

AGENDA – TOWN BOARD MEETING
September 27, 2022
7:30pm

REGULAR MEETING:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

ACCEPTANCE OF MINUTES

1. Regular Meeting- September 8, 2022

REGULAR MEETING:

CORRESPONDENCE:

DR. RICHARD HULL – Town Historian, Town of Warwick. Memo received September 19, 2022 requesting a budget transfer.

DEIRDRE ELLIS – Clerk’s Office, Township of West Milford. Email dated September 8, 2022 regarding West Milford Ordinance 2022-042 Adopted; Ordinance 2022-043 Introduced; 2022-042 -Amend Chapter 500 News Section Anti-Gifting Cannabis.

ELIZABETH KNIGHT – Repair Café, Town of Warwick. Email dated September 13, 2022 in regards to the Repair Café scheduled for the 17th and the Too Good to Toss event that was held at the Stanley Deming Park in the Village of Warwick on the August 27, 2022.

PAULETTE WILK RUDY – Secretary, Pine Island Fire District. Letter received September 16, 2022 to the Town Clerk with a copy of the proposed Annual Budget for the Pine Island Fire District for the year beginning January 1, 2023.

LORI MOSHER – Justice Clerk, Town of Warwick. Letter dated September 12, 2022 to the Town Board requesting authorization to apply for funding from the Justice Court Assistance Program for the upcoming grant cycle.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

Culvert Pipes	West Ridge Rd.	200’ x 10” culvert pipe plus three 18”x18” basins to improve drainage
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Mowing	Town Wide	Mow Roadsides
Ball Fields	Town Wide	Mow & Maintain
Pot Holes	Town Wide	Fill with hot mix
Vehicle Maint.	As needed	
Emergency Repairs	As needed	
Road Signs		
Haul Material	Stockpile	Haul item #4 to stockpile
Water Dept.	Lakeshore Rd.	Replace fire Hydrant

PARKS DEPARTMENT

Union Corners Park	Open	Town
Kutz Camp Pool	POOL CLOSED	Town
Town of Warwick Dog Park	Open	Town
Airport Road Park	Open	Town
Wickham Woodland Park	Open	Town
Cascade Lake Park	Open	Town
Wickham Passive Boat Launch	Open (Keys on sale in Clerk's office) RESIDENTS ONLY	Town
Pine Island Park	Open	Town
Thomas P. Morahan Waterfront Park	NO SWIMMING (No lifeguards on duty)	Village of GWL
Ben Winstanley Park	Open	Village of GWL
Village of GWL Dog Park	Open	Village of GWL

ENVIRONMENTAL CONSULTANTS REPORT – AUGUST 2022

Wickham Water District

Wells #11	2,396,800 gal
Average daily use	77,300 gal
Sodium Hypochlorite used	220 qt
Orthophosphate used	36 qt
Caustic Soda	90 gal

Bellvale Park Water District

Total monthly production	119,000 gal
Average daily use	3,800 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	327,600 gal
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Average daily use	10,600 gal
Sodium Hypochlorite used	10 qt
Orthophosphate used	6 qt

Pine Island Water District

Total monthly production	311,100 gal
Average daily use	10,000 gal
Sodium Hypochlorite used	4 qt

Westside #1 Water District

Total monthly production	4,379,900 gal
Average daily use	141,200 gal
Sodium Hypochlorite used	196 qt
Orthophosphate used	70 qt
Caustic Soda	60 gal

The Fairgrounds

Total monthly production	148,300 gal
Average daily use	4,800 gal
Sodium Hypochlorite used	16 qt

The Warwick Tech Park

Total monthly production	401,300 gal
Average daily use	12,945 gal
Sodium Hypochlorite used	60 qt

Sewer District #1 Wastewater Treatment Facility

Warwick Tech Park	101,620 gal	3%
Wickham Village District	1,481,986 gal	50%
Kings Estates District	1,406,653 gal	47%
<u>Total District Flow</u>	2,990,259 gal	100%
<u>Average Daily Flow</u>	96,460 gal	

All facility maintenance has been done for the month. (Oil grease, filters)

The belt press ran for 37 hrs. and 2 gal of polymer was used.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

Total District Flow 108,540 gal
Average Daily Flow 3,502 gal

COUNCILMAN DE ANGELO REPORT

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Bid Proposal for Curbside Recycling Pickup for the Town of Warwick and Village of Warwick:

1. **County Waste**
1927 Route 9
Clifton Park, NY 12065
518-877-2308
Bid Proposal: \$9.75/month/ dwelling unit

2. **Cottage Carting Inc DBA Marangi Disposal**
366 Highland Ave Ext
Middletown, NY 10940
845-343-5566
Bid Proposal: \$7.85/month/dwelling unit

2. Bid Proposal to replace Wall mounted boiler for the Warwick Transit Center:

1. **Armistead Mechanical, Inc**
324 North Plank Road
Newburgh, NY 12550
845-564-3065
Bid Proposal: \$12,550.00
2. **Nebrasky Plumbing, Heating & Cooling, Inc.**
1019 Route 17M, Suite 3
Monroe, NY 10950
845-783-6661
Bid Proposal: \$11,900.00

3. **Hauser Bros., Inc.**
17 Old School House Lane
Orangeburg, NY 10962
845-359-1881
Bid Proposal: \$13,250.00

SUPERVISORS REPORT

- 1. Acquisition of environmentally sensitive area adjoining Glenmere Lake**
- 2. OC Household Hazardous Waste Day**
- 3. Events- WVHS Homecoming & Applefest**
- 4. Hispanic Heritage Day-Sunday 9/25**
- 5. Journal entries**
- 6. Supervisors Corner – Published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.**

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

- 1. AMEND #R2022-279-APPOINT PART-TIME ZONING BOARD OF APPEALS – RECORDING SECRETARY**
- 2. BUDGET TRANSFER – TOWN HISTORIAN**
- 3. SCHEDULE PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. 5 OF 2022 – A LOCAL LAW AMENDING OF CHAPTER 82-31 F OF THE TOWN CODE IN RELATION TO FIRE PREVENTION AND BUILDING ADMINISTRATION**
- 4. SUPPORT JUSTICE COURT 2022-2023 JCAP GRANT APPLICATION**
- 5. ACCEPT PROPOSAL FOR REPLACEMENT WALL MOUNTED BOILER FOR WARWICK TRANSIT CENTER**
- 6. WARWICK SANITARY SEWER TREATMENT PLANT #1 – CHANGE ORDER**
- 7. REQUEST TO SERVE ALCOHOL – TEGRA & DAWN YARBER**
- 8. RE-NAME THE FORMER KUTZ CAMP – MOUNTAIN LAKE PARK**
- 9. REPLACE CMU WALL – WARWICK HUMANE SOCIETY**

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

RECONVENE:

ADJOURN:

Warwick Town Clerk

From: eknightmoss@gmail.com
Sent: Tuesday, September 20, 2022 8:22 AM
To: 'Michael Sweeton'; Town Supervisors Confidential Secretary; Warwick Town Clerk
Cc: Mark; eknightmoss@gmail.com
Subject: Warwick Sept 17 Repair Cafe Follow Up
Attachments: IMG_6769.jpg; IMG_6775.jpg; IMG_6780.jpg

RECEIVED

SEP 20 2022

Subject: Sept 17 Repair Cafe Follow Up

Town of Warwick
Town Clerk

Dear Friends,

Last Saturday, we welcomed Howard Schmidt, a retired industrial arts teacher from Monroe, to his first Repair Café. Howie jumped right in to change parts and clean containers on a Dyson vacuum. Joan, Nanette and Teresa set the tone of our community effort to keep things out of the landfill by welcoming people at the check-in table and managing the crowd. Nanette set up the snacks and Teresa picked up the pizzas for lunch. Joan & Teresa also take great photos.

Repair Coaches – Roy, Larry, Howie, Frank, Raven, Rob, Brian, Fred, Roger, Reg, Raheli, Deanne, Lenny, Mary, Barb, and Terri worked on 69 job tickets, A total of 88 items that included a bicycle, laptops, watch, eyeglasses, necklaces and bracelets, CD player/radio, fans, lamps, clocks, vacuum cleaners, clothing, pillows, teddy bears –see one of the stories below - knives, scissors, axes, and garden tools.

Only 10 items couldn't be repaired – couldn't access/disassemble item to be fixed, didn't have specific parts/motors/cord/mechanism.

As usual, the majority of people seeking repairs came from Warwick -47, but also Chester 5, Greenwood Lake 3, Campbell Hall 1, Florida 1, Harriman 1, Hewitt NJ 1, Tuxedo Park 1. Most folks had visited our RC before, but there were some first timers: Warwick 7, Greenwood Lake 3, Chester 2, Monroe 1.

One woman scribbled "wonderful service -nice guys. Very happy" on her job ticket. Another woman, "who loves to sew and loves a challenge," volunteered to join the sewing team.

Bear Repair

A woman brought in a damaged toy teddy bear. Mrs. E.C. said that daughter's feisty cat had chewed the bear's fur leaving a large white spot on the bear's forehead. I asked the woman if she'd brought along fabric that she'd like the sewing coaches to use for a patch. E said that she hadn't thought about that, but after looking at our scrap collection, said she'd rather have the bear mended with a piece of fabric that had once belonged to her mother. E. drove home and returned with a small decorative pillow, a long-ago gift from her deceased mother. The pillow front featured a heart along with the words, "Love Dwells Here." The back was covered with a piece of calico. Maybe one of the coaches could craft a heart-shaped patch with a piece of the pillow's calico? Raheli removed a piece of the calico, then carefully patched the hole with a small fabric scrap, and topped it with a vintage, hand-crocheted doily. Mary cut a heart-shape from the calico scrap and lovingly hand-stitched it onto the bear. Everyone was delighted with the result.

Cheers to all,
Elizabeth Knight

TOWN OF WARWICK JUSTICE COURT

132 KINGS HIGHWAY
WARWICK, NEW YORK 10990
TELEPHONE: 845-986-1128
FACSIMILE: 845-987-1815

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SEP 12 2022
Town of Warwick
Town Clerk

Peter D. Barlet, Justice
Nancy Brenner-DeAngelo, Justice
Lois Weslowski, Court Clerk
Lori Mosher, Court Clerk

September 12, 2022

To: Town Board

Re: Application for funding from the Justice Court Assistance Program

The Town Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. The Court will be requesting money to purchase 2 new filing cabinets for the court office in the amount of \$847.98.

Thank you for your time and assistance in this matter.

Sincerely,

Lori Mosher
Justice Clerk

To: Town Clerk

From: _____, Town Justice

Re: Application for funding from the Justice Court Assistance Program

Date: _____

The Town Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of that application is a Resolution from the Town Board authorizing the Town Court to apply for this funding.

The Office of Court Administration will not accept the court's application unless the Resolution incorporates one of the following two options EXACTLY as written below:

Option # 1

"The Board of the Town of _____ Name of Town _____ authorizes the _____ Name of Town _____ Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.00."

Option # 2

"The Board of the Town of _____ Name of Town _____ authorizes the _____ Name of Town _____ Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$ _____ Amount Requested _____."

While the Resolution may include one or more "WHEREAS" clauses, it is essential that the "Be it RESOLVED" portion of the Town Board's resolution be worded exactly as one of the options indicated above (with the addition of the name of the Town inserted as shown above in both options and with the addition of the amount requested as shown above in the second option).

In addition, the Board Resolution must be certified.

The deadline for our application is Friday, October 14, 2022.

Thank you for your attention to this matter and for your help with the Court's application.

Board of Fire Commissioners
Pine Island Fire District
PINE ISLAND, NEW YORK 10969

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SEP 16 2022
Town of Warwick
Town Clerk

September 18, 2022

Town Clerk
Town of Warwick
132 Kings Highway
Warwick, New York 10990

Dear Sir or Madam:

We are enclosing a copy of a public notice of the annual budget hearing for the Pine Island Fire District, regarding the proposed budget for the year 2023. Also enclosed is a copy of our proposed 2023 budget.

In accordance with the provisions of the Laws of 2006 Chapter 240, codified at Sections 105 and 181 of the Town Law, you "shall cause" a copy of this Notice to be posted on the bulletin board in your office, on the signboard of the Town, maintained pursuant to subdivision 6 of Section 30 of the Town Law, and shall also post this Notice on your town website, not sooner than September 28, 2022 and not later than October 3, 2022. You will note that the Notice states that a copy of the fire district's 2023 proposed budget is available at your office, where it may be inspected by any interested person during office hours. Please note that the posting(s) you make should remain until after the budget hearing date, October 18, 2022.

