

SALUTE TO THE FLAG AND MOMENT OF SILENCE was led by Mayor Barbera

OPEN PUBLIC MEETINGS LAW—Mayor Barbera stated adequate notice of this meeting was given by emailing the Retrospect and the Courier-Post on January 10, 2023 and posting on Borough Website and bulletin board.

ROLL CALL recorded as present: Cruz, Riondino, DelPidio and Redstreak; absent DiGregorio and DiMarco.

PRESENTATION – Club 420 LLC – Attorney Damien DelDuca introduced himself as representing Club 420 LLC. He also introduced the team from the consulting firm and of the owner. It is a 5,000 square foot building proposed as tenant use, leasing half for retail. They are proposing no onsite use. A license is required by the CRC to operate. To get a license from the state, each licensee must get from the local government first, zoning approval and proof of local required resolution of support. There was discussion of licensing guidelines and the received data. Some of the presentation material was sent via email to Council. They submitted detailed operational information, including floor plans and security. All is included in that. They have extensive experience and currently have their conditional licensing. There was additional discussion of state review including zoning approval and resolution of support in order to get an annual license. Right now, conditional licensing has been received. There was discussion of the site, and what has been submitted. The parcel is suitable. It is on the White Horse Pike and is in need of redevelopment. There is plenty of parking and is a perfect site for the proposed use. The site was authorized for this use for Sailors Pipe in a letter from the Mayor. The minutes indicate that it was granted that a resolution could be drafted for that user, which is not them. They have been trying to locate a site in Laurel Springs and finally found this site, which previously was given a letter of support according to the minutes from March 27th meeting. There was discussion of two aerial photos, site plan and timeline of communication with the Borough which were distributed to Borough Council. Mr. DelDuca introduced Amanda Ostrowitz of SLAP Consulting, who described her consulting firm. She has overseen this site which uses half of the building structure at this site with a lot of property. There will be two separate entrances. They work with law enforcement on floor plans. From the front of the property would be the entrance to Dream Tile. The cannabis entrance has reception at the main door where IDs are checked. Then a waiting room and then onto the showroom floor. There was further description of security and floor plan. There are six “point of sale” stations, which uses a jewelry store design. In the back of the house will be a vault, employee break room and manager’s office. There was discussion of the drive through only for online orders. Verification of age through ID is similar to pharmacy. They scan ID’s. The other business is in front and there was a discussion of parking. There was discussion of trucks. She said she had no personal knowledge of the owner’s zoning application, which segued into discussion of the owner’s business. There was question about the upkeep of the property for both businesses, to which it was stated that it will be maintained, and property maintenance will be by Club 420. They are taking on that upgrade. They will resurface the parking lot and modernize the building with new signage and new pylons with new huge interior improvement. It was asked who was responsible for the building they or the owner. They responded that they would, as tenants, they will maintain.

They have California and Oklahoma market experience to bring to New Jersey to educate and learn how to use safely. She gave an overview of the team of consulting, legal and ownership. Amanda gave resumes of the team and resume of SLAP consulting. Page 7 had examples of pictures. They reviewed the timeline. She discussed difficulty of White Horse Pike property owners and how they connected with this property owner. They spent over a year trying to secure a site in town.

Solicitor Botcheos discussed the conditional use and 200-foot restriction. He recommended the resolution be given. There was discussion of 270-31 of the Zoning Ordinance, a cannabis class V license is a conditional use approval not within 200 feet of other. They will be asking for a Land Use D Variance. They have applied to the Land Use Board. It meets the Zoning Code approval process. The law does not limit resolutions of support. The fact that there is another within 200 feet does not prohibit resolution of support. There was discussion of problems with any applicant and any number of resolutions of support that never go anywhere. There was discussion if there was any detailed zoning ordinance requirement stating that they are not to be within 200 feet of another letter of support. There is no facility currently within 200 feet and no application has been submitted yet, but two businesses can operate side by side. It is unfair to Club 420, LLC to interpret this as no additional resolution of support. There was discussion by Solicitor Botcheos of the zoning ordinance conditional use requirement, and that it doesn’t make them illegible if it is cannabis. There was conversation about this being a race to be first to the finish line. There was comment that it would not be appropriate in a half square mile town where everybody knows everybody indicating that there are many unhappy about this situation. It is a historic town with many 100-year-old homes, and nobody is near the finish line, and this is not. There was discussion of it being a zoning board issue. There was discussion of the previous resolution of support process before Borough Council and comment that it was in the wrong spot. There was discussion of the Land Use Board, of D3 variance and it technically comes down to whoever gets to the zoning board first. There was discussion if the site meets the requirements that is referenced for licensing and that there is no licensing ordinance, it is permitted by the zoning ordinance, and whether the Governing Body wants it, it will go forward with the land use application. There was additional conversation about concern with the two being close to each other.

