

**WEST AMWELL TOWNSHIP COMMITTEE MEETING**  
**April 6, 2022**  
**Regular Meeting – 7:30 PM**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

The regularly scheduled meeting of the West Amwell Township Committee was called to order at 7:36 PM. Present were Mayor James Cally, Deputy Mayor Gary Hoyer, Committeemen John Dale and Lucas Lyons along with Township Clerk Maria Andrews. It was noted for the record that Committeeman Stephen Bergenfeld was also present via cellphone speaker.

Mayor Cally announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 13, 2022, was posted on the bulletin board in the Municipal Building on that date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Township Clerk.

**FLAG SALUTE**

Mayor Cally led those in attendance in the pledge to the nation's flag.

**AGENDA REVIEW BY TOWNSHIP CLERK**

Clerk Andrews noted Resolutions #50-2022: Awarding the sale of lumber at the DPW garage and #51-2022: Awarding the sale of the police vehicle will be added under Resolutions of Approval.

**ANNOUNCEMENTS**

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- The Township Offices will be CLOSED Friday, April 15, 2022 – Good Friday

**PRESENTATION OF MINUTES**

A motion by Cally, seconded by Bergenfeld to approve the Committee's 12/15/21 Special Meeting minutes with no revisions noted was approved by roll call vote with Committeemen Dale and Lyons abstaining.

*Bergenfeld: Yes, Hoyer: Yes, Cally: Yes*

A motion by Hoyer, seconded by Dale to approve the Committee's 3/16/22 Open and Closed Session minutes with no revisions noted was approved by voice vote with Committeeman Bergenfeld abstaining.

**OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA**

Mayor Cally opened the floor to public comment. Michael Rassweiler of 386 Rock Road East came forward and clarified the following items that were discussed at the Committee's 3/16/22 meeting during his NJ Grow Free, LLC cannabis proposal presentation, noting the following references are from the Township's 2021 Master Plan Re-examination Report:

**C.40:55D-89b:** "The Township continues to seek ways to promote agricultural activities.... Supporting agricultural businesses... This is vitally important in achieving the Township's goal of maintaining and enhancing its rural agricultural character."

**Farmland and Cannabis (Page 6):** "The growing of cannabis is a permitted activity under the State of NJ Act and can be classified as an agricultural product."

**State Strategic Plan (Page 9):** Targeted Economic Growth – Objectives: 1.3 – "Support land and water based industries."

**Specific Changes Recommended (Page 14):** "Support of the Cannabis Industry... can provide additional support to farmers."

Jerald Robbins of 262 Goat Hill Road came forward and expressed frustration with his neighbors at 258 Goat Hill Road and asked about the Township's noise ordinance noting the neighbors are inconsiderate revving engines for long periods of time, riding ATV's at all hours and bouncing basketballs late at night. Committeeman Hoyer commented that the Police Department had advised a civil complaint should be filed in Municipal Court as this is a neighbor dispute and not a Township matter.

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Seeing no other members of the public come forward, Mayor Cally closed the floor to public comment.

**RESOLUTIONS**

The following resolutions (#44-2022, #45-2022, #46-2022, #47-2022, #50-2022 & #51-2022) were approved by consent on motion by Hoyer and seconded by Dale. The motion was unanimously approved by roll call vote.

*Bergenfeld: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

**Resolution #44-2022: Authorizing Average of Collection Rate for Reserve for Uncollected Taxes**

RESOLUTION AUTHORIZING AVERAGE OF COLLECTION RATE FOR THE RESERVE FOR  
UNCOLLECTED TAXES (N.J.S.A. 40A:4-41(c)(1))  
Resolution #44-2022

WHEREAS, pursuant to N.J.S.A. 40A:4-41(c)(1), which permits the tax collection rate used to compute the Reserve for Uncollected Taxes to be based on the average of the collection rate for the previous three years; and

WHEREAS, it is desirous of the Township Committee of the Township of West Amwell to compute the 2022 Reserve for Uncollected Taxes based upon the average collection rate for the previous three years; and

WHEREAS, the tax collection rate for 2018 was 97.49%, 2019 was 97.49% and 2020 was 98.18% amounting to a three year average of 97.95%;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, that the 2022 Reserve for Uncollected Taxes be based upon the three year tax collection rate average of 97.95%.

**RECORDED VOTE:**

AYES} Bergenfeld, Dale, Hoyer, Lyons, Cally

ABSENT} No Committee Members were Absent

Certification

*I hereby certify the foregoing is a true copy of a Resolution adopted by the West Amwell Township Committee at their regular meeting held on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

**Resolution #45-2022: Road Maintenance and Repair Materials**

WEST AMWELL TOWNSHIP  
RESOLUTION #45-2022

WHEREAS, the Township of West Amwell is in need of Road Maintenance and Repair materials; and

WHEREAS, quotes were solicited by the Public Works Director as follows:

Description	Quantity	Trap Rock Industries	Stavola Materials
#1 9.5M64 HMA (Picked Up)	250 Tons	\$83.30/ton	\$75.12/ton (State Contract T0155)
#2 DGA	500 Tons	\$24.79/ton	\$34.25/ton
#3 ¾" Clean Stone	100 Tons	\$30.79/ton	\$34.25/ton
#4 Core Stone 6-12"	100 Tons		\$36/ton

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#5 Sm Core Stone 3-6"                      100 Tons                      \$41.61/ton                      \$35.50/ton

WHEREAS, the quote totals received are under the bid threshold; and

WHEREAS, Stavola Asphalt quote for item #1 utilizes state contract T0155 pricing, Stavola Construction Materials quote for item #4 & #5 and Trap Rock Industries quote for materials #2 & #3, represents the lowest overall cost delivered to the Township; and

WHEREAS, Trap Rock Industries and Stavola Construction Materials have submitted the required Business Registration Certificate; and

THEREFORE, BE IT RESOLVED, that the supply of 2022 Road Maintenance and Repair material listed in #1, #4 & #5 above be awarded to Stavola Construction Materials in an amount not to exceed \$40,000.00 and those listed in #2 & #3 above be awarded to Trap Rock Industries in an amount not to exceed \$20,000.00 at the unit price quoted for pick up or delivery at the respective local locations.

Certification

*I hereby certify the foregoing is a true copy of a Resolution adopted by the West Amwell Township Committee at their regular meeting held on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

**Resolution #46-2022: Emergency Temporary Appropriations**

RESOLUTION OF EMERGENCY TEMPORARY APPROPRIATION  
Resolution #46-2022

WHEREAS, the Township is expected to make payments prior to the adoption of the 2022 budget and no provision has been made in the 2022 temporary budget, adopted on the 5<sup>th</sup> day of January, 2022 for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,048,051.00; and

NOW, THEREFORE, BE IT RESOLVED, that on this the 6th April, 2022 it is by the Township Committee of West Amwell Township, County of Hunterdon, in the State of New Jersey that in accordance with the provisions of N.J.S.A 40A:4-20:

Emergency temporary appropriations be and the same are hereby made in the amount of \$311,625.00 as follows:

Municipal Clerk – S/W	\$20,000.00
Council – S/W	\$125.00
Financial Administration – S/W	\$20,000.00
Audit Services O/E	\$12,000.00
Tax Assessment – S/W	\$1500.00
Tax Collection – S/W	\$15,000.00
Tax Collection O/E	\$2000.00
Legal Services O/E	\$15,000.00
Engineering O/E	\$5000.00
Zoning Board – S/W	\$1500.00
Zoning Board O/E	\$1000.00
Planning Board O/E	\$10,000.00