If you have any questions in connection with this matter, kindly contact our attorneys, Kornfeld, Rew, Newman & Simeone, 139 Lafayette Avenue, P.O. Box 177, Suffern, New York 10901 (845-357-2660) at your earliest convenience.

Very truly yours,



Paulette Wilk Rudy
Secretary, Pine Island Fire District

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

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SEP 16 2022

Town of Warwick
Town Clerk

ANNUAL BUDGET ESTIMATE

Submitted by: PINE ISLAND FIRE DISTRICT – TOWN OF WARWICK, NY
For Year Beginning – January 1, 2023

Bonds-Truck Loan	36,903
Bond Interest-Truck Loan	5,360
Building Loan Principal -USDA	90,000
Building Loan Interest-USDA	67,753
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	54,000
Utilities	42,050
Communications	3,500
Service Awards	41,800
Professional Services	22,400
Reserve Contributions	15,000
Administrative	34,850
TOTAL	534,316
Less Income	2,400
Budget Request	531,916

John M. Graham
Treasurer, PIFD
September 15, 2022

Warwick Town Clerk

From: eknightmoss@gmail.com
Sent: Tuesday, September 13, 2022 3:29 PM
To: Warwick Town Clerk; Town Supervisors Confidential Secretary
Cc: Michael Sweeton
Subject: Repair Cafe this Sat., Sept 17 from 10-2

RECEIVED

SEP 13 2022

Town of Warwick
Town Clerk

Hello, All,

A woman just called me to check information about the time/date of this Saturday's Repair Café. The woman told me that "Town Hall said it is open from 9-3 and that it is held every Saturday."

I'd like to confirm that Warwick's RC is held the third Saturday of every OTHER month from 10-2. Here's the details for this Saturday's event:

REPAIR CAFÉ

Saturday, Sept. 17, 10 AM-2:00 PM
Senior Center, Town Hall Complex, 132 Kings Hwy, Warwick
Bring Your BELOVED BUT BROKEN Items
*FIX them for FREE With Our Repair Coaches
*Lamp Parts Available at our cost
Mechanical & Electrical
Quick Repairs & Consultations
Laptops, Tablets, Cell Phones
Jewelry, Wooden Things
Clothing, Home Textiles, Soft Toys
Knife & Tool Sharpening
Limit TWO Items Per Person, Please!
Sorry, no bike repairs this time
No gas or propane-powered items
Pls. Bring a Food Pantry Donation - Box or Can Only
RepairCafeHV.org
organizerwarwickrepaircafe@aol.com

Thanks for your kind attention,
Elizabeth Knight
845-544-1056

Warwick Town Clerk

From: Michael Sweeton
Sent: Tuesday, September 13, 2022 3:20 PM
To: eknightmoss@gmail.com; 'Michael Newhard'; Barry J Cheney; Mike Moser
Cc: Town Supervisors Confidential Secretary; Warwick Town Clerk; Raina Abramson
Subject: RE: Too Good To Toss follow up for local press

Looks good to me

From: eknightmoss@gmail.com <eknightmoss@gmail.com>

Sent: Tuesday, September 13, 2022 3:17 PM

To: Michael Sweeton <msweeton@townofwarwick.org>; 'Michael Newhard' <mayor@villageofwarwick.org>; Barry J Cheney <cheney@villageofwarwick.org>; Mike Moser <dpwsupervisor@villageofwarwick.org>

Cc: Town Supervisors Confidential Secretary <secretary@townofwarwick.org>; Warwick Town Clerk <clerk@townofwarwick.org>; Raina Abramson <clerk@villageofwarwick.org>

Subject: Too Good To Toss follow up for local press

Hello Mr. Sweeton, Mr. Newhard, Mr. Cheney, and staff,

I'd like to submit this TGTT follow up report, along with photos, to local newspapers this week.

Do you have any comments, corrections, suggestions to add?

Please Advise,
Elizabeth Knight
845-544-1056

"Thank you to you and all involved. I walked by Saturday and Sunday – both days very busy. Glad to be able to support this great effort."

