

Township of Mount Laurel
Agenda
Regular Council Meeting
Monday, May 24, 2021
Via Zoom

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC ANNOUNCEMENT

5. APPROVAL OF MINUTES

Moved by: Seconded by:

6. APPROVAL OF BILL LIST

Moved by: Seconded by:

7. RESOLUTIONS

21-R-102: PROCLAMATION OF COMMENDATION TO KIWANIS CLUB OF GREATER MOUNT LAUREL FOR FIVE YEARS OF OUTSTANDING SERVICE

21-R-103: PROCLAIMING THE MONTH OF MAY 2021 AS JEWISH AMERICAN HERITAGE MONTH

21-R-104: RECOGNIZING THE FIRST FRIDAY IN JUNE AS NATIONAL GUN VIOLENCE AWARENESS DAY

21-R-105: AUTHORIZING THE TOWNSHIP TO APPLY FOR THE STATE OF NEW JERSEY LOCAL RECREATION IMPROVEMENT GRANT

21-R-106: ANTICIPATION OF A SPECIAL ITEM OF REVENUE IN THE 2021 LOCAL MUNICIPAL BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159)

21-R-107: RESOLUTION APPROVING THE EXTENSION OF PLENARY RETAIL CONSUMPTION LICENSE #0324-33-027-002

21-R-108: AUTHORIZATION FOR RENEWAL OF ALCOHOLIC BEVERAGE LICENSES

21-R-109: REJECTING BIDDER AND AWARDED CONTRACT FOR THE 2020 LOCAL ROAD PROGRAM AND COMMUNITY DEVELOPMENT BLOCK GRANT AND 2020 NJDOT MUNICIPAL AID PROGRAM

8. ORDINANCES FOR FIRST READING

ORDINANCE #2021-13: AN ORDINANCE OF THE TOWNSHIP OF MOUNT LAUREL, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS

AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$5,150,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$4,892,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME

Publication Date: MAY 27, 2021

Public Hearing Date: JUNE 14, 2021

ORDINANCE #2021-14: AN ORDINANCE AMENDING CHAPTERS 98, 139 AND 154 OF THE CODE OF THE TOWNSHIP OF MOUNT LAUREL TO IMPLEMENT PROVISIONS OF THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT

Publication Date: MAY 27, 2021

Public Hearing Date: JUNE 14, 2021

ORDINANCE #2021-15: AN ORDINANCE AMENDING CHAPTER 154 OF THE TOWNSHIP CODE TO PERMIT BREWERY STYLE USES TO PROMOTE TOURISM AND ENHANCE COMMERCIAL AREAS WITHIN THE TOWNSHIP

Publication Date: MAY 27, 2021

Public Hearing Date: JUNE 14, 2021

ORDINANCE #2021-16: AN ORDINANCE AMENDING SECTION 4-28.2 OF THE TOWNSHIP CODE TO REMOVE THE SPECIFIC BID THRESHOLD AMOUNT THAT CHANGES PURSUANT TO NEW JERSEY STATUTE EVERY FIVE YEARS

Publication Date: MAY 27, 2021

Public Hearing Date: JUNE 14, 2021

9. ORDINANCE FOR SECOND READING AND PUBLIC HEARING

ORDINANCE #2021-12: AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE XIV OF CHAPTER 4 OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATIVE PROCEDURES" TO ADD A NEW SECTION 4-28.1 ENTITLED "AWARD OF THE CONTRACT OR PURCHASE"

Moved by: Seconded by:

10. PUBLIC PARTICIPATION

11. COMMENTS BY COUNCIL

12. ADJOURNMENT

Township of Mount Laurel
Regular Council Meeting
May 10, 2021
Via Zoom

Mayor Steglik called the meeting to order.

Pledge of Allegiance & Traditional Moment of Silence

ROLL CALL

Councilwoman Karen Cohen – present, Councilwoman Fozia Janjua – present,
Councilman Nick Moustakas – present, Deputy Mayor Kareem Pritchett - present, Mayor
Stephen Steglik - present, Township Solicitor – present, Meredith Tomczyk, Township
Manager/Township Clerk - present

PUBLIC ANNOUNCEMENT

The Public Announcement, which is required by the “Open Public Meetings Act” of the
State of New Jersey and read at every meeting of the Township Council was read by the
Municipal Clerk.

APPROVAL OF MINUTES

Motion to Move: Deputy Mayor Pritchett, 2nd Councilwoman Cohen
Roll Call 5 yes votes

APPROVAL OF BILL LIST IN THE AMOUNT OF \$522,064.45

Motion to Move: Councilman Cohen, 2nd Councilwoman Janjua
Roll Call 5 yes votes

**RESOLUTION #93-2021: AMENDING 21-R-32 SETTING MEETING LOCATIONS BECAUSE OF
THE COVID-19 PANDEMIC**

Township Clerk read Resolution as entitled.

Motion to Move Resolution #93-2021: Deputy Mayor Pritchett, 2nd Councilwoman
Cohen

Roll Call 5 yes votes

**RESOLUTION #94-2021: RESOLUTION AUTHORIZING THE CANCELATION OF A COVID 19
SPECIAL EMERGENCY**

Township Clerk read Resolution as entitled.

Motion to Move Resolution #94-2021: Councilwoman Cohen, 2nd Councilwoman Janjua
Roll Call 5 yes votes

RESOLUTION #95-2021: RESOLUTION TO READ BUDGET BY TITLE ONLY

Township Clerk read Resolution as entitled.

Motion to Move Resolution #95-2021: Councilwoman Cohen, 2nd Deputy Mayor
Pritchett
Roll Call 5 yes votes

PRESENTATION ON 2021 BUDGET – TOWNSHIP MANAGER

PUBLIC HEARING RESOLUTION

Jonathan Daverso, 17105 Star Way – Why does MUA contribute to budget and what does township do with money?

Bob Reillo, 676 Cascade Drive South – Process of developing budget and who was involved?

Andrew Gaus, 154 Kettlebrook Drive – How much revenue is projected in permit fees with new ordinance?

Linda Bobo, 47 Abbington Road – Township losing significant revenue. Questioned tax appeal amount and process of tax appeals. How is budget being balanced? Line item in budget for newly enacted Environmental Commission. Three new positions in township.

Harriette Cohen, 10 Alderton Lane – Environmental Committee platform. Good reason why taxes would go up.

Jacqueline Tsiartas, 169 Memorial Lane – Explain more about tax appeals and value of land. Any funding available to business owners of Mount Laurel that have been affected by COVID-19?

Harriet Insler, 4 Witherod Court – Great full that budget has no increase in costs and no decrease in services. Will Council be working with Trenton on loss revenue?

RESOLUTION #96-2021: RESOLUTION AUTHORIZING THE ADOPTION OF THE 2021 MOUNT LAUREL MUNICIPAL BUDGET

Township Clerk read Resolution as entitled.

Motion to Move Resolution #96-2021: Councilman Moustakas, 2nd Deputy Mayor
Pritchett
Roll Call 5 yes votes

RESOLUTION #97-2021: RESOLUTION AUTHORIZING THE REFUND OR CANCELLATION OF PROPERTY TAXES BLOCK 305.01 LOT 209 QUAL C0047

Township Clerk read Resolution as entitled.

Motion to Move Resolution #97-2021: Deputy Mayor Pritchett, 2nd Councilman
Moustakas

Roll Call 5 yes votes

RESOLUTION #98-2021: GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 1, 2021 TO JUNE 30, 2022

Township Clerk read Resolution as entitled.

Motion to Move Resolution #98-2021: Councilwoman Janjua, 2nd Councilman
Moustakas

Roll Call 5 yes votes

RESOLUTION #99-2021: AUTHORIZATION TO INSTALL A FENCE WITHIN A 75' WIDE
LANDSCAPE BUFFER EASEMENT AREA AND A 25' WIDE DEED RESTRICTED EASEMENT AREA
FOR BLOCK 1110.01, LOT 24

Township Clerk read Resolution as entitled.

Motion to Move Resolution #99-2021: Councilman Moustakas, 2nd Councilwoman
Cohen

Roll Call 5 yes votes

RESOLUTION #100-2021: AUTHORIZATION TO INSTALL A FENCE WITHIN A 20' WIDE
UTILITY EASEMENT AREA FOR BLOCK 410, LOT 7.01

Township Clerk read Resolution as entitled.

Motion to Move Resolution #100-2021: Councilwoman Cohen, 2nd Councilman
Moustakas

Roll Call 5 yes votes

RESOLUTION #101-2021: RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL
UNCOLLECTIBLE TAXES PURSUANT TO N.J.S.A. 54:4-91.1

Township Clerk read Resolution as entitled.

Motion to Move Resolution #101-2021: Deputy Mayor Pritchett, 2nd Councilwoman
Janjua

Roll Call 5 yes votes

ORDINANCE FOR FIRST READING

ORDINANCE #12-2021: AN ORDINANCE AMENDING AND SUPPLEMENTING
ARTICLE XIV OF CHAPTER 4 OF THE TOWNSHIP CODE ENTITLED
"ADMINISTRATIVE PROCEDURES" TO ADD A NEW SECTION 4-28.1 ENTITLED
"AWARD OF THE CONTRACT OR PURCHASE"

Clerk read Ordinance as entitled.

Motion to move Ordinance #12-2021: Councilwoman Cohen, 2nd Deputy Mayor
Pritchett

Roll Call 5 yes votes

PUBLIC PARTICIPATION

Jim Petruzzi, 194 Knotty Oak Drive – What have each Councilmember done or proposes to do to reduce costs in Mount Laurel? Why do we need to add layer of administration when revenue is down?

Brian Sharp, 19 Biddle Way – Thanked Manager for putting budget together. Summary of making Mount Laurel a better place.

Sharon Coffman, 290 St. David Drive – Supports opening of Ramblewood pool.

Andrew Gaus, 154 Kettlebrook Drive – Other duties and powers of the Environmental Commission.

Peter Blazarian, 51 Horseshoe Drive – Thanked Council for budget that doesn't raise taxes and increases services. He supports work of Environmental Commission. Thanked County for not raising taxes. American Rescue Plan. Zero based budget.

Linda Bobo, 47 Abbington Road – Misinformation provided. Is Ordinance 2021-12 mandated by State? Concerned with small businesses being able to continue doing business with municipalities.

COMMENTS BY COUNCIL

George Morris – Red Cross.

Manager Tomczyk – Veterans and purple heart 1:00 PM, May 17th at Community Center.

Mayor Steglik – Thanked everyone for coming and talking about the budget. Thanked Meredith and Tara for their dedication. Looking out for taxpayer. Honor to be on Council.

Deputy Mayor Pritchett – Thanked Meredith for budget and for saving money. Thanked residents for participation. Team work. Will accomplish better things.

Councilwoman Cohen – Thanked everyone for comments. Congratulations to Fire Chief Colucci for his 25 years of service. Application for Environmental Commission is on website. May 15th Green Team doing mini clean up at Trotter's Field. Distributed trees to residents. May 2nd Community Gardens. Thanked Finance Department for back to back budget with no increase.

Councilwoman Janjua – Thanked everyone for comments. Thanked Meredith and Tara.

Councilman Moustakas – Thanked everyone for attending meeting. Craft Fair. May is military appreciate month. Thanked Mayor and Deputy Mayor for hard work. Thanked

Meredith and Tara. Thanked George for his hard work. Thanked Ashlynn for making town stronger.

Motion to adjourn: Deputy Mayor Pritchett, 2nd Councilwoman Janjua

All in favor.

Respectfully submitted,

Meredith Tomczyk, RMC
Township Clerk



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-102

REGULAR MEETING

MAY 24, 2021

**PROCLAMATION OF COMMENDATION TO KIWANIS CLUB OF GREATER
MOUNT LAUREL FOR FIVE YEARS OF OUTSTANDING SERVICE**

WHEREAS, Kiwanis is a global volunteer organization that empowers members to come up with creative ways to serve the needs of children around the world and within their community, focusing on matters such as fighting hunger, improving literacy and offering guidance; and

WHEREAS, the Kiwanis Club of Greater Mount Laurel was originally chartered on June 6, 2016; and

WHEREAS, within its first five years, the Kiwanis Club of Greater Mount Laurel has taken on numerous projects, including sponsoring scholarships for students, partnering with the American Red Cross for blood drives, and collecting supplies for various soup kitchens and food pantries, just to name a few. Additionally, they have hosted community events, from family fun days in the spring to pumpkin festivals in the fall; and

WHEREAS, after club membership dwindled in the middle of their tenure, the Kiwanis Club of Greater Mount Laurel picked up steam, despite the pandemic, and brought up their roster immensely. The Kiwanis Club of Greater Mount Laurel now has 18 active members who are determined to continue to grow and accomplish even more than they did in their first five years as a club; and

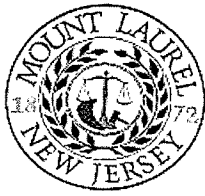
NOW, THEREFORE, BE IT RESOLVED, that the Mayor, Township Council and Township Manager of the Township of Mount Laurel, County of Burlington, State of New Jersey, on behalf of all its citizenry, do hereby commend the Kiwanis Club of Greater Mount Laurel on their upcoming five-year anniversary and their outstanding service to the Mount Laurel community.

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-103

REGULAR MEETING

MAY 24, 2021

PROCLAIMING THE MONTH OF MAY 2021 AS JEWISH AMERICAN HERITAGE MONTH

WHEREAS, Jewish American Heritage Month is a month to celebrate the contributions Jewish Americans have made to America's history, society, and culture for over 350 years; and

WHEREAS, in 2006, President George W. Bush officially declared the month of May as Jewish American Heritage Month to honor the long history and accomplishments of Jewish Americans, along with the hard-fought progress attained through struggle and sacrifice; and

WHEREAS, we are reminded that the vibrant culture of the Jewish people has not always been embraced. In a country where diversity should be cherished and protected, Jewish communities continue to deal with hostility, hatred, and narrow-mindedness; and

WHEREAS, Jewish Americans have been a critical part of the American story, greatly impacting the cultural, economic, and intellectual advancement of all people, even while in the face of discrimination and adversity. They have shaped our Nation and have helped steer the course of our history; and

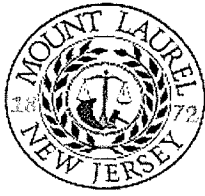
NOW, THEREFORE, BE IT RESOLVED, that the Mayor, Township Council and Township Manager of the Township of Mount Laurel, County of Burlington, State of New Jersey do hereby proclaim May 2021 as Jewish American Heritage Month.

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-104

REGULAR MEETING

MAY 24, 2021

**RECOGNIZING THE FIRST FRIDAY IN JUNE AS NATIONAL GUN VIOLENCE
AWARENESS DAY**

WHEREAS, the first Friday in June is known as National Gun Violence Awareness Day, which also kicks off Wear Orange Weekend; and

WHEREAS, no American should fear for their lives or be victimized by gun violence. All Americans deserve a safe environment where they can thrive without fear; and

WHEREAS, public safety in the community is the Mount Laurel Township Council's highest responsibility; and

WHEREAS, every life lost due to violence, whether a child or adult, whether law enforcement or citizen, is a tragedy; and

WHEREAS, this resolution declares June 4, 2021 to be National Gun Violence Awareness Day in Mount Laurel Township to honor and remember all victims and survivors of gun violence; and

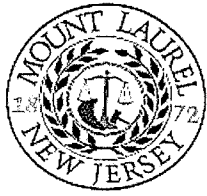
NOW, THEREFORE, BE IT RESOLVED, that the Mayor, Township Council and Township Manager of the Township of Mount Laurel, County of Burlington, State of New Jersey do hereby proclaim June 4, 2021 as **GUN VIOLENCE AWARENESS DAY** in the Township of Mount Laurel, and encourage all citizens to join together and wear orange to help raise awareness.

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-105

REGULAR MEETING

MAY 24, 2021

**AUTHORIZING THE TOWNSHIP TO APPLY FOR THE STATE
OF NEW JERSEY LOCAL RECREATION IMPROVEMENT GRANT**

WHEREAS, the Township of Mount Laurel provides a high quality of life for its residents and visitors and continuously works to improve the standard of living, including improving the Township's parks and recreation locations; and

WHEREAS, the State of New Jersey, Department of Community Affairs has issued guidelines for the Fiscal Year 2021 Local Recreation Improvement Grant Program; and

WHEREAS, Mount Laurel Township and Burlington County and its residents and taxpayers would benefit if the State selects Mount Laurel as a recipient of this Grant; and

WHEREAS, the Township seeks to perform additional playground improvements at Laurel Acres Park; and

WHEREAS, access to the park proved a valuable resource to families looking to lessen the strain placed on our children during the height of the COVID-19 pandemic and continues to offer opportunities for critical mental and physical health; and

WHEREAS, the Township seeks to construct a new playground section in Laurel Acres Park to expand opportunities for the public and the project has an estimated cost of \$510,000; and

WHEREAS, the Township acknowledges that award of this grant requires the Township to a twenty-five percent (25%) match meaning the Township seeks \$382,500 from the State for this grant program;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey hereby authorizes the submission of a grant application to the New Jersey Department of Community Affairs Local Recreation Improvement Grant Program for the Laurel Acres Park playground project with the approximate cost of \$510,000.

BE IT FURTHER RESOLVED, that if awarded, the Township Council commits to the twenty-five percent matching obligation.

BE IT FINALLY RESOLVED, the Mayor, Township Manager, Chief Financial Officer and Clerk are authorized to execute any and all documents necessary in the fulfillment of this Resolution.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-106

REGULAR MEETING

May 24, 2021

**ANTICIPATION OF A SPECIAL ITEM OF REVENUE
IN THE 2021 LOCAL MUNICIPAL BUDGET PURSUANT TO
N.J.S.A. 40A:4-87 (CHAPTER 159)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of a special item of revenue in the budget of a municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey who respectfully request of the Director of the Division of Local Government Services to approve the insertion of special items of revenues in the 2021 Local Municipal Budget in the amount of \$81,000.00 which items are now available as revenues:

- Click it or Ticket - \$6,000.00
- Community Development Block Grant - \$75,000.00

BE IT FURTHER RESOLVED that a like amount of \$81,000.00 is hereby appropriated under the captions of:

- Click it or Ticket - \$6,000.00
- Community Development Block Grant - \$75,000.00

BE IT FINALLY RESOLVED that certified copy of this resolution is forwarded to the Director of the Division of Local Government Services, and one certified copy each to the Township CFO and Township Auditor.

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-107

REGULAR MEETING

MAY 24, 2021

**RESOLUTION APPROVING THE EXTENSION OF PLENARY RETAIL
CONSUMPTION LICENSE #0324-33-027-002**

WHEREAS, an application has been filed for an Extension of Plenary Retail Consumption License Number 0324-33-027-002 issued to Ruby Tuesday Inc. to Ruby Tuesday Operations LLC, as Asset Transferee, pursuant to an Order issued by the United States Bankruptcy Court; and

WHEREAS, on October 7, 2020, Ruby Tuesday Inc. filed a voluntary petition for bankruptcy in accordance with applicable United States bankruptcy laws seeking relief under Chapter 11 of the United States Bankruptcy Code; and

WHEREAS, the Bankruptcy Court, by Order dated February 17, 2021, confirmed the Second Amended Chapter 11 Plan, as modified and recognized Ruby Tuesday Operations LLC as the transferee of assets of Ruby Tuesday Inc., including Plenary Retail Consumption License Number 0324-33-027-002; and

WHEREAS, the submitted application is complete in all respects, including proof of Ruby Tuesday Operations LLC's appointment as Asset Transferee;

NOW, THEREFORE, BE IT RESOLVED that the Mount Laurel Township Council does hereby approve the extension of Plenary Retail Consumption License No. 0324-33-027-002 to Ruby Tuesday Operations LLC, to conduct business under the privileges, terms, and conditions of the License, as Asset Transferee, until such time as the License may be transferred to Ruby Tuesday Operations LLC and does hereby direct the Municipal Clerk to endorse the License Certificate as follows: "This License is hereby extended, subject to all its terms and conditions to Ruby Tuesday Operations LLC, as Asset Transferee."

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-108

REGULAR MEETING

May 24, 2021

**AUTHORIZATION FOR RENEWAL OF
ALCOHOLIC BEVERAGE LICENSES**

WHEREAS, application has been made by the following licensees for renewal of Alcoholic Beverage Licenses; and

WHEREAS, said applicants have paid the proper fees for renewal of said licensees and have complied with the rules and regulations of the Alcoholic Beverage Control Act for renewal; and

WHEREAS, New Jersey Tax Clearance Certificates have been received for all licenses being renewed; and

SEE ATTACHMENT A

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey that the applicants listed below be and they are hereby granted renewal of their licenses for the year beginning July 1, 2021 through June 30, 2022; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and she is hereby directed to sign said licenses on behalf of the Township Council and that a certified copy of this resolution be forwarded to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey, Department of Law and Public Safety.

This resolution was adopted at a meeting of the Township Council held on May 24, 2021 and shall take effect immediately.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

NUMBER	LICENSE NAME	TRADE NAME	Premise Address	City State	TYPE
0324-31-019-003	The New Laurel Creek Country Club Inc.	The New Laurel Creek Country Club Inc.	701 Moorestown-Centerton Road	Mount Laurel, NJ	Club
0324-33-002-007	Anthony Coal Fired Pizza of Mount Laurel LLC	Anthony Coal's Pizza	7000 Midlantic	Mount Laurel, NJ	Consumption
0324-33-003-012	Jose Tejas, Inc	Jose Tejas, Inc	1310 Route 73 South (currently pocket)	Mount Laurel, NJ	Consumption
0324-33-004-004	Bertucci's Restaurant LLC	Bertucci's Brick Oven Pizzeria	1220 Nixon Drive	Mount Laurel, NJ	Consumption
0324-33-006-005	KMC Enterprises Inc.	Prospectors	3050 Route 38	Mount Laurel, NJ	Consumption
0324-33-010-005	Carluccis Waterfront LLC	Carluccis Waterfront LLC	876 Centerton Road	Mount Laurel, NJ	Consumption
0324-32-012-009	Grayling Corporation	Chili's	4162 Church Road	Mount Laurel, NJ	Consumption with broad package privilege
0324-33-021-005	RRLL East Gate IV LLC	RRLL East Gate IV LLC	pocket	Mount Laurel, NJ	Consumption
0324-33-024-004	TGI Fridays Inc	TGI Fridays Inc	40 Centerton Road Bldg 3	Mount Laurel, NJ	Consumption
0324-33-035-002	Apple New Jersey LLC	Applebees	1102 Route 73	Mount Laurel, NJ	Consumption
0324-33-037-001	TopGolf USA Mount Laurel LLC	Top Golf	104 Centerton Road	Mount Laurel, NJ	Consumption
0324-36-001-008	Grande Properties LLC	Aloft Hotel	558 Fellowship Road	Mount Laurel, NJ	Hotel/Motel
0324-36-013-007	ARS Hospitality LLC	Wyndham Hotel	1111 Route 73 North	Mount Laurel, NJ	Hotel/Motel
0324-36-017-003	CTYD III Corporation	Courtyard by Marriott	1000 Century Parkway	Mount Laurel	Hotel/Motel
0324-36-018-008	NJ Beverage Services Inc.	Westin Hotel Mount Laurel	555 Fellowship Road	Mount Laurel, NJ	Hotel/Motel
0324-36-038-001	One NJ Mount Laurel 1001 Management LLC	Residence Inn	1000 Bishops Gate Boulevard	Mount Laurel, NJ	Hotel/Motel
0324-36-033-003	Island Hospitality Management LLC	Hyatt House	3000 Crawford Place	Mount Laurel, NJ	Hotel/Motel
0324-44-008-006	Martins Liquors LLC	Martins Liquors LLC	3601 Route 38 and Marter Ave	Mount Laurel, NJ	Distribution
0324-44-015-007	TEC Liquors Inc.	Laurel Liquors	3214 Route 38	Mount Laurel, NJ	Distribution
0324-44-028-002	Manderson Liquors LLC	Mt. Laurel Wine & Spirits	3747 Church Road Units 10-13	Mount Laurel, NJ	Distribution
0324-44-030-002	SAI Arnav Inc	Wine Legend	720 Church Street	Mount Laurel, NJ	Distribution



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 21-R-109

REGULAR MEETING

May 24, 2021

**REJECTING BIDDER AND AWARDING CONTRACT
FOR THE 2020 LOCAL ROAD PROGRAM AND COMMUNITY DEVELOPMENT
BLOCK GRANT AND 2020 NJDOT MUNICIPAL AID PROGRAM**

WHEREAS, the Township determined to bid a project for the repair and repaving of Meadowrue Drive, Meadowrue Court and Marigold Court through its local road program and to pave and repair Pecan Court through the Community Development Block Grant Program (“CBDG”) and to pave and repair a portion of Union Mill Road through the 2020 N.J. DOT Municipal Aid Program (combined the “Project”); and

WHEREAS, CDBG funding contains requirements greater than normal projects bid under the Local Public Contracts Law and requires that the project be run through or use a percentage of the project with minority-owned businesses or woman-owned businesses; and

WHEREAS, no vendor challenged this requirement in the bid specification three days prior to opening the bids as required by the Local Public Contracts Law; and

WHEREAS, at the time and place for opening the bids, the Township received the following six bids:

Earle Asphalt Company	\$551,713.13
American Asphalt Company	\$620,346.75
Paving Plus LLC	\$649,995.50
Black Rock Enterprises, LLC	\$676,000.00
Think Pavers Hardscaping, LLC	\$761,577.00
R.E. Pierson Construction Co.	\$777,231.50;

WHEREAS, the Township Engineer and Township Solicitor have determined that the apparent low bidder failed to comply with the requirements in the bid package regarding CDBG regulations for minority-owner or woman-owned businesses; and

WHEREAS, without fulfilling these material requirements, the Township must reject the apparent low bidder in order to qualify for the CDBG funding; and

WHEREAS, the Township Engineer confirms the bid by American Asphalt Co. Inc. is the lowest responsible bidder and within the engineer’s estimate.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey does hereby reject the bid submission of Earle Asphalt Company for the reasons set forth in this Resolution and hereby awards the Project to American Asphalt Co., Inc. of West Collingwood, New Jersey in the amount of Six Hundred and Twenty Thousand, Three Hundred and Forty-Six Dollars and Seventy Five Cents (\$620,346.75) according to the terms and conditions of the bid specifications, upon execution of a contract with the municipality, the posting of a performance bond and providing the required original insurance certificate;

BE IT FURTHER RESOLVED, that the Mayor, Township Manager and Township Clerk are hereby authorized to execute any and all document necessary in the fulfillment of this contract with the exception of potential Change Orders which require advanced approval of Township Council.

A CERTIFIED COPY

Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2021-13

AN ORDINANCE OF THE TOWNSHIP OF MOUNT LAUREL, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$5,150,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$4,892,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT LAUREL, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Mount Laurel, in the County of Burlington, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the respective sums amounting in the aggregate to \$5,150,000, including the aggregate sum of \$257,500 as the several down payments for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$4,892,500, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose – Roads and Public Works.

- a. Construction and reconstruction of various Township roads, including but not limited to reconstruction and expansion of Marcy Court, Winterberry Court, Hartzel Court, Innes Court, Segal Court, Hampton Court, Diston Court, Sheffield Court, Whitechapel Court, Heath Court, Gladstone Court,

Boothby Court, Preakness Drive, Pimlico Way, Saratoga Drive, Monmouth Drive, Church Hill Downs Court, Hialeah Drive, Fairview Lane, South Brentwood Drive and Brentwood Terrace and drainage improvements to Mill Stream, and including related repairs to bridges and lateral support structures, necessary drainage, signage, gutter and curb improvements, as set forth on a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$2,448,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$2,325,600
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$122,400

b. Regular and emergent repairs and reconstruction of various Township roads and underdrains, including necessary drainage and curb improvements, as set forth on a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$250,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$237,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$12,500

c. Acquisition and repair of equipment for Department of Public Works, including but not limited to acquisition of vehicles with, as needed, plow and light packages, cranes and accessories and other equipment, each including all work and related materials and equipment necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$1,000,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$950,000
<u>Period or Average Period of Usefulness:</u>	7.5 years
<u>Amount of Down Payment:</u>	\$50,000

II. Purpose-Police Department. Acquisition of vehicles and equipment for the Police Department including but not limited to Variable Message Board with RADAR, two (2) SUV type vehicles (Ford Interceptors or equivalent), recording system (Axon or equivalent) for interview room and construction and outfitting of additional storage space for property and evidence, each including all work and related materials and equipment necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$260,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$247,000
<u>Period or Average Period of Usefulness:</u>	7.76 years
<u>Amount of Down Payment:</u>	\$13,000

III. Purpose-Emergency Medical Services. Acquisition of, replacement of and repair to facilities, vehicles and equipment for the EMS Department, including but not

limited to remounting of ambulance body, acquisition of replacement Lucas Devices or similar (Automated CPR Equipment), upgrade stretcher system to Stryker type system, acquisition of furniture and IT equipment and repair and replace epoxy type surface treatment for floor of EMS bay, including all work and related materials and equipment necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$420,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$399,000
<u>Period or Average Period of Usefulness:</u>	5.88 years
<u>Amount of Down Payment:</u>	\$21,000

