

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORKSESSION AGENDA
April 5, 2021 5:00 PM (prevailing time)**

CALL TO ORDER:

Mayor's Announcement: I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

Notice of this meeting was properly given in Resolution No. 26-21 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 7, 2021.

Members present are Mayor Donohue, Deputy Mayor Gandy, and Committeemember Norris

Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vincent Orlando & Municipal Solicitor Marcus Karavan

FLAG SALUTE:**SPECIAL PRESENTATIONS OR DISCUSSIONS:**

Municipal Regulation of Marijuana
Establishments

Mayor Donohue:

- *Provided background on proposed Ordinance.*
- *Discussed Cape May City's Ordinance regarding the same.*

Marcus Karavan:

- *Explained that the regulations would be similar to alcohol consumption in public places.*
- *Discussed timeframe for municipalities to enact their preferred regulations and further explained that the regulations could be relaxed in the future.*
- *Mentioned that most municipalities intend to prohibit across the board, initially.*
- *Provided his recommendation on how the Township should proceed.*

Mayor Donohue:

- *Stated that the referendum passed overwhelmingly even specifically in Middle Township.*
- *Discussed particulars surrounding proposed INSA facility.*
- *Spoke of potential revenue as well as year-round job opportunities; hope to hear something within a few weeks.*

Marcus Karavan:

- *Explained how legislation is structured with regard to municipalities setting their restrictions.*

Chief Chris Leusner:

- *Spoke of this being a good move and criminal liability for officers interacting with individuals over 21.*
- *Discussed challenges of enforcement under new legislation.*

Mayor Donohue:

- *Provided hypothetical situation where an individual under 21 was caught smoking marijuana.*

Marcus Karavan:

- *Responded that he believes this is going to be a work in progress.*

Chief Chris Leusner:

- *Spoke of issuing local ordinance violations and challenges around individuals providing false information and/or identification.*
- *Discussed restrictions in the law that presents difficulties in enforcement.*
- *Further explained that marijuana can be seized, but no searches can be conducted for individuals under age 21.*
- *Confirmed for Mayor Donohue that an individual may possess up to 6 ounces of marijuana.*

Committeeman Norris:

- *Asked Chief Leusner if there is a database for written warnings for individuals.*

Chief Chris Leusner:

- *Explained that there will be an in-house database but spoke of lack of a state-wide database.*
- *Also mentioned that some individuals under 21 might not have identification.*

Committeeman Norris:

- *Continued to express concern for tracking the warnings.*

Committeeman Gandy:

- *Spoke of difficulties due to lack of guidance from the State.*
- *Mentioned starting off strict and easing up once more information is received.*

Committeeman Norris:

- *Asked Solicitor Karavan if he was aware of any potential permitting process for marijuana.*

Marcus Karavan:

- *Responded that he is unaware of any plans for permits.*

Mayor Donohue:

- *Discussed effects of secondhand smoke.*

DEPARTMENTAL REPORTS AND PROJECT UPDATES:

Administration:**Finance:****Public Works:****Engineering:****Legal:****Tax Collection:****Tax Assessment:****Construction/Planning/Zoning:****Recreation:****Police / Animal Control/ Code Enforcement:****Buildings and Grounds:****Sewer:****Economic Development:****Personnel:****Zoning:****Township Clerk:****PUBLIC COMMENT:**

Stan Donigar, Rio Grande:

- *Asked about the effect the written warning can have on background checks.*

Chief Leusner:

- *Explained that written warnings do not count towards someone's record and must be purged after 2 years; does not believe there will be an effect with background checks.*

Tony Deutsch:

- *Questioned what would stop someone from gifting legal cannabis with the purchase of something like a t-shirt.*

Mayor Donohue:

- *Indicated he has heard of this happening but is unsure as to how it would be addressed in the law.*

Chief Leusner:

- *Explained how the law is written with regard to how much marijuana is considered legal.*
- *Discussed regulated marijuana versus non-regulated.*

Mayor Donohue:

- *Also explained a license is needed to dispense marijuana.*

Committeeman Gandy:

- *Asked about off-center locations that wineries are permitted to have and if there is a similar easement for marijuana sales.*

Marcus Karavan:

- *Explained that it has not been set forth in the legislation at this time.*

Mayor Donohue:

- *Also explained that the winery easement is about promoting local agriculture.*

Marc Karavan:

- *Clarified laws pertaining to wineries.*

Mayor Donohue:

- *Continued to discuss marijuana dispensaries.*

Chief Leusner:

- *Explained offenses relating to distribution.*
- *Spoke of earlier question with regards to "gifting" in exchange of a purchase.*

Peggy Mathis:

- *Asked about the rights of the people who do not smoke.*

Mayor Donohue:

- *Explained that he believes non-smokers rights remain the same.*
- *Spoke of intention of the proposed Ordinance.*

ENGINEERING REPORT:

Vincent Orlando:

- Reviewed attached report.



Township of Middle
 Project Status Report
 April 5, 2021
 Prepared By: Vincent C. Orlando, P.E., P.P., L.L.A.

- Birch Drive, Avocado Road, Coconut Road & Aspen Drive Road Reconstruction:**
 - Contract to be awarded to Arawak Paving - \$228,900
- Rio Grande Park:**
 - Park Opened!
 - Items remaining – Banners, Trail Signage & Crosswalk
- Planning/Zoning:**
 - Zoning Ordinance Revisions – scheduled for public hearing 5/3/21
 - Reapproval for State Centers
- Linden Lane (Phase I & II):**
 - NJDOT approved bidding both Phase I & II together
 - Construction bids due on 5/5/21
- Projects for 2021:**
 - Currently reviewing with Kim Krauss and Rob Flynn, Road and Drainage projects for upcoming year.

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 FINAL/MIDDLE/GENERAL/PROJSTATUS 4-5-21

Mayor Donohue:

- Discussed notification to residents impacted by the Swainton Road Project prior to beginning construction.

Motion to Adjourn Meeting – 5:45pm

1st: Committeeman Gandy

2nd: Committeeman Norris

Roll Call Vote: Committeeman Gandy, Committeeman Norris, Mayor Donohue

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman