

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORK SESSION AGENDA
May 16, 2022 4:00 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. 37-22 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 4, 2022.

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

Business Administrator/Township Clerk Kimberly Osmundsen, Deputy Business Administrator Suzanne Schumann, Township Engineer Vincent Orlando & Municipal Solicitor Marcus Karavan

FLAG SALUTE:**PRESENTATIONS OR DISCUSSIONS:**

Amendment to Chapter 106 – Cannabis –
Establish Process for Obtaining Local
Support for Suitability of Cannabis
Business

Kimberly Osmundsen:

- *Explained proposed ordinance and application process that would be adopted with ordinance; explained premise behind proposed ordinance and called received by the Clerk's Officer regarding endorsements; spoke of surrounding municipalities already utilizing the process*

James Maley, Redevelopment Council:

- *Reiterated Kim's remarks; explained ordinance will help make sure businesses are serious and establish a process for the, interested parties to submit an application for cannabis license.*

Mayor Donohue:

- *Discussed application process*

James Maley, Redevelopment Council:

- *Explained cannabis zoning structure as a redevelopment plan in other municipalities; overlay becomes available to developer with agreement with municipality; proved to be handy due to lack of knowledge throughout the State; spoke of rehabilitation designation not being as difficult to obtain as redevelopment designation; explained statute allows to do the process township-wide; all redevelopment tools with the exception of long term tax abatements and condemnation; ability to help all projects large and small; zoning is the same, just set up in a different format; does not change designated areas; all need to be within the rehabilitation or redevelopment areas; manageable and allows more input and control from the Township*

Mayor Donohue:

- *Asked who makes the decision on the license; the redevelopment committee?*

Kimberly Osmundsen:

- *Reviewed ordinance language*

James Maley, Redevelopment Council:

- *Explained Committee can do it themselves but if the Township gets too many, they can establish a board*

Vince Orlando:

- *Spoke of establishment of rehabilitation zone; further explained*
- *Discussed planning board endorsement;*
- *Roughly 80% of commercial zone*

Kimberly Osmundsen:

- *Clarified various aspects of the application*
- *Spoke of types of classes allowed*
- *Asked should amendments be tied to redevelopment*

James Maley, Redevelopment Council:

- *Explained the meat of the licensing is zoning;*
- *Explained this can be added to the middle of the Redevelopment Plan*

Mayor Donohue:

- *Spoke of enforceability of conditions put on issuance of license; such as stipulations companies would have to meet regarding smells, and such*

James Maley, Redevelopment Council:

- *Explained it need to be project related*
- *Spoke of changes since the inception of the cannabis legalization concept*

Mayor Donohue:

- *Spoke of discussions with Kimberly Osmundsen; discussed laying out vetting process for use that is not currently permitted*

James Maley, Redevelopment Council:

- *Set up as dual track*
- *Can be done at the same time*
- *Explained order of process*
- *Further explained they cannot give endorsement for business that is not allowed in the Township*

Kimberly Osmundsen:

- *Asked about amending permitted classes*
- *Spoke of possible separate ordinance done to reflect types of allowed licenses and if there is zoning restrictions; explained separate ordinance outlines procedures for medical or recreational*

Mayor Donohue:

- *Asked about adding the ordinance to the regular meeting agenda; a single class 5 license*

Kimberly Osmundsen:

- *Stated it could be added verbally*

Mayor Donohue:

- *Explained details discussed*

John Lauricella, Cape May Court House:

- *Asked what happens if an entity is endorsed then business does not go well*

Mayor Donohue:

- *Spoke of the layer of protection for the Township by creating a vetting process; stated the redevelopment framework gives more power*

Keith Davis:

- *Asked for confirmation that the Governing Body plans to take action on item 13 and an ordinance to change allowed classes*

Mayor Donohue:

- *Stated it is being considered*

Kimberly Osmundsen:

- *Continued to clarify purpose of the process*

Jen Modica:

- *Discussed cannabis retail applicant; spoke of the many requirements for the type of license; discussed financial background and 24/7 security; explained the security guard on premise while open; spoke of endorsement from West Cape May; explained the timeline is roughly a year before you are licensed*

Kimberly Osmundsen:

- *Asked if there were other applicants in West Cape May*

Jen Modica:

- *Explained regulations*

Mayor Donohue:

- *Spoke of thorough application process*

Committeeman Norris:

- *Asked about allowing one license and sponsoring one applicant and state place in the process*

Kimberly Osmundsen:

- *Explained the Township is just providing the endorsement; reviewed the various requirements*

James Maley:

- *Further explained endorsement requirements; further explained Township is not limited to one endorsement*

Jen Modica:

- *Discussed New Jersey regulations in relation to cannabis businesses*

Redevelopment Plan(s) Amendments – Jim Maley, Redevelopment Council

Kimberly Osmundsen:

- *Spoke of redevelopment plan amendments*

James Maley

- *Discussed process of amending the redevelopment plan*
- *Discussed changes to be made to the redevelopment plan*

Mayor Donohue:

- *Asked why it applies to the proposed areas of redevelopment*

James Maley:

- *Explained reason for the designated areas*
- *Further discussed settlement and amendment changes*

Vince Orlando:

- *Stated the amendments had been approved at the Planning Board Meeting the night prior*

Mayor Donohue:

- *Discussed agenda items endorsed by the Planning Board*
- *Spoke of realistic opportunity for affordable housing*

RE: Proposed Ordinance to Prohibit Bounce Houses on Township Owned Property – Michael McLaughlin, Risk Management Consultant – Marsh & McLennan Agency

Kimberly Osmundsen:

- *Explained history of bounce house discussions and reason for the current discussion*

Mayor Donohue:

- *Thanked Michael McLaughlin and Jennifer Modica from Marsh McLennan for coming out to speak*
- *Spoke of purpose of ordinance to protect the greater community*
- *Discussed comments made during previous introduction of the ordinance*

Michael McLaughlin:

- *Explained proposed bounce house ban*
- *Further explained how insurance coverage works in relation to events with bounce houses*
- *Discussed insurance companies' stance*

Jennifer Modica:

- Explained other municipalities have followed the same process in banning bounce houses

Committeeman Gandy:

- Asked about County's allowance

Kimberly Osmundsen:

- Explained they are self-insured

Michael McLaughlin:

- Explained the JIF has very few exclusions
- Discussed the fire work process
- Explained the large risk

Kimberly Osmundsen:

- Asked about other inflatable devices

Jennifer Modica:

- Stated the limit is to just bounce houses whether jumping or sliding

Kimberly Osmundsen:

- Explained approval process of endorsed bounce house companies

Michael McLaughlin:

- Urged that Township sponsored should be inspected before use

Mayor Donohue:

- Stated the process would provide taxpayers with some degree of protection
- Spoke of time to take this into consideration
- Asked about definitions for inflatables

Kimberly Osmundsen:

- Discussed MEL bulletin

Michael McLaughlin:

- Explained the bulletin defines it and that a 6-year loss is significant

Mayor Donohue:

- Stated Committee would take it under consideration

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:

Motion to Adjourn Meeting – 4:45pm

1st: Committeeman Gandy

2nd: Committeeman Norris

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

Kimberly D. Osmundsen, Township Clerk