Town Supervisor, Michael Sweeton

"The Too Good to Toss event reduces the amount of bulk trash that we have to pick up, which is a very good thing..."
Deputy Mayor Barry Cheney

Warwick's Too Good To Toss "town-wide swap" was held in person, on the basketball court, Stanley Deming Park for the first time in two years. This popular event is held prior to the Village's annual bulk-trash pickup in an effort to reduce the amount of trash trucked to a landfill. Depending upon where you live, it might be easier to dump stuff on the curb, but TGTT provides a central location for people to donate their unwanted items and strengthen community connections by making useful goods available to others who need or want them.

On Saturday, August 27, residents of the hamlets, village and town of Warwick donated their gently-used items – including non-upholstered furniture, mirrors, framed artwork, lamps, garden equipment, hardware tools, office supplies, sporting goods, bicycles, baby gear, toys, clothing, linens, books, games, puzzles, housewares and small electrics- in good repair, with all working parts. Volunteers helped the public unload their donations, examined them to make sure they were in good condition, then sorted them into categories. Other volunteers arranged the items on tables in "shoppable departments" protected by tents. As in previous years, the Village and the Town split the cost to rent tents, tables, and chairs.

On Sunday, August 28, everyone, no matter where they live, was invited to "shop" for free. When organizers Elizabeth Knight and Payton Swenson arrived at the basketball court about 9:00 AM, there were already more than 60 people in

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SEP 13 2022

Town of Warwick
Town Clerk

line. We counted 625 shoppers and admitted (approximately 50 plus at a time) between 10 AM & 12:45 PM. After that, the crowd thinned out so we opened the gates and stopped counting. Volunteers began sorting & boxing leftovers at 4PM, but people continued to drop in and shop until we closed the gates at 6PM.

All the clothing, linens, and books, were taken on Sunday evening by a Warwick resident who said that she will arrange to ship them to a charities in Haiti, Jamaica and connections in South Florida. The organizer of the St. Stephen's tag sale, and several members of her team, collected items that they could use on Monday, August 29. Still other donations were boxed and delivered, by volunteers, to private residences to be picked up by the Vietnam Vets. That organization won't collect donations from a public place. TGTT team sorted recycables - cardboard, paper, glass, metal - into boxes/bags outside fence by entrance gate.

Elizabeth Knight
(845)544-1056

X

Warwick Town Clerk

From: Deidre Ellis (ClerksOffice2@WestMilford.org) <ClerksOffice2@westmilford.org>
Sent: Thursday, September 08, 2022 10:24 AM
To: bsmith@bloomingdalenj.net; clerk@butlerborough.com; jbakalarczyk@hardyston.com;
clerk@villageofgreenwoodlake.org; mreilly@jeffersontownship.net;
kiuele@kinnelonboro.org; cclipperton@rockawaytownship.org; clerk@ringwoodnj.net;
townclerk@vernontwp.com; Warwick Town Clerk; mlyscatos@passaiccountynj.org;
dimhof@passaiccountynj.org; pcpb@passaiccountynj.org; Pamela Jordan
(PlanningBoard@WestMilford.org); Pamela Jordan (ZBOA@WestMilford.org);
salvatorep@passaiccountynj.org
Cc: Diane Curcio (ClerksOffice@WestMilford.org)
Subject: West Milford Township Ordinance 2022-042 Adopted; Ordinance 2022-043 Introduced;
Attachments: 2022-042-AmendChap500NewSection-Anti-GiftingCannabis.pdf; 2022-043-
AmendChap500-192-CannabisOnLotsOver10Acres.pdf

September 8, 2022

RECEIVED
SEP 09 2022
Town of Warwick
Town Clerk

TO: Borough of Bloomingdale
Borough of Butler
Borough of Kinnelon
Borough of Ringwood
Passaic County Clerk
Passaic County Planning Board
Township of Hardyston
Township of Jefferson
Township of Rockaway
Township of Vernon
Town of Warwick
Township of West Milford Planning Board
Village of Greenwood Lake

Re:

