

JULY 6, 2021
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held remotely, at 7:00 P.M. Mayor M. James Maley, Jr. called the meeting to order, with Commissioner Morgan Robinson present and Commissioner Robert Lewandowski present.

Mayor Maley read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting before January 10 of this year, a resolution prescribing the dates, times and locations of all regular meetings of the Commission. Mayor Maley led the Pledge of Allegiance.

**The Commissioners called for Second Reading and Public Hearing
of General Capital Improvement Ordinance 1710
APPROPRIATING \$610,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF EQUIPMENT AND IMPROVEMENTS TO BOROUGH OWNED BUILDINGS
APPROPRIATING \$70,000.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND
FOR THE PURCHASE OF EQUIPMENT**

BE IT ORDAINED by the Mayor and Borough Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The Borough Commissioners of the Borough of Collingswood hereby authorizes the following General Capital improvements:

- A. Demolition of Borough Owned Buildings \$110,000.00
- B. Improvements to Borough Owned Buildings, including but not limited to, Roof Repairs, and HVAC repairs \$100,000.00
- C. Completion of the Public Safety Building \$ 400,000.00

SECTION 2. The Borough Commissioners of the Borough of Collingswood hereby authorizes the following Sewer Capital improvements:

- A. Purchase of Equipment \$70,000.00

SECTION 3. The useful life of this equipment is at least five (5) years. No Supplemental Debt Statement is required since there is no authorization of any debt within this Capital Ordinance. The gross debt of the Municipality as defined by law is not increased by this ordinance, and no obligation in the matter of bonds or notes are authorized by this ordinance.

SECTION 4. The capital budget of the Borough of Collingswood conforms with the provisions of this ordinance, and

SECTION 5. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make, and

SECTION 6. This Capital Ordinance shall take effect immediately after publication following the final adoption as provided by law.

Mayor Maley opened the Ordinance to the public:

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Aye: M. James Maley, Jr.
Aye: Robert Lewandowski
Aye: Morgan Robinson

The Commissioners Tabled Ordinance 1711

**AN ORDINANCE REGULATING THE ACTS OF BREEDING AND KEEPING OF
HONEYBEES AND AMENDING CHAPTER 105 OF THE COLLINGSWOOD MUNICIPAL CODE**

WHEREAS, the Borough of Collingswood ("Borough") does not have a code provision that regulates and monitors the breeding and keeping of honeybees ("Beekeeping") on property located within the Borough; and

WHEREAS, the Borough has determined that the safety of its citizens would be better served if the Borough locally enforced the New Jersey Department of Agriculture's (the "Department") regulations on Beekeeping; and

WHEREAS, N.J.S.A. 4:6-24 authorizes the Department to delegate its monitoring and enforcement authority, as applicable to Beekeeping, to a municipality and, pursuant to N.J.A.C. 2:24-7.4, a municipality may pass an ordinance to adopt, by reference, the Beekeeping standards promulgated by the Department; and

WHEREAS, Section 105 of the Borough's Municipal Code governs the possession and maintenance of animals located in the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Borough of Collingswood that a new Article VIII shall be added to Section 105 of the Borough's Municipal Code which shall govern the activities related to the breeding and keeping of honeybees, as promulgated by the New Jersey Department of Agriculture, as follows:

1. The new Article VIII shall be titled "Beekeeping Activities"
2. The Borough shall adopt all current and subsequent definitions as provided for in N.J.A.C. 2:24-1.1.
3. All apiaries shall be registered with the State of new Jersey and conform with N.J.A.C. 2:24 – et al.
4. Every block and lot number within the Borough shall be limited to having one (1) lawful honey bee colony located thereon.
5. Beekeepers shall manage all hives to limit and promptly address swarming using accepted swarm management techniques for the industry, which may include, but are not limited to, providing adequate room for colony growth, splitting, and re-queening.
6. In accordance with N.J.S.A. 4:6-10, a beekeeper shall keep all hives in person-made structures with removable frames in a sound and usable condition.
7. A beekeeper shall locate all hives a minimum of 10 feet from any property line and at least 20 feet from any roadside, sidewalk, or path.
 - a. Hives must be securely placed on level ground or secured on rooftop installations;
 - b. When hives are located on rooftops, they shall not be less than 20 feet from any area used for outdoor human activity; and
 - c. Hives are not permitted on balconies of multistory, multifamily dwelling unit buildings
8. When a colony is located less than 20 feet from any property line, a beekeeper shall establish a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof that is parallel to the property line and maintain it to extend 10 feet beyond the colony in each direction, except if the property adjoining a colony is undeveloped or agriculturally utilized, then no flyway barrier is required on that side.
 - a. Notwithstanding this subsection, all flyway barriers must comply with any Federal, State, or local laws, rules, regulations, and/or ordinances.
9. A beekeeper shall provide all hives with access to adequate sources of water.
10. No bee comb or other materials that might encourage robbing by honey bees or other stinging insects shall be left upon the grounds of the apiary site in suburban and urban environments.
11. The beekeeper shall provide access to all apiaries under the beekeeper's control to inspectors from any and all governmental agencies with jurisdiction to enforce this chapter pertaining to the hives, maintenance of the hives, or disease control. Beekeepers will be notified in advance, where possible and feasible. If the beekeeper cannot be located, notice shall be to the landowner where the apiary is located.
12. All beekeeping activities shall be for hobby use only; there shall be no commercial use or development for commercial sales of honey, hives or colonies.
13. The provisions of this article shall be enforced by the Zoning Officer of the Borough of Collingswood.
14. Any person(s) who is found to be in violation of the provisions of this article may be subject to a court summons and fine not to exceed \$100 per violation.
15. This ordinance shall take effect immediately upon final adoption and publication according to law.

The Commissioners made a motion to table Ordinance 1711 until the Augst 2, 2021 meeting

Aye: M. James Maley, Jr.
Aye: Robert Lewandowski
Aye: Morgan Robinson

**The Commissioners called for Second Reading and Public Hearing of
ORDINANCE NO. 1712**

SALARY ORDINANCE 1712

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF
COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF
COLLINGSWOOD AND METHOD OF PAYMENT OF SUCH COMPENSATION

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD IN
THE COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DOES ORDAIN:

SECTION 1. THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF
THE BOROUGH OF COLLINGSWOOD, WHOSE COMPENSATION SHALL BE ON AN
ANNUAL, SEMI-ANNUAL, AND BIWEEKLY BASIS, SHALL BE PAYABLE AS FOLLOWS:

POSITION

ANNUAL SALARY

ZONING OFFICER

Zoning Officer/ Tax Clerk

\$50,000.00 to \$60,000.00

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED. FULL TIME EMPLOYEES OF THE BOROUGH SHALL IN ADDITION TO THE COMPENSATION PROVIDED FOR HEREIN, SHALL RECEIVE LONGEVITY PAY, WHICH SHALL BE PAYABLE ONCE YEARLY OR AS SET FORTH IN LABOR CONTRACT, RATIFIED BY THE BOARD OF COMMISSIONERS.

SECTION 3. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

Mayor Maley opened the Ordinance to the public:

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

- Aye: M. James Maley, Jr.**
- Aye: Robert Lewandowski**
- Aye: Morgan Robinson**

The Commissioners called for the First reading of Ordinance 1713

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1713 SALARY ORDINANCE

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD AND METHOD OF PAYMENT OF SUCH COMPENSATION

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD IN THE COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DOES ORDAIN:

SECTION 1. THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD, WHOSE COMPENSATION SHALL BE ON AN ANNUAL, SEMI-ANNUAL, AND BIWEEKLY BASIS, SHALL BE PAYABLE AS FOLLOWS:

POSITION

ANNUAL SALARY

Construction Code Department

Fill In Inspector

\$125/day

Fire Department

Code Enforcement Inspector

\$35,000 - \$40,000

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED. FULL TIME EMPLOYEES OF THE BOROUGH SHALL IN ADDITION TO THE COMPENSATION PROVIDED

FOR HEREIN, SHALL RECEIVE LONGEVITY PAY, WHICH SHALL BE PAYABLE ONCE YEARLY OR AS SET FORTH IN LABOR CONTRACT, RATIFIED BY THE BOARD OF COMMISSIONERS.

SECTION 3. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on August 2, 2021 which was seconded and approved by the following call of the roll:

Aye: *M. James Maley, Jr.*
Aye: *Joan Leonard*
Aye: *Robert Lewandowski*

The Commissioners called for the First reading of Ordinance 1714

ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE BOROUGH OF COLLINGSWOOD, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO PERMIT CANNABIS ESTABLISHMENTS, DISTRIBUTORS AND DELIVERY SERVICES

WHEREAS, on November 3, 2020, more than two-thirds of the registered voters in New Jersey voted to approve 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 21 years of age and older; and

WHEREAS, in the Borough of Collingswood (the “Borough”), nearly 83% of registered voters voted in favor of Public Question No. 1; 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” (the “Act”), which legalized the recreational use of marijuana by adults 21 years of age or older; and

WHEREAS, the Act establishes a comprehensive regulatory and licensing scheme for commercial, recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed businesses to cultivate, manufacture, wholesale, distribute, sell and deliver cannabis and cannabis related products; and

WHEREAS, Section 31(a) of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, the Board of Commissioners of the Borough of Collingswood (the “Commissioners”), adopted Resolution No. 06-186 which designated the entirety of the Borough as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law (the “Redevelopment Law”), N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan; and

WHEREAS, pursuant to Ordinance No. 1417 the Commissioners adopted a redevelopment plan for the entirety of the Borough entitled “Plan for Rehabilitation, November 2006” (the “Redevelopment Plan”), which adopted the underlying zoning then in effect throughout the Borough of Collingswood, subject to certain exceptions; and

WHEREAS, pursuant to Ordinance No. 1664, adopted on June 3, 2019 the Commissioners the Borough amended and replaced the original Redevelopment Plan in its entirety; and

WHEREAS, the Commissioners wish to amend the Redevelopment Plan to provide for development regulations for classes of cannabis establishments, cannabis distributors, and cannabis delivery services

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throughout the Borough; and

WHEREAS, the Commissioners have carefully considered the benefits and detriments of permitting any one or more classes of cannabis establishments, cannabis distributors, or cannabis delivery services within the Borough and the impact upon the health, safety, and welfare of its residents as well as the vote of the Borough's registered voters in response to Public Question No. 1 on November 3, 2020; and

WHEREAS, the Commissioners have determined that it is necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough's residents and members of the public who visit, travel, or conduct business in the Borough to adopt an ordinance regulating the operation of any one or more classes of cannabis establishments, cannabis distributors, or cannabis delivery services within the Borough in accordance with the Act; and

WHEREAS, the Mayor and Commissioners have determined to amend the Redevelopment Plan to provide for the regulation of any cannabis marketplace classes of licensed businesses as authorized under the Act.

NOW THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Collingswood, in the County of Camden, State of New Jersey, as follows:

Section XVI of the Redevelopment Plan entitled "Amendments to Approved Redevelopment Plan" is hereby amended to add the following subsection entitled "Proposed Land Uses and Building Requirements":

The existing use, bulk, design, performance standards, and all other standards, as currently set forth in the Borough's Development Regulation Ordinances, and any duly adopted Redevelopment Plan, shall apply to the Rehabilitation Area. The following conditional uses, restrictions and special requirements shall be applicable within the Rehabilitation Area, only to an applicant, property owner, developer or redeveloper that has an executed Redeveloper Agreement with the Borough. An executed Redeveloper Agreement with the Borough shall be required (as a checklist item) as part of an application submission to the Borough's Joint Land Use Board or as part of any other application for land use approvals under this amendment.

The definitions set forth in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-1 et seq. (the "Act"), are incorporated herein and the relevant terms shall have the same meaning and definition as set forth in the Act.

Permitted conditional uses of cannabis marketplace classes of licensed business shall be restricted to properties located within the HBD and HID zoning districts within the Borough and as more specifically identified on the map attached hereto as Exhibit A.

A. The following are permitted conditional uses :

1. Class 1, Cannabis cultivators, Class 2, Cannabis manufacturers, Class 3, Cannabis wholesalers Class 4, Cannabis distributors, Class 5, Retailer facilities and Class 6, Delivery Service, subject to the requirements set forth in Section B below. The term "Cannabis Establishments or Cannabis Establishment" shall be used to collectively describe the above six identified cannabis licensees.