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Employee Group Insurance O/E	\$28,000.00
Police Department – S/W	\$60,000.00
Fire Prevention – S/W	\$3000.00
Street & Road Maintenance O/E	\$30,000.00
Street & Road Maintenance – S/W	\$30,000.00
Vehicle Maintenance O/E	\$25,000.00
Storm Water Permit	\$500.00
Electricity	\$2500.00
Street Lighting	\$1000.00
Telephone	\$2500.00
Water	\$500.00
Fuel Oil	\$8000.00
Gasoline	\$5000.00
Social Security	\$6000.00
Municipal Court O/E	\$500.00
Municipal Court – S/W	\$6000.00
<b>Total:</b>	<b>\$311,625.00</b>

Certification

*I hereby certify the foregoing is a true copy of a Resolution adopted by the West Amwell Township Committee at their regular meeting held on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

**Resolution #47-2022: Appointment of Acting Road Supervisor: C. Gabel**

Appointing an Acting Road Supervisor  
Resolution #47-2022

WHEREAS, the Township Committee wishes to promote Christian Gabel from the DPW Road Class C position to Acting Road Supervisor in order to lead the Department of Public Works in the absence of the DPW Director and to perform various public works and road projects as well as garbage and recycling collection, general maintenance, mowing and snow removal duties and after hours emergency call outs; and

WHEREAS, the Township Committee, upon recommendation from Director Rollero, decided Christian Gabel would be best suited for the stated position; and

WHEREAS, Christian Gabel has indicated interest, has had consistent performance evaluations; and

WHEREAS, Director Rollero has determined that Christian Gabel is capable in leading the daily operations of the DPW; and

WHEREAS, a CDL license is required for this position and must be maintained in good standing; and

NOW THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that Christian Gabel be promoted to Acting Road Supervisor for the DPW at a pro-rated rate of \$26.00 per hour effective April 6<sup>th</sup> 2022; and

BE IT FURTHER RESOLVED, that the Acting Road Supervisor position will be probationary for 1 year and will then be reevaluated on a regular basis.

Certification

*I hereby certify the foregoing is a true copy of a Resolution adopted by the West Amwell Township Committee at their regular meeting held on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

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**Resolution #50-2022: Awarding Sale of Lumber at DPW Garage**

WEST AMWELL TOWNSHIP  
RESOLUTION #50-2022

WHEREAS, the West Amwell Township Committee authorized the auction of tree logs/firewood/lumber through MunicBid; and

WHEREAS, said auction concluded on April 4, 2022 at 12:30 PM; and

WHEREAS, the auction resulted in a high bid of \$1.00 from Pamela Brown of 706 Route 513, Pittstown, NJ 08867; and

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that the bid received from Pamela Brown in the amount of \$1.00 for the tree logs/firewood/lumber is hereby accepted; and

BE IT FURTHER RESOLVED, that the purchaser present cash in the amount of \$1.00 within 10 days of notification of this award.

*I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk

**Resolution #51-2022: Awarding Sale of Police Vehicle**

WEST AMWELL TOWNSHIP  
RESOLUTION #51-2022

WHEREAS, the West Amwell Township Committee authorized the auction of the 2014 Ford Explorer AWD Police Interceptor through MunicBid; and

WHEREAS, said auction concluded on April 4, 2022 at 12:30 PM; and

WHEREAS, the auction resulted in a high bid of \$3300.00 from Abdelhakim Benotmane of 409 Utica Avenue, Apartment 2:FT, Brooklyn, NY 11213; and

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that the bid received from Abdelhakim Benotmane in the amount of \$3300.00 for the 2014 Ford Explorer AWD Police Interceptor is hereby accepted; and

BE IT FURTHER RESOLVED, that the purchaser present a certified check made payable to West Amwell Township in the amount of \$3300.00 within 10 days of notification of this award.

*I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on April 6, 2022.*

\_\_\_\_\_  
Maria Andrews, Township Clerk

**INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

**Introduction: Ordinance 2, 2022: AN ORDINANCE FOR THE CALENDAR YEAR 2022 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)**

Mayor Cally read Ordinance 2, 2022 by title.