IV. Purpose – Township Buildings. Construction, repairs and acquisition of equipment for or to Township Buildings, including but not limited to (i) high speed data scanning and storage equipment, (ii) needed or emergent repairs and improvements to Township owned buildings and facilities and (iii) engineering and professional services to identify, compile data and map Township lands to update sections and elements of the Township Master Plan, and including all work and related materials and equipment necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$772,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$733,400
<u>Period or Average Period of Usefulness:</u>	7.99 years
<u>Amount of Down Payment:</u>	\$38,600

The acquisition of vehicles and equipment set forth in Section 3 includes customization, painting, decals and related equipment to allow the vehicle or equipment to be used for its intended use.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from

time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 13.62 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,892,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$800,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction Date: May 24, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

Publication Date: May 27, 2021

Public Hearing Date: June 14, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

BY:

Stephen Steglik, Mayor

ATTEST:

Meredith Tomczyk, Township Clerk
4830-6358-9080, v. 1

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2021-14

AN ORDINANCE AMENDING CHAPTERS 98, 139 AND 154 OF THE CODE OF THE TOWNSHIP OF MOUNT LAUREL TO IMPLEMENT PROVISIONS OF THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT

WHEREAS, in 2020 New Jersey voters approved 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 at least 21 years of age; and

WHEREAS, the passage of the public question was the largest margin of any statewide cannabis legalization ballot measures to date in U.S. history with more than 67% of voters supporting the initiative; and

WHEREAS, Burlington County and Mount Laurel voters specifically supported the measure by an even greater percentage with 7 of every 10 voters supporting the initiative; 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 legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including: Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license; Class 3 Cannabis Wholesaler license; Class 4 Cannabis Distributer license; Class 5 Cannabis Retailer license; and Class 6 Cannabis Delivery license; and

WHEREAS, Section 31a 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 operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act stipulates that any municipal regulation of any of the above classes must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, conversely, if a municipality fails to adopt regulations, the above six classes of activities will be permitted in industrial and commercial areas of the Township without the benefit of municipal regulations governing their locations and/or any other restrictions the municipality may seek to impose; and

WHEREAS, section 40 of the Act authorizes municipalities by ordinance to adopt regulations which establish limited taxation of the above classes of activity within the municipality; and

WHEREAS, specifically, a municipality may adopt an ordinance imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located in the municipality and at the discretion of the municipality, the tax may be imposed on: receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; or any combination thereof; and

WHEREAS, the Township Council determines that it is appropriate to implement these measures as permitted by law.

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED, by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey that Chapter 95A of the Township Code entitled "Licensing", Chapter 139 of the Township Code entitled "Taxation"; Chapter 154 of the Township Code entitled "Zoning" are hereby amended and supplemented to read as follows;

SECTION 1

Chapter 95A, entitled "Licensing" is amended and supplemented to add a new Article III entitled "Cannabis," as follows.

New Article III of Chapter 95A shall be added to the Township Code as follows:

Article III. Cannabis

95A-24 Cannabis Cultivators, Manufacturers, Wholesalers, Distributors, Retailers and Delivery Services shall only be permitted uses in the Township as set forth in Chapter 154 – "Zoning."

95A-25 Violations and Penalties. Violation of any provision of this article shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$2,000 and/or by imprisonment for a term not exceeding 90 days and/or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Each day that a violation continues shall be a separate violation. Each violation shall result in a ten-day suspension of the dealer's license under this article.

SECTION 2

The following definitions in Section 154-5 (Chapter 154 "Zoning", Article I "General Provisions") shall be repealed:

Marijuana Alternative Treatment Centers
Marijuana Cultivation Facility
Marijuana Products
Marijuana Recreational/Commercial Retail Establishment
Marijuana Testing Facility

The following definitions shall be added to Section 154-5 (Chapter 154 "Zoning", Article I "General Provisions"):

CANNABIS - All parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L.2021, c.16 (C.24:6I-31 et al.) for use in cannabis products, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

CANNABIS BUSINESS - Any person or entity that holds any of the six Classes of licenses established under P.L. 2021, c. 16, the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act."

CANNABIS CULTIVATOR - Any licensed person or entity that grows, cultivates, or produces cannabis, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 Cannabis Cultivator license.

CANNABIS DELIVERY SERVICE - Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly

through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR - Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributor license.

CANNABIS ESTABLISHMENT - A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER - Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturer license.

CANNABIS PRODUCT - A product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include: (1) usable cannabis by itself; or (2) cannabis extract by itself, or (3) any other cannabis resin by itself.

CANNABIS RETAILER - Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 Cannabis Retailer license.

CANNABIS TESTING FACILITY - An independent, third-party entity meeting accreditation requirements established by the Cannabis Regulatory Commission that is licensed to analyze and certify cannabis items and medical cannabis for compliance with applicable health, safety, and potency standards.

CANNABIS WHOLESALER - Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license.

Section 154-56, Subsection C(18) (Chapter 154 "Zoning", Article VIII "Industrial Districts") of the Township Code shall be repealed, and replaced with the following:

18) A Cannabis Cultivator, Manufacturer, Distributor, Wholesaler and Delivery Service, subject to the following conditions:

(a) Such facility shall meet all of the requirements for licensure, and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.

(b) Lot size, yard size, and lot area shall be regulated as specified:

- [1] The minimum lot area shall be not less than 1 acre.
- [2] The minimum lot width shall be not less than 100 feet.
- [3] The minimum lot frontage shall be not less than 100 feet.
- [4] The minimum lot front yard depth shall be not less than 50 feet.
- [5] The minimum lot side yard width shall be not less than 50 feet.
- [6] The minimum lot rear yard depth shall be not less than 50 feet.

(c) Shall not be any closer than 1,000 feet from any behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.

(d) Shall not be any closer than 1,000 feet from a residential district or use, as measured in a straight line from the nearest two points of the property lines.

(e) Shall not be located within 1,000 feet of the property line of any existing church or house of worship, public or parochial k-12 school, private k-12 school, child-care center, or any existing public park, as measured in a straight line from the nearest two points of the property lines.

(f) No facility may permit on-site consumption of cannabis or cannabis products.

(g) No outside storage of any cannabis products or related materials shall be permitted.

(h) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises.

(i) Compliance with the standards set forth in § 54-5B.

Section 154-56, Subsection C(19) (Chapter 154 "Zoning", Article VIII "Industrial Districts") shall be added to the Township Code as follows:

19) A Cannabis Retailer, subject to the following conditions:

(a) Such facility shall meet all requirements for licensure, and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.

(b) Lot, area, and bulk requirements:

[1] The minimum lot area shall be 20,000 square feet.

[2] The minimum front yard shall be 50 feet.

[3] The minimum side yard shall be 25 feet.

[4] The minimum rear yard shall be 50 feet.

(c) Shall not be located any closer than 1,000 feet from a behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines;

(d) Shall not be located any closer than 1,000 feet from a residential use or district, public or private k-12 school, child care center, church or house of worship, or public park of the Township of Mount Laurel containing active recreation uses, as measured in a straight line from the nearest two points of the property lines;

(e) No facility may permit on-site consumption of cannabis or cannabis products.

(f) No outside storage of any cannabis, cannabis products or related materials shall be permitted;

(g) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises;

(h) Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area.

(i) Compliance with the standards set forth in § 54-5B.

New Paragraph D shall be added to Section 154-43 (Chapter 154 "Zoning", Article VI "Business Districts") as follows:

§ 54-43.D. Cannabis Retailer, as a permitted use subject to the following conditions:

(a) Such facility shall meet all requirements for licensure, and hold an appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey;

(b) Lot, area, and bulk requirements:

[1] the minimum lot area shall be 20,000 square feet

[2] the minimum front yard shall be 30 feet

[3] the minimum side yard shall be 20 feet

[4] the minimum rear yard shall be 40 feet

(c) Shall not be located any closer than 1,000 feet from a behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines;

(d) Shall not be located any closer than 1,000 feet from a residential use or district, public or private k-12 school, child care center, church or house of worship, or public park of the Township of Mount Laurel containing active recreation uses, as measured in a straight line from the nearest two points of the property lines;

(e) No consumption of any cannabis or cannabis products or shall be permitted on site;

(f) No outside storage of any cannabis, cannabis products or related materials shall be permitted;

(g) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises;

(h) Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area.

(i) Compliance with the standards set forth in § 54-5B.

New Paragraph B shall be added to Section 154-25 (Chapter 154 "Zoning", Article IV "Major Commercial Planned Development Districts") as follows:

§ 154-25.B – The following uses shall be permitted subject to the conditions noted herein:

(1) Cannabis Retailer shall be permitted subject to the following requirements and conditions:

(a) Such facility shall meet all requirements for licensure by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey;

(b) Lot, area, and bulk requirements:

[1] the minimum lot or tract area shall be 20,000 square feet

[2] the minimum front yard shall be 75 feet

[3] the minimum side yard shall be 50 feet

[4] the minimum rear yard shall be 75 feet

(c) Shall not be located any closer than 1,000 feet from a behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines;

(d) Shall not be located any closer than 1,000 feet from a residential use or district, public or private k-12 school, child care center, church or house of worship, or public park of the Township of Mount Laurel containing active recreation uses, as measured in a straight line from the nearest two points of the property lines;

(e) No consumption of any cannabis or cannabis products shall be permitted on site;

(f) No outside storage of any cannabis, cannabis products or related materials shall be permitted;

(g) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises;

(h) Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area.

(i) The regulation found at §154-26.A and in the schedule of area and height requirements which requires a minimum lot area of 50 contiguous acres shall not apply. Provided that compliance with the above conditions are satisfied, a Cannabis Retailer shall be permitted within any existing major commercial development within the Major Commercial District, either within an existing commercial development or as a stand-alone structure.

(j) Compliance with the standards set forth in § 54-5B.

SECTION 3

New section 139-6 shall be added to the Township Code as follows:

Article II. Cannabis Tax

§ 139-6. Purpose.

It is the purpose of this article to implement the provisions of P.L. 2021, c. 16, which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer, 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 cannabis establishment.

§ 139-7. Definitions.

Unless otherwise defined herein, as used herein, the Township adopts by reference the terms and definitions established by Section 40 of Public Law 2021-16 (N.J.S.A. 24:6I-33).

§ 139-8. Tax established.

A. There is hereby established a local cannabis transfer tax in the Township of Mount Laurel which shall be fixed at a uniform percentage rate of two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis

retailer for every occupancy of a cannabis establishment in the Township of Mount Laurel.

B. In addition to the tax established in paragraph A of this section, a user tax, at the equivalent transfer tax rates, is hereby established on any concurrent license holder, as permitted by section 33 of P.L.2021, c.16 (C.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 not otherwise subject to the transfer tax imposed pursuant to paragraph A of this subsection, from the license holder's establishment that is located in Mount Laurel to any of the other license holder's establishments, whether located in this Township or another municipality.

C. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

§ 139-9. Tax in addition to other taxes or fees.

The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

§ 139-10. Collection.

A. The transfer tax or user tax imposed by this article shall be collected or paid, and remitted to Mount Laurel Township 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 Township 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.

B. Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section 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 Financial Officer of Mount Laurel shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

C. No cannabis establishment required to collect a transfer tax or user tax imposed by this section 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.

D. All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Mount Laurel Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of

January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§ 139-11. Payment; vendor violations and penalties.

- A. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.
- B. The municipality shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this section in the same manner as provided for municipal real property taxes.
- C. In the event that the transfer tax or user tax imposed by this section 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.
- D. A municipality 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."

Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. This Ordinance shall take effect upon passage and publication according to law.

Introduction Date: May 24, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

Publication Date: May 27, 2021

Public Hearing Date: June 14, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

BY:

 Stephen Steglik, Mayor

ATTEST:

 Meredith Tomczyk, Township Clerk
 4830-6858-9080, v. 1

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2021-15

AN ORDINANCE AMENDING CHAPTER 154 OF THE TOWNSHIP CODE TO PERMIT BREWERY STYLE USES TO PROMOTE TOURISM AND ENHANCE COMMERCIAL AREAS WITHIN THE TOWNSHIP

WHEREAS, the Township Council recommends that the Township consider adding the business opportunity for micro-breweries, brewpub and wine tasting rooms as a mechanism to enhance business areas in the Township; and

WHEREAS, the Township Planner evaluated the municipal code and zoning to identify locations and conditions which would allow such properly licensed entities to operate in Mount Laurel; and

WHEREAS, prospective business must be approved to operate by the New Jersey Division of Alcohol Beverage Control;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of Mount Laurel, County of Burlington, State of New Jersey that Chapter 154 of the Township Code of the Township of Mount Laurel be and is hereby amended and supplemented to add the following new definitions and use regulations as follows:

Section One – Amendments to Section 154-5 of the Code.

Chapter 154-5 of the Municipal Code entitled “Definitions and Word Usage” is amended and supplemented to add the following definitions:

BREWERY, MICRO

Any establishment engaged in the act of brewing any malt alcoholic beverage, including but not limited to beer, cider, or alcoholic seltzer beverages, for sale and/or distribution to wholesalers, retailers, or consumption on the premises, licensed in accordance with the State Alcoholic Beverage Law that produces less than 300,000 barrels of alcoholic beverages annually.

BREW PUB

A RESTAURANT that includes a MICRO BREWERY, and the alcoholic beverages produced are intended to be consumed on the premises as an accessory use to the RESTAURANT.

CRAFT DISTILLERY

Any establishment engaged in the act of distilling any alcoholic beverage for sale and/or distribution to wholesalers, retailers, or consumption on the premises, licensed in accordance with the State Alcoholic Beverage Law, that produces less than 20,000 gallons of alcoholic beverages annually.

SALES ROOM, MICRO BREWERY

An on-site or off-site facility that sells beverages produced by a MICRO BREWERY direct to consumers either for consumption on the premises, or off-premises, and licensed in accordance with the State Alcoholic Beverage Law. Also known as a tasting room.

SALES ROOM, CRAFT DISTILLERY

An on-site or off-site facility that sells beverages produced by a CRAFT DISTILLERY direct to consumers either for consumption on the premises, or off-premises, and licensed in accordance with the State Alcoholic Beverage Law. Also known as a tasting room.

SALES ROOM, WINERY

An on-site or off-site facility that sells beverages produced by a WINERY direct to consumers either for consumption on the premises, or off-premises, and licensed in accordance with the State Alcoholic Beverage Law. Also known as a tasting room.

WINEMAKING, INSTRUCTIONAL FACILITY

Any facility where non-licensed persons may engage in and be instructed in and assist in the act of making wine or any similar fermented alcoholic beverage, where instruction is provided by a person licensed in accordance with the State Alcoholic Beverage Law.

WINERY

Any establishment engaged in the act of fermenting fruit juice or other natural substances in order to produce alcoholic beverages such as wine, mead, or brandy, and licensed in accordance with the State Alcoholic Beverage Law, that produces less than 250,000 gallons of alcoholic beverages annually.