B. The permitted conditional uses identified above shall be subject to the following requirements:

1. The Cannabis Establishments, shall be duly licensed by the State of New Jersey and shall maintain such licenses in good standing at all times of its operation of any Cannabis Establishment that involves any transportation or delivery services shall also maintain in good standing all applicable motor vehicle licenses
2. The Cannabis Establishments shall comply with the bulk, area, and yard requirements of the established zone as set forth in the Borough's development regulations.
3. No vehicular access to any Cannabis Establishment shall be permitted from any residential street.
4. No Cannabis Establishment shall be located within 100 feet of a residential zone, church, public or parochial school, private school, child-care center, or public park.
5. Cannabis paraphernalia shall not be displayed or visible from the building's exterior.
6. Minimum Off-street parking requirements:
 - i. Class 5 – One (1) parking space per 100 square feet of gross floor are.
 - ii. Classes 1,2,3,4, and 6 – One (1) parking space per 800 square feet of gross floor area.

7. On-site sales of alcohol or tobacco products are prohibited.
8. On-site consumption of food, alcohol, tobacco, or cannabis products is prohibited.
9. Signage shall comply with Article IX (Signs) (§141-92 through 101) of the Code of the Borough of Collingswood and the following requirements:
 - i. No sign shall contain any visual representation of cannabis or associated paraphernalia.
 - ii. No Cannabis Establishment shall display on the exterior of its facility or building any advertisements for marijuana, marijuana paraphernalia or a brand name except for the purposes of identifying the building by the permitted name.
10. All Cannabis Establishments shall submit a detailed security plan to the Borough, which shall be subject to the review and approval/denial of the Borough's Chief of Police and the Commissioner of Public Safety. Such plan should include measures and procedures designed to protect all customers, employees, vendors and any other visitors of the Cannabis Establishment from criminal activity, unsafe conditions and incidents of nuisance or harassment. Any approval granted to a security plan may be rescinded at any time if , in the opinion of the Chief of Police and Commissioner of Public Safety , the plan fails to comply with the approved procedures of the security plan or fails to provide adequate security and safety for customer , employees vendors and other visitors. The proposed security plan shall include at a minimum:
 - i. a map of all points of public entry and a description of all security measures (e.g., locks, alarms, access keypads, security cameras, foot patrols) to restrict access by unauthorized persons;
 - ii. procedures for maintaining records which shall include the date and a detailed description of all incidents of suspected criminal activity/unlawful behavior, unauthorized access, assaults, threatening conduct or harassment and a detailed description of the action taken in response to each complaint;
 - iii. procedures for maintaining records of regular audits to ensure that the security plan is current and that procedures are being followed.
11. The Cannabis Establishments shall provide for air treatment systems with sufficient odor absorbing ventilation and exhaust systems such that any odor generated inside the facility is not detectable by a person situated within 25 feet of any of the exterior walls of the building of the Cannabis Establishment or anywhere on an adjacent property, within public rights of way, or within any other unit located within the same building as the Cannabis Establishment. if the use only occupies a portion of its building. The air treatment system shall be inspected annually to ensure compliance with the requirements of this subsection. The contractor shall be subject to approval by the Borough. A copy of the inspection report shall be filed with the Borough.

Section 2. The Commissioners have determined that the amendment to the Redevelopment Plan satisfies the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for redevelopment of the Rehabilitation Area and is otherwise conforms with N.J.S.A. 40A:12A-1, et seq.

Section 3. The Commissioners also have determined the amendment to the Redevelopment Plan is consistent with the Borough's Master Plan.

Section 4. The amendment to the Redevelopment Plan shall constitute an overlay zone to the extent set forth therein.

Section 5. This Ordinance shall take effect after final adoption and publication according to law.

Mayor Maley talked about Ordinance 1714. He explained that the State of New Jersey had given towns a deadline of opting in or out of allowing cannabis businesses in their municipalities, the state has not released regulations. Mayor Maley talked about Route 130 is the area that the amendment to the redevelopment plan that would permit cannabis as a conditional use. Mayor Maley explained the there are 6 different classifications of permits. Mayor Maley said a Town forum is scheduled for August 14th so we can have a community discussion. Mayor Maley explained interested parties are also looking at parking. And the Route 130 location would offer ample parking. Mayor Maley added that there will be a lot of competition for these licenses. There are less than 50 retail available in the state. Commissioner Lewandowski commented that he appreciates the feedback that he has gotten so far. Commissioner Lewandowski said he feels this is a good way of moving forward and that the Route 130 is a good place to start, he also commented this area is underutilized and overlooked. Commissioner Lewandowski said it would be nice to not only get property taxes but income taxes from a cannabis business.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on August 2, 2021 which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Aye: Robert Lewandowski
Aye: Morgan Robinson

The Commissioners called for the First reading of Ordinance 1715

AN ORDINANCE REGULATING MUNICIPAL TAXATION AND COLLECTION OF TAXES UPON CANNABIS ESTABLISHMENTS

WHEREAS, the State of New Jersey has enacted legislation known as the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act, N.J.S. 24:6I-31, et seq. (the “Act”), as may be amended from time to time which legalizes and regulates cannabis use and possession for adults 21 year and older; and

WHEREAS, the Act provides that municipalities that authorize business operations under the Act may enact a local cannabis tax for cannabis cultivators, manufacturers, retailers and/or wholesalers; and

WHEREAS, the Borough has determined that cannabis establishments will be permitted to operate within the Borough in accordance with the provisions of the Act and Borough regulations ; and

WHEREAS, the Borough also has determined that it shall regulate the taxation of cannabis cultivators, manufacturers, retailers and/or wholesalers located within the Borough in accordance with the Act;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that the Borough’s Municipal Code is hereby amended to provide for the regulation of the taxation of cannabis cultivators, manufacturers, retailers and/or wholesalers located within the Borough in accordance with the Act, as follows:

1. The Borough hereby imposes a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located within the Borough.

2. Definitions as used herein:

- a. “Cannabis” shall have the meaning as defined in N.J.S. 24:6I-31.
- b. “Cannabis cultivator” shall have the meaning as defined in N.J.S. 24:6I-31.
- c. “Cannabis establishment” shall have the meaning as defined in N.J.S. 24:6I-31.
- d. “Cannabis items” shall have the meaning as defined in N.J.S. 24:6I-31.
- e. “Cannabis manufacturer shall have the meaning as defined in N.J.S. 24:6I-31.
- f. “Cannabis retailer” shall have the meaning as defined in N.J.S. 24:6I-31.
- g. “Cannabis wholesaler” shall have the meaning as defined in N.J.S. 24:6I-31.
- h. “Consumer” shall have the meaning as defined in N.J.S. 24:6I-31.
- i. “Premises” shall have the meaning as defined in N.J.S. 24:6I-31.

3. The transfer tax is applicable to (i) receipts from the sale of cannabis and cannabis items by a cannabis cultivator to another cannabis cultivator; (ii) receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; and (iii) receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older and any combination of sales between any cannabis establishment, cultivator, cannabis retailer and/or cannabis consumer.

4. The rates of the transfer tax shall be as follows:

- a. Two percent (2%) of the receipts from each sale by a cannabis cultivator;
- b. Two percent (2%) of the receipts from each sale by a cannabis manufacturer;
- c. One percent (1%) of the receipts from each sale by a cannabis wholesaler; and

d. Two percent (2%) of the receipts from each sale by a cannabis retailer.

5. A user tax is also hereby imposed, at the equivalent transfer tax rates, on any concurrent license holder, as permitted by N.J.S. 24:6I-46 operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items which are not otherwise subject to the transfer tax, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.

6. The transfer tax and user tax imposed herein shall be in addition to any other tax imposed by law.

7. The transfer tax or user tax shall be collected or paid, and remitted to the Borough by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

8. Every cannabis establishment required to collect a transfer tax or user tax imposed by this ordinance shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the chief fiscal officer of the Borough shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

9. No cannabis establishment required to collect a transfer tax or user tax imposed by this ordinance shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

10. All revenues collected from a transfer tax or user tax imposed by this ordinance shall be remitted to the chief financial officer of the Borough. The Borough shall enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes.

11. In the event that the transfer tax or user tax imposed by this ordinance is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

12. The Borough shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises

the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

13. This ordinance shall take effect immediately upon final adoption and publication according to law.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on August 2, 2021 which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Aye: Robert Lewandowski
Aye: Morgan Robinson

