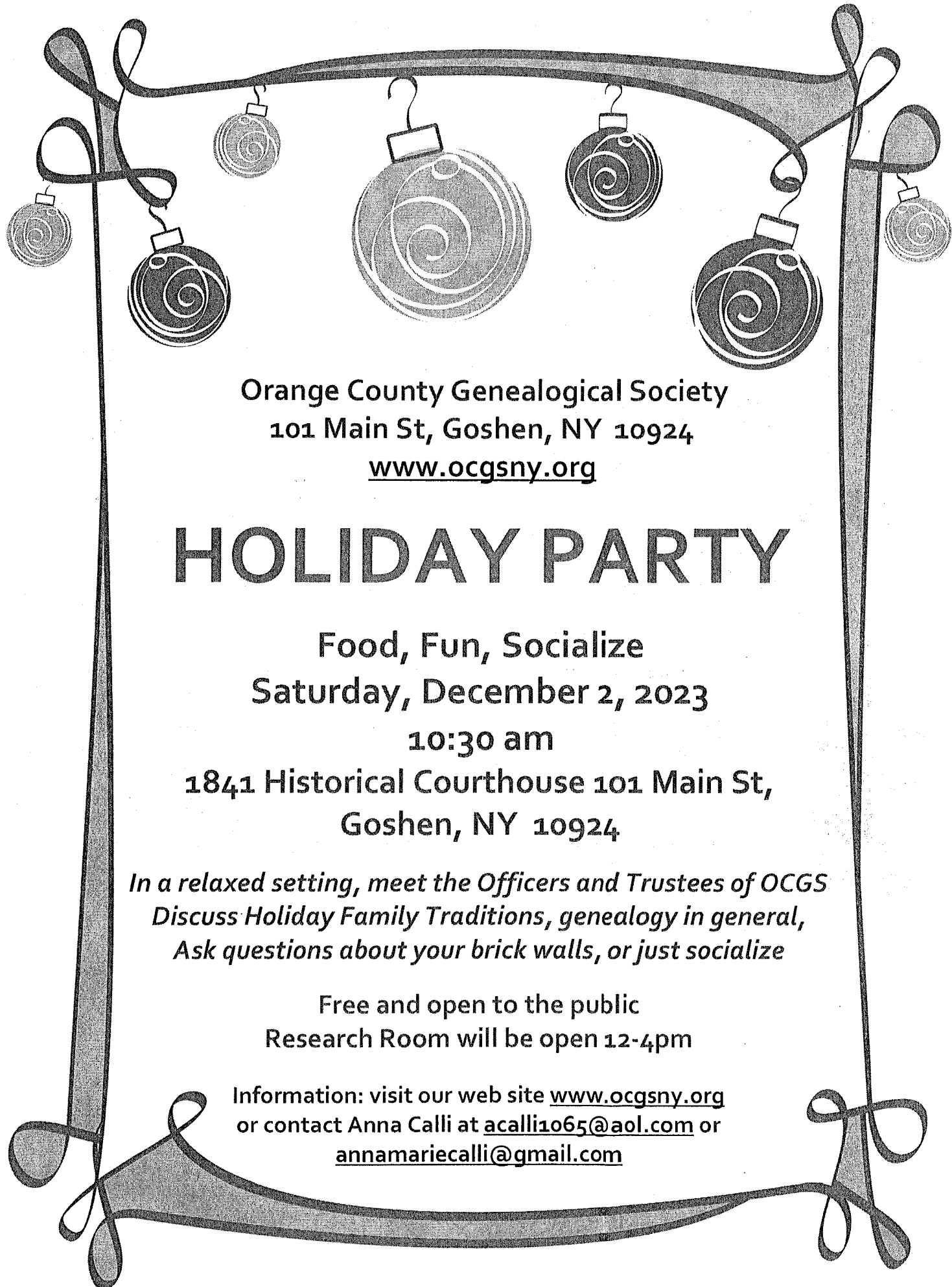
1-3:30



WARWICK TOWN HALL

132 KINGS HWY

WARWICK, NY 10990



Orange County Genealogical Society
101 Main St, Goshen, NY 10924
www.ocgsny.org

HOLIDAY PARTY

Food, Fun, Socialize
Saturday, December 2, 2023
10:30 am

1841 Historical Courthouse 101 Main St,
Goshen, NY 10924

*In a relaxed setting, meet the Officers and Trustees of OCGS
Discuss Holiday Family Traditions, genealogy in general,
Ask questions about your brick walls, or just socialize*

Free and open to the public
Research Room will be open 12-4pm

Information: visit our web site www.ocgsny.org
or contact Anna Calli at acalli1065@aol.com or
annamariDCALLI@gmail.com

Orange County Genealogical Society
www.ocgsny.org

Saturday, November 4, 2023

10:30am – 12pm

1841 Historic Courthouse

101 Main Street

Goshen, NY

In-House Program

“The Palatine Migration to the Town of Montgomery”

Presented by: Mary Ellen Matisse

As the Town of Montgomery Historian, Mary Ellen has been researching the Palatine migration to Montgomery for the past two years.

Mary Ellen Matisse has been the Town of Montgomery Historian from 2020 to present. Village of Walden Historian from 2010 to 2019 and is currently the Co-Historian for the Village. She is a Trustee for the Historical Society of Walden and Wallkill Valley from 2022 to present and a Board Member for the Association of Public Historians NY State from 2021 to present.

Research Room will be open after the program 12:30 - 4:00pm

All programs are free and open to the public

Information: visit our web site www.ocgsny.org or contact Anna Calli at acalli1065@aol.com or annamariDCALLI@gmail.com or Marilyn Terry at mvtgrterry@aol.com