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There were comments about fears in town of Cannabis and the tax relief from lack of revenue. It was stated that Cannabis was a great source of revenue. There was disagreement about whether the town would notice, disagreement about the importance of the issue to the town, and disagreement about interpretation of what Borough Council support is and what is honorable. There was discussion of what, if nothing, prevents Club 420 LLC from going forward and who can succeed. There was discussion that the law ties the Governing Body to giving a letter of support, but Council, comparing apples to apples in a small town should be able to recognize it is a problem to place them close. There was additional discussion of the conditional use requirement, who makes application first to the land use board and that the matter gets decided by the Zoning Board. Riondino moved for a 5-minute recess, after which Solicitor Botcheos read the following resolution for the record:

- **#089-2023 - SUPPORTING THE APPLICATION OF CLUB 420 LLC FOR ANNUAL CANNABIS BUSINESS LICENSE**

WHEREAS, Club 420 LLC intends to operate a cannabis business in the Borough of Laurel Springs; and

WHEREAS, Club 420 LLC was granted a Conditional Class 5 Retailer License by the State of New Jersey Cannabis Regulatory Commission; and

WHEREAS, Club 420 LLC has requested that the Borough of Laurel Springs support its application for an annual cannabis business license;

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Laurel Springs, County of Camden, State of New Jersey, that Club 420 LLC and its proposed location comply with the Borough's zoning code and ordinances and the proposed cannabis business is authorized to operate within the Borough of Laurel Springs; and

BE IT FURTHER RESOLVED, the Borough of Laurel Springs supports the application of Club 420 LLC for an annual cannabis business license.

- The motion to approve by Riondino was seconded by Cruz, with Cruz, Riondino, Redstreak in favor, DelPidio opposed and no abstentions.

ENGINEER'S REPORT

CAPITAL ITEMS

1. 2020 Road Improvement Program (NJDOT FY 2019 & FY2020 Local Aid Grant)

The project is substantially complete with the installation of the decorative lighting along West Atlantic Avenue remaining to bring the project to full completion. The conduit and appurtenances for the lights have been installed and a work order with Atlantic City Electric was submitted by the Contractor to have the poles / lights installed in July 2023. Once the lights have been installed, we will process the final pay estimate and process the grant close out documentation.

2. 2021 Road Improvement Program (NJDOT FY2021 Local Aid Grant)

In November, the Borough received correspondence from NJDOT awarding a FY2021 Municipal Aid Grant in the amount of \$174,930.00 for the reconstruction of Trenton Avenue and Virginia Avenue. Construction was substantially completed in September, 2023.

The punch list has been satisfactorily addressed. Our office prepared Pay Estimate #2, Final and Change Order #1, Final for the Governing Body's consideration. Once approved, we will process the appropriate NJDOT documentation for the Borough to receive the balance of the grant funds.

3. NJDOT FY2022 Local Aid Grant Application

The Borough received a NJDOT FY2022 Local Aid Grant for the reconstruction of Poplar Avenue (Lindsay Avenue to West Elma Avenue) and Washington Avenue (Central Avenue to Chestnut Avenue) in the amount of \$167,769.00. Bids were received and opened on September 6, 2023 at 2:00 P.M. The results of the bid were reviewed by the Borough CFO and Solicitor. At the October 16, 2023 Council meeting, The Governing Body awarded Base Bid plus Alternate Bid #1 in the total amount of \$195,246.00 to the low bidder, Think Pavers.

We received the signed contracts back from the Contractor during the Week of December 4, 2023 and they will be forwarded to the Borough for execution in the coming days. A preconstruction

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meeting will be held in advance of the start of construction and the requisite materials submittals (i.e. shop drawings) will be reviewed by this office once received from the Contractor.

4. NJDOT FY2023 Local Aid Grant Application

The Borough received correspondence from NJDOT dated November 23, 2022 that a grant in the amount of \$197,050.00 was awarded for the reconstruction of Lakeview Avenue between Walnut Avenue and Glen Avenue.

The Governing Body approved ERI's proposal for engineering design and construction management / construction inspection (CMCI) services, at the November 13, 2023 Council meeting. The surveying work is scheduled to be completed within the coming weeks, after which the design of the project will start in order to advertise the project for bid for a late spring / early summer 2024 construction start date.

5. NJDOT FY 2024 Safe Streets to Transit Application

During the Week of June 26, 2023 our office submitted an application to NJDOT for the installation of flashing speed beacons along Stone Road, East Atlantic Avenue and Broadway. The Borough received a letter from NJDOT dated November 28, 2023 indicating that the Borough was approved for the grant in the amount of \$135,000.00 to complete the project. We will submit a proposal to perform the engineering design and CMCI services in the near future so that the project can proceed

6. NJDOT FY 2024 Local Aid Grant Application

During the Week of June 26, 2023 our office submitted an application to NJDOT for the reconstruction of South Avenue (White Horse Pike to Stone Road) and West Atlantic Avenue (Lindsay Avenue to Lindenwold Borough Line).

NJDOT announced the list of FY2024 grant recipients on November 2, 2023 and the Borough was awarded \$217,215.00 for the project. An agreement will be sent from NJDOT to the Borough for execution in the near future. Our office will provide a proposal for engineering design and CMCI services in the near future so that the project can proceed.

7. 2023 NJDEP Tier A Stormwater Grant

The Borough recently received correspondence that the previously submitted NJDEP Existing Tier A NJDEP Stormwater Grant application was approved. The Borough was awarded \$25,000, which can be used to help achieve compliance with some of the new and modified requirements of the recently renewed Tier A MS4 Permit, such as street sweeping, mapping of stormwater infrastructure, etc. \$15,000 of the grant money was disbursed up front, with the remaining \$10,000 to be disbursed once the Borough's Stormwater Infrastructure Map is prepared and approved by NJDEP. The Map is a new requirement in the 2023 MS4 Permit Renewal. If it is the pleasure of the Governing Body, our office will provide a proposal to do the necessary field work and preparation of a compliant map upon request.

Borough Engineer Hanson was asked if the grant for Stone, East Atlantic and Broadway included beacons that flash the speed a driver is travelling, to which he responded that it can as they put many types of speed reducing devices in the grant application.

RESIGNATION–Donald J. Alexander - Laurel Springs Police Department–effective December 26, 2023 – the motion to accept by Redstreak was seconded by Cruz with Cruz, Rioldino, DelPidio and Redstreak in favor, none opposed and no abstentions.

APPROVAL OF MINUTES

- Work Session Meeting of November 27, 2023 - The motion to approve by Redstreak, was seconded by Rioldino, with Rioldino, DelPidio and Redstreak in favor, none opposed and Cruz abstaining.

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ORDINANCES

- Second Readings:
 - **879-2023 - AN ORDINANCE ADOPTING ANNUAL FEE SCHEDULE FOR THE BOROUGH OF LAUREL SPRINGS FOR YEAR 2024**
 - Second Readings by Title – Council President Redstreak read the Ordinance by Title.
 - Public Hearing – Council President Redstreak opened the meeting to the public for questions or comments. Hearing none, he closed the meeting to the public.
 - The motion by Redstreak was seconded by DelPidio with Cruz, Riordino, DelPidio and Redstreak in favor, none opposed and no abstentions.
 - **880-2023 - AN ORDINANCE REGULATING THE SALARIES OF THE POLICE OFFICERS AND EMPLOYEES OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, STATE OF NEW JERSEY**
 - Second Readings by Title – Council President Redstreak read the Ordinance by Title.
 - Public Hearing – Council President Redstreak opened the meeting to the public for questions or comments. Hearing none, he closed the meeting to the public.
 - The motion by Redstreak was seconded by DelPidio with Cruz, Riordino, DelPidio and Redstreak in favor, none opposed and no abstentions.

RESOLUTIONS

- **#087-2023 – APPROVING BUDGET TRANSFER #1**
WHEREAS, N.J.S.A. 40A:4-58 provides that a municipal governing body may make Budget Transfers during the last two months of the fiscal year;
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Laurel Springs, that the following **2023 Budget Transfers (#1)** be approved:

<u>Account</u>	<u>GENERAL FUND</u>	
	<u>From</u>	<u>To</u>
Gasoline & Diesel	\$10,000.00	
Accumulated Absences	15,000.00	
Clerk - OE	3,000.00	
Planning Board - OE	3,000.00	
Code Enforcement - OE	2,000.00	
Employee Group Insurance	10,100.00	
Liability Insurance	4,000.00	
Police - SW	8,000.00	
Workers Compensation		2,100.00
Office of Emergency Mgmt		5,000.00
Public Works - SW		28,000.00
Vehicle Maintenance		10,000.00
Natural Gas		4,100.00
Telephone		1,300.00
Other Telecommunications		2,000.00
Police - OE		<u>2,600.00</u>
TOTAL GENERAL FUND	<u>\$55,100.00</u>	<u>\$55,100.00</u>