Section Two. Article IV of the Township Code creating regulations and standards in Major Commercial Planned Development Districts is amended and supplemented to add the following new provisions:

Section 154-25. Use regulations.

A. In Major Commercial Planned Development Districts, no building or other structure and no land shall be used, and no building or other structure shall be built, altered or erected to be used for any purpose other than that of:

- (31) Brewpub
- (32) Micro Brewery, Craft Distillery, or Winery subject to the standards set forth in §154-80.2
- (33) Sales Room, Micro Brewery, Craft Distillery, or Craft Winery, subject to the standards set forth in §154-80.3
- (34) Winemaking Instructional Facility

Section 154-27 Parking

The chart in Section 154-27 is amended and supplemented to add the following new parking standards:

Land Use	Minimum Number of Required Off-Street Parking Spaces
Brewpub	1 space per 1,000 square feet of gross floor area devoted to production or storage space, plus all off-street parking required of the restaurant use
Winemaking, Instructional Facility	1 space per 500 square feet of gross floor area for instructional or classroom space, plus 1 space per 2,000 square feet of any storage area.
Micro Brewery, Craft Distillery, Winery,	1 space per 1,000 square feet of gross floor area devoted to production or storage space, plus 1 space per 150 square feet of gross floor area in any sales room or tasting room area.
Sales Room, Micro Brewery, Craft Distillery, or Winery	1 space per 150 square feet of gross floor area.

Section Three. Article V of the Township Code creating regulations and standards in Neighborhood Commercial Districts is amended and supplemented to add the following new provisions:

Section 154-37. Use regulations.

A building may be erected, used or occupied and a lot may be used or occupied for any of the following purposes and no other:

- ...
- J. Brewpub
- K. Micro Brewery, Craft Distillery, or Winery in accordance with §154-80.2
- L. Sales Room, Micro Brewery, Craft Distillery, or Winery, subject to the standards set forth in §154-80.3
- M. Winemaking Instructional Facility

Section Four. Article VI of the Township Code creating regulations and standards in Business Districts is amended and supplemented to add the following new provisions:

Section 154-43. Use regulations.

The following new uses are added to this section:

- D. Brewpub
- E. Micro Brewery, Craft Distillery, or Winery in accordance with §154-80.2
- F. Sales Room, Micro Brewery, Craft Distillery, or Winery, subject to the standards set forth in §154-80.3
- G. Winemaking Instructional Facility

Section Five. Article VII of the Township Code creating regulations and standards in Specially Restricted Industrial Districts is amended and supplemented to add the following new provisions:

Section 154-49. Use regulations.

- ...
- J. Micro Brewery, Craft Distillery, or Winery in accordance with §154-80.2
- K. Winemaking Instructional Facility

Section Six. Article VIII of the Township Code creating regulations and standards in Industrial Districts is amended and supplemented to add the following new provisions:
Section 154-56. Use regulations; performance standards.

...
 (C) Uses permitted other than industrial.

- ...
 19. Micro Brewery, Craft Distillery, or Winery in accordance with §154-80.2
 20. Winemaking Instructional Facility

Section Seven. Article XI of the Township Code entitled Supplement Regulations is amended and supplemented to add the following new provisions:

Section 154-69 Parking requirements; violations and penalties

(B) Automobile parking spaces. The following number of off-street parking spaces shall be provided as set forth below. The approving body, at its discretion, may require more parking spaces than those listed below. The Planning Board may also allow some parking spaces to be unimproved initially, provided that the physical space is shown on the plans where the unimproved parking spaces could be constructed at a future date if the need arises as determined by the Planning Board.

Land Use	Minimum Number of Required Off-Street Parking Spaces
Brewpub	1 space per 1,000 square feet of gross floor area devoted to production or storage space, plus all off-street parking required of the restaurant use
Winemaking, Instructional Facility	1 space per 500 square feet of gross floor area for instructional or classroom space, plus 1 space per 2,000 square feet of any storage area.
Micro Brewery, Craft Distillery, Winery,	1 space per 1,000 square feet of gross floor area devoted to production or storage space, plus 1 space per 150 square feet of gross floor area in any sales room or tasting room area.
Sales Room, Micro Brewery, Craft Distillery, or Winery	1 space per 150 square feet of gross floor area.

Section Eight. Article XI of the Township Code entitled Supplement Regulations is amended and supplemented to add the following new provisions:

Section 154-80.2 Micro Brewery, Craft Distillery, or Winery

- A. A tasting room and/or salesroom for sampling and purchasing of beverages produced on the premises may be permitted as an accessory use.
- B. An instructional facility may be permitted as an accessory use to a Winery.
- C. A micro brewery, craft distillery, or winery may include outdoor seating on the premises provided that the seating area is enclosed by fencing, landscaping, or gates at least 36 inches in height, and does not interfere with any necessary pedestrian or vehicular circulation.
- D. The hours of operation where sales of alcoholic beverages for consumption on the premises is permitted shall be limited to those hours set forth in Section 61-10 of the Township Code.
- E. No operation of a kitchen or restaurant on the premises shall be permitted, and no prepared food shall be sold on the premises. Finger food snacks may be offered on the premises without charge.
- F. Live entertainment is permitted inside the facility during all hours of operation. Outdoor entertainment on the premises shall be limited to the hours of between 12:00 PM noon to 12:00 AM midnight.
- G. All storage of waste materials, garbage, and recyclable materials shall be in enclosed containers, and stored inside the primary building, or within a separately enclosed structure that will completely confine any odors.

Section 154-80.3 Sales Room, Micro Brewery, Craft Distillery, or Winery

- A. A Sales Room for a micro brewery, craft distillery, or winery may include outdoor seating on the premises provided that the seating area is enclosed by fencing, landscaping, or gates at least 36 inches in height, and does not interfere with any necessary pedestrian or vehicular circulation.
- B. The hours of operation where sales of alcoholic beverages for consumption on the premises is permitted shall in accordance with Section 61-10 of the Township Code.
- C. No operation of a kitchen or restaurant on the premises shall be permitted, and no prepared food shall be sold on the premises. Finger food snacks may be offered on the premises without charge.
- D. Live entertainment is permitted inside the facility during all hours of operation. Outdoor entertainment shall be limited to between the hours of 12:00 AM noon to 12:00 PM midnight.

Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. This Ordinance shall take effect upon passage and publication according to law

Introduction Date: May 24, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

Publication Date: May 27, 2021

Public Hearing Date: June 14, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

BY:

Stephen Steglik, Mayor

ATTEST:

Meredith Tomczyk, Township Clerk
4830-6358-9080, v. 1

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2021-16

AN ORDINANCE AMENDING SECTION 4-28.2 OF THE TOWNSHIP CODE TO REMOVE THE SPECIFIC BID THRESHOLD AMOUNT THAT CHANGES PURSUANT TO NEW JERSEY STATUTE EVERY FIVE YEARS

WHEREAS, Section 4-28.2 of the Township of Mount Laurel Code addresses the duties of the Township's Purchasing Agent and sets forth the threshold for which contracts must be advertised for bid;

WHEREAS, Section 4-28.2 of the Township Code currently states, in pertinent part: "In accordance with N.J.S.A. 40A:11-3, when the cost of a contract does not exceed the total amount of \$17,500, the contract may be awarded without public advertising for bids, unless the governing body establishes a lower amount. If a Purchasing Agent has been appointed, the governing body can establish that the bid threshold may be up to such amount as adjusted by the Governor no later than March 1, every five years. As of the date of this article, the bid threshold is \$36,000. The governing body hereby authorizes the Purchasing Agent into contracts up to the maximum amount established by said statute as the same may be periodically adjusted in accordance with same."