TOWNSHIP OF WEST AMWELL  
ORDINANCE 2, 2022

**AN ORDINANCE FOR THE CALENDAR YEAR 2022 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township of the West Amwell in the County of Hunterdon finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$36,912.86 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget, shall be retained as an exception to final appropriations in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the township of West Amwell in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of West Amwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$129,195.02 and that the CY 2022 municipal budget for the Township of West Amwell be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

STATEMENT

This Ordinance to permit an increase in the Municipal Budget to 3.5% over the previous year's final in cap appropriations and to establish a CAP bank in accordance with law.

**RECORDED VOTE:**

AYES} Bergenfeld, Dale, Hoyer, Lyons, Cally

ABSENT} No Committee Members were Absent

I hereby certify that the attached ordinance is a true and correct copy of an ordinance entitled **ORDINANCE FOR THE CALENDAR YEAR 2022 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK** which was introduced at the meeting of the West Amwell Township Committee on April 6, 2022 and adopted at the meeting of the West Amwell Township Committee on April 20, 2022.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

Minutes: 4/6/22

A motion by Hoyer, seconded by Lyons to introduce Ordinance 2, 2022 upon first reading was unanimously approved by roll call vote.

*Bergenfeld: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

It was noted for the record that the public hearing on Ordinance 2, 2022 will be April 20, 2022.

**Introduction: 2022 Municipal Budget**

Auditor John Mooney commented that the Township budget is good. He noted the tax rate went down but the local taxes went up because the home values have significantly increased. He explained there has been a \$40 million increase to the overall value of West Amwell Township. Mr. Mooney noted the average tax payer with a home valued at \$514,000 will see a \$43 annual increase in their taxes.

A motion by Hoyer, seconded by Dale to introduce the 2022 Municipal Budget and approve Resolution #48-2022 was unanimously approved by roll call vote.

*Bergenfeld: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

TOWNSHIP OF WEST AMWELL  
INTRODUCTION OF 2022 BUDGET  
Resolution #48-2022

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of West Amwell, County of Hunterdon, State of New Jersey for the year 2022; and

BE IT FURTHER RESOLVED, that the said Budget be published in the Hunterdon County Democrat in the issue of April 14, 2022 and that a hearing on the Budget will be held at the Municipal Building on May 4, 2022 at 7:30 PM or as soon thereafter as the matter may be scheduled.

Introduced by: Hoyer

Seconded by: Dale

ATTEST

Approved:

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
James Cally, Mayor

It was noted for the record that the public hearing on the budget will be May 4, 2022.

**Introduction: Ordinance 3, 2022: AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 140, "TAXATION," ARTICLE 1 "CANNABIS TRANSFER TAX."**

Mayor Cally read Ordinance 3, 2022 by title.

THE TOWNSHIP OF WEST AMWELL  
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE 03, 2022

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 140, "TAXATION," ARTICLE I "CANNABIS TRANSFER TAX".

WHEREAS, the Township previously adopted Ordinance 06, 2021 setting a cannabis transfer tax for medical and adult use cannabis businesses; and

WHEREAS, the Township wishes to amend Section 337-13 to increase the transfer tax for medical cannabis dispensaries to the maximum allowable under the law.

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NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of West Amwell, County of Hunterdon that the Code of the Township of West Amwell be amended as follows:

Section 1

§ 337-13 Medical Cannabis Transfer Tax.

There is hereby established a medical cannabis transfer tax in the Township of West Amwell, which shall be fixed at a uniform percentage rate of 2% on the purchase price of any medical cannabis dispensed by a medical cannabis dispensary in the Township, including medical cannabis that is furnished by the dispensary to a medical cannabis handler for delivery to a registered qualifying patient or the patient’s caregiver, and which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the dispensary.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

RECORDED VOTE:

AYES} Dale, Hoyer, Lyons, Cally

ABSTAIN} Bergenfeld

ABSENT} No Committee Members were Absent

ATTEST:

By Order of the Township Committee

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
James Cally, Mayor

A motion by Lyons, seconded by Hoyer to introduce Ordinance 3, 2022 upon first reading was approved by roll call vote with Committeeman Bergenfeld abstaining.

*Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

It was noted for the record that the public hearing will be held on April 20, 2022.

**Introduction: Ordinance 4, 2022: AN ORDINANCE AMENDING CHAPTER 62 “CANNABIS LICENSING, REGISTRATION AND BUSINESS REGULATIONS”**

Mayor Cally read Ordinance 4, 2022 by title.

**THE TOWNSHIP OF WEST AMWELL  
COUNTY OF HUNTERDON, NEW JERSEY**

**ORDINANCE 4, 2021  
AN ORDINANCE AMENDING CHAPTER 62 "CANNABIS LICENSING,  
REGISTRATION AND BUSINESS REGULATIONS"**

**WHEREAS**, on September 15, 2021, the Township adopted Ordinance 09-2021 to create Chapter 62 “Cannabis Licensing, Registration and Business Regulations”; and

**WHEREAS**, the Township Committee wishes to amend Ordinance 09-2021 to revise the licensing and registration process.



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**NOW, THEREFORE, BE IT ORDAINED**, by the Committee of the Township of West Amwell, County of Hunterdon that Chapter 62 "Cannabis Licensing, Registration and Business Regulations" of the Code of the Township of West Amwell be amended as follows:

**Section 1.**

***Section 130-4 shall be deleted in its entirety and replaced with the following:***

**§130-4 Local licensing authority.** A Township Cannabis Advisory Committee (CAC) as appointed below will act as the body for local review for the Township for all cannabis establishments but the authority and responsibility to activate suspend and revoke such licenses remains with the Township Committee. Under all circumstances in which State law requires communication to the Township by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the Township of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be communicated through the Township Clerk's Office upon recommendation by the Township Cannabis Advisory Committee and authorized by the Township Committee.

A. Members of said CAC shall include residents located within the Township. The CAC shall consist of a minimum of three (3) and maximum of five (5) appointees shall include at a minimum one member from the following categories:

(1) Mayor or Designee

(2) Township Committee member or Designee

(3) West Amwell Township Zoning Officer

(4) Up to Two (2) Appointees by Township Committee of residents of the Township in accordance with Section 130-4(C) below.

B. The Committee shall be supported by the Township Attorney and Township Planning & Zoning Office. The Committee may request additional resources as necessary to effectuate the responsibilities of the Committee.

C. Of the members of the Committee, no member shall be affiliated with or related to a New Jersey Adult Use Cannabis Business or Medical Cannabis Establishment or prospective licensee, but all shall be resident of the Township within the past five (5) years.

D. Duties of the Committee will be to advise the Township Committee as to the issuance of Cannabis Business Permits within the Township of West Amwell. The CAC's review shall be based on the information contained in the Request for Proposals issued by the Township Committee and shall be made consistent with the criteria outlined in this Chapter, in addition to the issuance of detailed application criteria made available prior to RFP release.

E. No member of the committee may hold interest in, or be related to an applicant.

**Section 2.**

***Section 130-7 shall be deleted in its entirety and replaced with the following:***

**§130-7 Evaluation.**

The Committee shall evaluate all applicants and issue a recommendation of award after consideration and evaluation to the Township Committee. Presentation by an applicant before the Township Cannabis Committee is required. Any ties shall be broken by the Township Committee. Each application shall be reviewed within the confines of the license category being sought. (For example, a retailer should focus on customer service, marketing, branding and architectural presentation, and public access issues, while a cultivation, distribution, wholesale operation on security, job environment, truck access and loading, and security. Micro-licenses should focus on their business plan and tangentially related experiences and support

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structures.). Subjectivity in regard to personal tastes and aesthetic matters should be restrained in favor of the thoroughness and level of detail by which an applicant responds. Prior to issuing the request for applications §130-7 the Committee shall establish and publish final criteria and weight categories in accordance with any applicable laws and regulations, which shall be timestamped. Generally, the Committee shall utilize the following upon finalizing criteria for publication:

Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, but also healthcare, pharmaceutical manufacturing, retail pharmacies, or other relevant industries with preference to experience operating such businesses within the State of New Jersey.