- The motion to approve by Redstreak was seconded by Cruz with Cruz, Riordino, DelPidio and Redstreak in favor, none opposed and no abstentions.
- **#088-2023 - RESOLUTION EXTENDING APPOINTMENT OF ACTING CONSTRUCTION CODE OFFICIAL AND ACTING BUILDING SUB CODE OFFICIALS**
WHEREAS, the Township of Voorhees notified the Borough of Laurel Springs that is would be discontinuing the shared service involving their Construction Office/Construction Official and the Borough of Laurel Springs effective October 20, 2023; and
WHEREAS, by virtue of Resolution #080-2023 the Borough of Laurel Springs appointed an acting construction official and subcode official to administer the Uniform Construction Code and other duties mandated by the municipality for a period of 60 days; and
WHEREAS, the New Jersey Office of Regulatory Affairs has granted an extension through February 14, 2024;
NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Laurel Springs hereby extend the acting appointment of Colin Mahon, DCA license #010485, Acting Construction Code

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Official, Building sub-code official, Plumbing inspector and Fire Protection Inspector; Peter Carbone, DCA license #007927, Acting Plumbing Sub-code official and Fire Protection Sub-code official; and John Galvin, DCA license #010427, Acting Electrical Sub-Code Official and electrical inspector for an extension term effective through February 14, 2024.

- The motion to approve by Redstreak was seconded by Cruz with Cruz, Riondino, DelPidio and Redstreak in favor, none opposed and no abstentions.
- Resolved to pay \$524,781.11 from Current Fund and \$31,592.50 from the Trust/Capital Accounts.
- The motion to approve by Redstreak was seconded by Cruz with Cruz, Riondino, DelPidio and Redstreak in favor, none opposed and no abstentions.

COMMITTEE REPORTS –

- **DIRECTOR OF PUBLIC WORKS, BOARDS, SERVICES/PRESIDENT OF COUNCIL**-Redstreak said that all was well with Public Works. One employee will be testing for his CDL on the 18th. All is well with Sewer, with the November sewer invoice available and listing four main stoppages. Ordinance Review met November 30th and continues to work on Site Plan Review.
- **DIRECTOR OF PUBLIC BUILDINGS & GROUNDS** – Cruz reported that the Cord Mansion generator and gas line were installed. The Borough is awaiting quotes and bids for the removal of the radio tower, the police steps replacement, Cord Mansion second and third floor and copper replacement on the turret.
- **DIRECTOR OF MUNICIPAL COURT** – DiGregorio was absent.
- **DIRECTOR OF RECREATION** – DelPidio said the Dickens Winter Festival and Tree Lighting went well. There are some improvements to be made but the feedback was good as it was for the Family Game night on December 7th.
- **DIRECTOR OF ADMINISTRATION AND FINANCE** – Riondino had no report.
- **DIRECTOR OF COMMUNITY ENGAGEMENT** – DiMarco was absent.
- **DIRECTOR OF PUBLIC SAFETY – POLICE AND FIRE** – Mayor Barbera reviewed the Police Report for November, 2023 and Fire Department Report for the month of November, 2023 as well as the Mayor’s Report from the time of the October meeting.

OLD BUSINESS

NEW BUSINESS/CORRESPONDENCE –

- Receipt of Bids – Professionals – the bid results were distributed to Council and no change was anticipated. The appointments will be on the Reorganization Agenda for approval.
- Thank you from Fred Lynch – Mayor Barbera reviewed the note from Mr. Lynch for the commemoration of his 100th birthday.

COMMENTS FROM THE PUBLIC

- Richelle Boyle – Quality Cannabliss – She explained that she had been waiting for approval and is not happy that tonight’s cannabis resolution of support was approved and that it is now a race to Zoning. Unfortunately, it came down to a race to the finish line, to which it was explained that the Governing Body was told it had no option other than to approve. There was discussion of money having to be spent to which Solicitor Botcheos said was unfortunate but that was the advice from a legal standpoint. There was discussion of the process of appearing before the zoning board and of site plans and of change of use.

ANNOUNCEMENTS

- Tuesday, December 12th JIF Safety Meeting Luncheon @12:30 @Fire Training Room
- Tuesday, December 12th Whitman Stafford Meeting @7 pm @Farmhouse
- Wednesday, December 13th School Board Meeting @7pm @Laurel Springs School
- Thursday, December 21st Land Use Board Meeting @7pm @Rec Center
- Saturday, December 23rd Trash Pick Up due to the Monday Christmas holiday.
- Monday, December 25th Borough Offices are closed in celebration of Christmas.
- Thursday, December 28th Work Session Meeting @7pm @Rec Center

ADJOURNMENT –There being no further business a motion was made by Redstreak to adjourn at 8:40 pm with all in favor and none opposed.

Respectfully submitted,

Dawn T. Amadio, RMC, Municipal Clerk