Public Comment on Resolution Items:
No Comments

The Following Resolutions were Approved without a Dissenting Vote

- 137. Appointing Geoffrey Joyce as Fire Official for the Borough of Collingswood
- 138. Reappointing John Warne to the Collingswood Housing Authority
- 139. Appointing William Giordano as Tax Collector for the Borough of Collingswood
- 140. Appointing Ralph Jones as Fill in Inspector as Needed
- 141. Approving Salary Resolution
Zoning Officer / Tax Clerk
- 142. Referring Ordinance 1714 Amending the Redevelopment Plan to the Planning Board
- 143. Refund of Tax Overpayment-
BLK 15 L 16
- 144. Authorizing a Shared Service Agreement with the Borough of Somerdale for the Disposal of Solid Waste
Approving Public Safety Building Change Orders:
- 145. EPIC
- 146. CCIA – Jingoli
- 147. CM3
- 148. Authorizing Foreclosure of Certain Properties for Delinquent Taxes
- 149. Authorizing to Advertise for Bids for a New Trash Truck

Authorizing Application for New Jersey DOT Grants:

- 150. Improvements to Lees Avenue Project
- 151. Safe Routes to Transit ADA Ramps Project
- 152. Downtown to Transit Corridor Pedestrian and Bicycle Improvements Project
- 153. Accepting the 2020 Audit
- 154. Release of Sewer Easement -
- 155. Approving the Payment of Bills as Presented by the Treasurer

Commissioner Robinson talked about the Fourth of July fireworks being the best she has ever seen and it brought back feelings of normalcy. Commissioner Robinson explained there is a feeling of excitement because our events are starting up again such as the Proud Neighbors House decorating contest for the 4th of July, Cruise Night and movies in the park.

Commissioner Lewandowski talked about the Fourth of July Bike Parade and the American Legion Ice Cream give away that it is great part of our community. Commissioner Lewandowski talked about yard waste collection and composting and the Collingswood Sustainability Youth Committee and the Library Programs that are available to our students. Commissioner Lewandowski referred residents to the Borough Webpage and the Collingswood Library Webpage for information. Commissioner Lewandowski congratulated all the 2021 graduates and all the students that have been promoted, he talked about what a difficult year it was and how proud we are of them.

Mayor Maley thanked Matthew Skowronek, a Collingswood Firefighter /EMT who also works with New Jersey Task Force 1 for the work he is currently doing assisting with the efforts in the Miami Florida Condominium collapse. Mayor Maley said he hopes that all those who are assisting can bring some relief to the families

effected and that they all return home safely. Mayor Maley talked about some issues that were occurring at Roberts Pool. Mayor Maley explained more day tags were sold every day last week than we have ever experienced. This led to pool having so many guests and we were over run. There were also some incidents taking place outside of the pool. This led to too much stress on the lifeguards, when they are diverted from the pool to address the things happening outside of the pool the quality of supervision suffers for the people inside the pool. Mayor Maley explained we have put into effect a limit to the number of day tags that can be sold to 150 a day.

Mayor Maley opened the meeting for Public Comment:

Lorraine Prince asked about yard waste collection. Commissioner Lewandowski and Mayor Maley talked about the collection days and that the compost site is at Champion and Route 130.

Wim Shrieke, 22 Crestmont Ter. asked for the status of the energy aggregation program. Commissioner Lewandowski explained a resolution will be adopted at our next meeting appointing a consultant to put together the auction, oversee the community communication and meet all the regulations. Mayor Maley explained instead of going through a formal RFP process we are utilizing collection of consultants the School Board Association has access to.

Lorraine Prince, talked about Ordinance 1697 addressing Storm Water Management and requested that minor development storm water management be added to the ordinance Ms. Prince expressed concerns that the Planning Board members do not have expertise in storm water management and she offered the knowledge of the Newton Creek Watershed Management Group. Mayor Maley explained that the planning board volunteers may not be experts in Stormwater Management but we do have engineers on the board who are experts in stormwater management and we rely on those professionals. Mayor Maley explained we had a report done on the properties that you brought to us that had been granted variances under the current rules and what would be different. Mayor Maley also expressed he does not want the requirements to be too financially prohibitive for property owners. And he believes that is why it is not a requirement of the state. The discussion continued. Ms. Prince presented a handout to the Commissioners.

Richard Klingerman, 743 Maple Terrace, stated there is a water leak at the intersection of Bryant and Haddon Ave. Chief Carey said he is aware and it is on the repair list he explained that we have had several leaky valves in various places around town over the past several weeks.

With no comments, Mayor Maley moved the meeting be adjourned at 7:50 PM, which was seconded.

Adopted:

M. James Maley, Jr., Mayor

Robert Lewandowski, Commissioner

K. Holly Mannel, Borough Clerk

Morgan Robinson, Commissioner