Applicant's brand and proposal for the physical presence of the business. Including but not limited to: the site's ability to meet all land use regulations (parking, landscaping, signage, etc.), handle future expansions if applicable, architectural treatments, customer experience (where applicable), etc.

A summary of the applicant's operational plans; including, but not limited to: storage of products, currency and transport, physical security, video surveillance, security personnel, and visitor management.

Applicant's orientation to research and development of Cannabis. Including but not limited to: its owners' experience conducting, supporting, and/or future plans to conduct institutional review board-approved research related to medical cannabis or substance abuse. Include whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (human subjects); and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine, or osteopathic medicine with experience conducting cannabis-related research, or other institutions of higher learning dedicated to cannabis research or occupational training

Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a committed to a local program in collaboration with organizations committed to the well-being of residents, including, but not limited to the Township and surrounding service area. Provide evidence in letters of support and agreements. (Local workforce hiring and development plan, Community service, Collaborations with a university or specialized training facility such as, but limited to Vo-Tech, and dedicated support to social justice initiatives.).

Summary of the applicant's environmental impact/mitigation, 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.

Applicant's demonstrated commitment to the community and any ties to the host community demonstrated by at least one shareholder's proof of residency in the Township for five or more years in the past ten years, or at least one shareholder's continuous ownership of a business based in town for five or more years in the past ten years.

Applicant's experience and/or commitment to community health related programs and associated charitable organizations, including but not limited to, particular attention toward prevention of drug and alcohol abuse including but limited to youth and vulnerable persons both locally and regionally.

Diversity in its ownership composition and hiring practices; Including applicant's commitment to utilize local sources of labor and associated building materials.; Applicant's commitment to supporting and working with local micro-licensees, including but not limited to contracting with and/or training/mentorship; The applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.

Annually, up to two (2) applicants for a Cannabis Retailer may be recommended to the Township Committee for their consideration in granting a conditional Township Cannabis Business Permit with all scores, application submittals and recommendations in a detailed report to be submitted to Committee for their consideration. Upon receipt of the Committee's recommendation, the Committee reserves the right ask for public presentations when and where appropriate as part of their review process.

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**Section 3** Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

**Section 4** Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

**Section 5** Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

**RECORDED VOTE:**

AYES} Dale, Hoyer, Lyons, Cally

ABSTAIN} Bergenfeld

ABSENT} No Committee Members were Absent

ATTEST:

By Order of the Township Committee

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
James Cally, Mayor

A motion by Dale, seconded by Lyons to introduce Ordinance 4, 2022 upon first reading was approved by roll call vote with Committeeman Bergenfeld abstaining.

*Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

It was noted for the record that the public hearing will be held on April 20, 2022.

**NEW BUSINESS/OTHER**

**Authorization for Historic Committee to Reprint "Wandering West Amwell" Books**

Committeeman Lyons explained the Historic Committee would like to have the book Betty Jane Hunt wrote, "Wandering West Amwell" reprinted and he noted the estimated cost is about \$800 which Historic has in their budget. The Committee took no issue with having the book reprinted.

**Discussion: Proposal by Skunkfoot Farms NJ, LLC**

Present for the discussion was Jeff Allman, a partner in Skunkfoot Farms, LLC. He explained they are seeking support from the Committee to be a licensed Class I Cannabis Cultivator and establish a business on the property located at 60 Frontage Road. Mr. Allman stated they are proposing to build a sustainable, eco-friendly farm that retains and conserves the nature and wildlife of the property and surrounding community.