**Ordinance 2022-042 ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY MILFORD, COUNTY OF
PASSAIC, STATE OF NEW JERSEY TO CREATE A NEW SECTION WITHIN CHAPTER 500 "ZONING"
AND PROHIBITING THE GIFTING OF CANNABIS**

**Ordinance 2022-043 ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF
NEW JERSEY AMENDING CHAPTER 500 "ZONING" OF THE REVISED GENERAL ORDINANCES TO UPDATE
SECTION 500-192 "CANNABIS CULTIVATOR, MANUFACTURER, WHOLESALER AND DISTRIBUTOR"**

Dear Sir/Madam:

Please take notice that the above Ordinance 2022-042 was adopted and 2022-043 was introduced at a
Workshop Meeting of the Mayor and Governing Body of the Township of West Milford held on September 7,
2022 and copies are attached.

Deidre Ellis

Deidre Ellis
Clerk's Office
973-728-2714

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Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 - 042 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO CREATE A NEW SECTION WITHIN CHAPTER 500 "ZONING" AND PROHIBITING THE GIFTING OF CANNABIS

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," N.J.S.A. 24:6I-31 et seq. (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 the following six marketplace classes of business licenses to be issued by the State of New Jersey Cannabis Regulatory Commission for the legal operation of cannabis establishments and other types of cannabis marketplace activity in the State, 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 licensed 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, N.J.S.A. 24:6I-45a, authorizes municipalities to adopt ordinances and regulations prohibiting outright and/or limiting the number of any class of license "cannabis establishments" (defined in section 33 of the Act, N.J.S.A. 24:6I-33, as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors and cannabis delivery services allowed to operate within its municipal boundaries; and the location, manner and times of operation of such cannabis establishments, cannabis distributors and cannabis delivery services, except that the time of operations for cannabis delivery services, shall only be subject to the regulation by the Cannabis Regulatory Commission (the "Commission"); and

WHEREAS, section 31a of the Act, N.J.S.A. 24:6I-45a, also authorizes municipalities to establish certain civil penalties for violations of any ordinance or regulations governing cannabis establishments, distributors or delivery services that may operate in a municipality, as well as to their location, manner and times of operation; and

WHEREAS, section 31b of the Act, N.J.S.A. 24:6I-45b, authorizes municipalities to prohibit, by ordinance, the operation of any one or more classes of cannabis establishments, cannabis distributors, and the principal premises of a cannabis delivery service from anywhere in the municipality, but not the actual delivery of cannabis items and related supplies by a licensed cannabis delivery service operating outside the boundaries of the municipality; and

WHEREAS, section 31c of the Act, N.J.S.A. 24:6I-45c, authorizes municipalities to impose a separate local licensing or endorsement requirement as part of its restrictions on the number of cannabis establishments, distributors or delivery services; and

WHEREAS, section 40 of the Act, N.J.S.A. 40:48I-1, authorizes municipalities to adopt ordinances imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment located in the municipality on receipts from the sale of cannabis to other cultivators, sales between cannabis establishments, and any combination thereof, and sets forth the limits for same; and

WHEREAS, the Township of West Milford has specifically allowed cultivation (Cannabis Cultivator License Class 1), manufacturing (Cannabis Manufacturer License Class 2), wholesaler (Cannabis Wholesaler License Class 3), distribution (Cannabis Cultivator License Class 4), retailer (Cannabis Retailer License Class 5) and delivery (Cannabis Deliver License Class 6) under the Act, subject to municipal regulation where appropriate in the Township; and

WHEREAS, a number of individuals, cannabis businesses and/or license holders have been engaged, as part of their business activities, in "gifting" or otherwise providing free samples of marijuana or cannabis items in violation of New Jersey consumer protection laws; and

WHEREAS, such "gifting" is not authorized by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, and such practice in certain carefully defined circumstances violates N.J.S.A. 2C:35-10a, a criminal statute.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that the Township of West Milford Code shall be amended and updated, as follows:

SECTION 1.

Within MEDICAL AND RECREATIONAL CANNABIS ACTIVITY" of the Code of the Township of West Milford, Section 500-195 Definitions shall be amended to include the definition of "Gifting" as noted below:

"Gifting" Shall mean any individual, cannabis business or license holder providing free samples of marijuana or cannabis items, either independent of, or in connection with the sale of other goods and or services.

SECTION 2.

Section 500 of the Medical and Recreational Cannabis Activity Code shall be further amended to include the following provision, to be included as new Section 500-205, and as noted below:

Section § 500-205 Gifting Prohibited.

Under no circumstance shall any individual, cannabis business or cannabis license holder, under any class of license, engage in gifting cannabis or marijuana as defined herein. Any individual, cannabis business or cannabis license holder found in violation of this provision shall be subject to the provisions as set forth within this Chapter, including but not limited to Section 500-204 Civil Fines and Penalties, and depending upon other carefully defined circumstances, possible criminal prosecution.

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 043 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” OF THE REVISED GENERAL ORDINANCES TO UPDATE SECTION 500-192 “CANNABIS CULTIVATOR, MANUFACTURER, WHOLESALER AND DISTRIBUTOR”

WHEREAS in 2021 the Township of West Milford adopted an ordinance allowing for cannabis business licenses within the township and setting forth distances between any cannabis business and parks, schools and other cannabis businesses; and

WHEREAS the Governing Body wishes to update the ordinance to minimize confusion and better define cannabis on lots of 10 acres or more.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following “Cannabis cultivator, manufacturer, wholesales and distributor” section be amended to add the following”

SECTION 1. § 500-192 Cannabis cultivator, manufacturer, wholesaler and distributor.

B. Cannabis cultivators, manufacturers, wholesalers, and distributors shall be permitted uses on lots of 10 acres or more in any zone district and shall adhere to the following special design standards:

- (1) Eligible locations: Parcels which are 10 acres or more in all zone districts.
- (2) Greenhouse cultivation: Greenhouse cannabis cultivation may occur in a greenhouse with rigid walls, a partial greenhouse or a hoop house or other non-rigid structure. The following requirements must be met:
 - i. The operator of the greenhouse cultivation must be a licensed Class 1 Cultivator or Class 2 Manufacturer.
 - ii. In no case shall a cannabis facility operate or be located on land that is valued, assessed, or taxed as an agricultural or horticultural use pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:423.1 et seq.). Properties that are farmland assessed prior to use for cannabis facilities shall have the farmland assessment removed prior to commencement of operations.
 - iii. The outdoor growing area shall be situated to maintain the greatest achievable level of privacy and security.
 - iv. The outdoor growing area of the property must be securely surrounded by fencing and locked gates on the entire perimeter, constructed in accordance with the Uniform Construction Code and the Township Zoning Code, to prevent access to the grow area by unauthorized persons.
 - v. Locks on gates shall be commercial-grade, non-residential door locks.
 - vi. The outdoor growing area shall be protected by a security system and 24-hour video surveillance system that is continuously monitored and capable of detecting power loss, pursuant to N.J.A.C. 17:30-9.10, to ensure surveillance of the entire perimeter of the growing area and overall portions of the security fences and all gates.
- (3) Setbacks: All principal structures and any associated cannabis facilities, including greenhouses as described in §500-192B(2), must be set back at least 100 feet from any property line.
- (4) Odor control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems, such that any odor generated by the cannabis cultivation is not detectable by a person of reasonable sensitivity at the property

line of the subject property. Greenhouses may use a combination of setbacks and ventilation to mitigate odor. Odor from the facility may be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township, and at the expense of the cannabis licensee.

- SECTION 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
- SECTION 3.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 5.** This ordinance shall take effect immediately upon final passage, approval and publication as required by law.
- SECTION 6.** This Ordinance may be renumbered for codification purposes.

Introduced: September 7, 2022

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

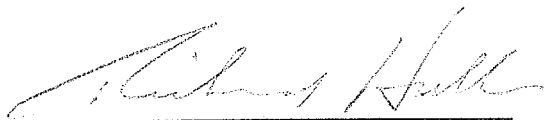
To: Town of Warwick Board

From: Dr. Richard Hull

Re: Budget Transfer

I would like to request a Budget Transfer:

From A00.00.7510.444 Office Expenses to A00.00.7510.414 Dues \$60.00

A handwritten signature in cursive script, appearing to read "Richard Hull", is written over a horizontal line.

Dr. Richard Hull

RECEIVED
SEP 19 2022
Town of Warwick
Town Clerk