WHEREAS, N.J.S.A. 40A:11-3(a) states: "If a purchasing agent has been appointed, the governing body of the contracting unit may establish that the bid threshold may be up to \$25,000 or the threshold amount adjusted by the Governor pursuant to subsection c. of this section."

WHEREAS, N.J.S.A. 40A:11-3(c) states: "The Governor, in consultation with the Department of Treasury, shall, no later than March 1 of every fifth year . . . adjust the threshold amount. . . . The Governor shall, no later than June 1 of every fifth year, notify each governing body of the adjustment."

WHEREAS, the Township Council desires to amend Section 4-28.2 of the Township Code to remove the current bid threshold amount, so as to not have to amend this section of the Code every five years.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Mount Laurel, County of Burlington and State of New Jersey, that, Section 4-28.2 of the Code of the Township of Mount Laurel be and is hereby amended and supplemented as follows to remove the bid threshold amount, which is adjusted every five years by the Governor of the State of New Jersey:

Section One. Amendments to Section 4-28.2 of the Township Code.

Section 4-28.2 of the Township Code is amended as follows (additions are underlined and deletions are struck through):

§ 4-28.2 Position created.

This hereby establishes by the governing body of the Township of Mount Laurel, the position of Township Purchasing Agent, who shall be under the general supervision and direction of the Township Manager. In accordance with N.J.S.A. 40A:11-3, when the cost of a contract does not exceed the total amount of \$17,500, the contract may be awarded without public advertising for bids, unless the governing body establishes a lower amount. If a Purchasing Agent has been appointed, the governing body can establish that the bid threshold may be up to such amount as adjusted by the Governor no later than March 1, every five years. ~~As of the date of this article, the bid threshold is \$36,000.~~ The governing body hereby authorizes the Purchasing Agent to enter into contracts up to the maximum

amount established by said statute as the same may be periodically adjusted in accordance with same.

Section Two. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. This Ordinance shall take effect upon passage and publication according to law.

Introduction Date: May 24, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

Publication Date: May 27, 2021

Public Hearing Date: June 14, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

BY:

Stephen Steglik, Mayor

ATTEST:

Meredith Tomczyk, Township Clerk
4830-6358-9080, v. 1

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2021-12

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE XIV OF CHAPTER 4 OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATIVE PROCEDURES" TO ADD A NEW SECTION 4-28.1 ENTITLED "AWARD OF THE CONTRACT OR PURCHASE"

WHEREAS, in January 2019, the State of New Jersey enacted Public Law 2019 Chapter 21, requiring that all contractors seeking or renewing a Public Work Contractor's Certificate engage in and maintain an employee system that requires all employees to participate in a registered apprenticeship program; and

WHEREAS, this law, which became effective on May 1, 2019, helps ensure that contractors hired for public works construction trade labor such as building renovations or construction of municipal projects are using qualified and well trained workers with a commitment to safety programs; and

WHEREAS, Public Works Contractor's Certificates are renewed every two years which means that each contractor seeking this status in order to bid on municipal work must have now demonstrated to the State of New Jersey that it participates in the apprenticeship program as a condition of the current certification cycle; and

WHEREAS, the Township of Mount Laurel seeks to amend its code consistent with the change in law now that it is fully effective; and

WHEREAS, the Township Council of Mount Laurel recommends certain amendments to Article XIV of Chapter 4 entitled "Administrative Procedures" to add a new section 4-28.4 entitled "Award of Contract or Purchase"; and

WHEREAS, that it is the best interest of the Township to adopt such requirements consistent with State Law; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey at the Code of the Township of Mount Laurel is hereby amended and supplement consistent with Public Law 2019, c. 21 as follows:

SECTION I. Chapter 4, Article XIV, entitled "Administrative Procedures" is hereby amended and supplemented to add a new section 4-82.4 entitled "Award of Contract or Purchase" to read as follows:

§ 4-82.4 Award of contract or purchase.

- A. The Township Council, upon consideration and review of the procedures and recommendations, shall award the contract or purchase to the lowest bidder, pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
- B. Pre-Qualification Regulations for Bidder Requirements for Public Works Projects
- 1. Findings.

The Governing Body makes the following findings:

- A. Consistent with Public Law 2019, c. 21, the Township has proprietary and governmental interests in high standards, high qualifications and a high level of safety for workers and the general public. Those interests are fostered and benefitted by requiring bidders who desire to bid on public works projects especially those with an estimated cost of construction equal to or exceeding \$250,000.00 to employ highly skilled workers.
- B. Using formally trained trade and craft workers ensures a level of competence, productivity, and worker safety that contributes to the timely and cost effective completion of public works projects.
- C. A registered apprenticeship provides for a formal training arrangement that includes a

paid-work component and an educational or instructional component, wherein an individual obtains workplace-relevant knowledge and skills.

- D. Registered apprenticeship programs are a written plan designed to move an apprentice from a low or no skill entry-level position to full occupational proficiency. These programs must be certified by the State of New Jersey as part of the Public Works Certified Contractor registration process.
- E. A highly skilled workforce ensures lower costs for repairs and maintenance over the lifetime of a completed public works project; ensures that trade and craft workers have been properly trained to adapt to an ever changing employment and economic environment that is the hallmark of today's global economy; and allows the apprentices to be better trained which ultimately increases productivity and safety in the workplace.
- F. N.J.S.A. 40A:11-13 provides that any specifications for the provision or performance of goods or services shall be drafted in a manner to encourage free, open and competitive bidding and that no specifications may "(a) Require any standard, restriction, condition or limitation not directly related to the purpose, function or activity for which the contract is awarded."
- G. A requirement that a responsible bidder is one who participates in an apprenticeship program is consistent with N.J.S.A. 40A:11-13 in as much as the requirement is directly related to the cost, efficiency, skilled labor force, quality, safety and timeliness of the Township's public works projects.
- H. An apprenticeship program requirement as a condition of responsible bidder determination is consistent with N.J.S.A. 40A:11-6.1 which requires that public contracts be awarded not to the lowest bidder, but to the "lowest responsible bidder".
- I. Requiring apprenticeship programs as an element of responsibility places all bidders on equal footing and does not unnecessarily limit the number of type of bidders on public contracts, as all contractors will have a fair and equal chance to bid on Township contracts.
- J. Requiring apprenticeship programs is consistent with Public Law 2019, c. 21.

2 Registered Apprenticeship Program Required for Public Works Projects.

- A. It is hereby established by the governing body that participation in a registered apprenticeship program shall be a necessary qualification for all contractors and subcontractors, including lower-tier subcontractors seeking to perform work on any public works project requiring a Public Work Contractor Certificate.
- B. Any bidder who fails to submit such evidence of a valid Public Works Contractor Certificate with the underlying approved apprenticeship program requirement shall not be deemed a responsible bidder.

3 Incorporation into Bid Documents and Contracts.

The requirements of this Ordinance shall be incorporated into the Township's bid specifications and contracts for public works projects. Any violation of this Ordinance may constitute a breach of such contract.

Introduction Date: May 10, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen	1	✓				
Janjua		✓				
Moustakas		✓				
Pritchett	✓	✓				
Steglik		✓				

Publication Date: May 13, 2021

Public Hearing Date: May 24, 2021

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen						
Janjua						
Moustakas						
Pritchett						
Steglik						

TOWNSHIP OF MOUNT LAUREL

BY:

Stephen Steglik, Mayor

ATTEST:

Meredith Tomczyk, Township Clerk
4830-5358-9080, v. 1