Mayor Cally remarked that the Committee will not support cannabis in any residential zone in the municipality. He explained the ordinances allow for cannabis in specific zones and he encouraged Mr. Allman to pursue a property in a permitted zone.

Mr. Allman noted that the permitted zones are not in locations conducive to growing cannabis because they are too close to the roadways where security and odors may be an issue. He remarked the Frontage Road property is excellent because it is shielded from public view with natural buffering and has limited neighbors.

**Discussion: Posting for an office Assistant Position in the Clerk's Office**

It was noted for the record that the Committee supported the hiring of a part time Office Assistant in the Clerk's Office for approximately 20 hours per week to be paid at an hourly rate. The Committee asked Clerk Andrews to provide a job description for approval prior to anything being posted.

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### **SPECIAL PRESENTATION(S)**

#### **Reports by Department Heads**

OEM Director Harry Heller came forward and provided an update on the Hurricane Ida reimbursements. He noted he is still working with FEMA and the USDA but ran into a little trouble that he needs to sort out with Lieutenant Skillman regarding what vehicle damage was actually submitted to the insurance company.

Tax Collector Gail Brewi noted that 192 residents will be receiving the Homestead Credit Rebate. Additionally she noted that the Zoning Office is looking into how other municipalities are handling fees for cannabis (zoning) permits. Lastly, Ms. Brewi noted she is compiling a list of all commercial businesses in the Township for discussion at the next meeting.

Mayor Cally recognized that Chris Gabel was present at the meeting and congratulated him on his promotion. He commented that the Committee appreciates all of his efforts and noted DPW Director Rollero has a lot of confidence in him. Mr. Gabel thanked the Committee for the opportunity.

### **STANDING COMMITTEE REPORTS**

- A. Open Space: No report was given.
- B. Environmental: No report was given.
- C. Ag Advisory: No report was given.
- D. Finance Committee: No report given.

### **UNFINISHED BUSINESS**

It was noted for the record that there were no unfinished business matters listed on the agenda.

### **OPEN TO THE PUBLIC**

Daniel Brenna of 1864 River Road came forward and explained the recent renovations and work being done at the Golden Nugget Flea Market. He indicated he is aware his neighbors on Old River Road have been complaining and assured the Committee that he has obtained all of the required permits and approvals. Mr. Brenna remarked that there has not been any upgrades made to the property in about 20 years and believes that once everything is completed his neighbors will calm down.

The Committee thanked Mr. Brenna for coming to the meeting.

### **ADMINISTRATIVE**

A motion by Bergenfeld, seconded by Cally to approve the 4/6/22 bill list was unanimously approved by roll call vote.

*Bergenfeld: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

### **OTHER**

#### **Resolution #49-2022: Closed Session – Personnel/Contracts – Litigation/Affordable Housing**

Resolution #49-2022

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Mt. Laurel Litigation, personnel, contracts and subjects falling under Attorney-Client privilege.
3. It is anticipated at this time that the above stated subject matter will be made public when the matter has been resolved.

This resolution shall take effect immediately.

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Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Dale to approve Resolution #49-2022 and enter into Closed Session was unanimously approved by voice vote.

A motion by Dale, seconded by Hoyer to return to Open Session was unanimously approved by voice vote.

Upon returning to open session, a motion was made by Cally and seconded by Dale authorizing Attorney Campbell to draft a resolution applying to the County Superintendent to investigate deregionalization. The motion was unanimously approved by roll call vote.

*Bergenfeld: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes*

It was noted for the record that the Committee was in Closed Session from 8:39 PM – 9:36 PM.

**CORRESPONDENCE**

It was noted for the record that the Committee ordered the correspondence listed on the agenda to be filed.

**ADJOURNMENT**

A motion by Hoyer, seconded by Dale to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:37 PM.

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Maria Andrews, Township Clerk, RMC

Approved: 4/20/22