

SPECIAL MEETING
WEDNESDAY, JUNE 2, 2021
6:30 P.M.

A Special Meeting of the City Council of the City of Vineland was called to order by the President, Dr. Elizabeth A. Arthur at 6:50 P.M. as there were technical difficulties with the recording software that the computer department needed to address.

The following members were present at roll call:

Councilman David Acosta
Councilman Ronald J. Franceschini, Jr.
Councilman Paul F. Spinelli
Councilman Albert Vargas
President Dr. Elizabeth A. Arthur

Also present were:

Anthony R. Fanucci, Mayor
Robert E. Dickenson, Jr., Business Administrator
Michael Benson, Esq., Associate City Solicitor
Kathleen Hicks, Supervising Planner

The President led the Pledge of Allegiance.

The Deputy Clerk stated Public Notice of this meeting, pursuant to the Open Public Meetings Act, has been given on May 26, 2021 by the City Clerk, in the following manner:

1. Posting written notice on the official bulletin board in the lobby of the City Hall;
2. Providing written notice to the offices of The Daily Journal and The Press of Atlantic City; and;
3. Filing written notice in the office of the City Clerk of the City of Vineland.

The president made a statement that Vineland City Council convened this Special Meeting to have a discussion about the options pertaining to the recreational cannabis issue. While the rules and regulations for recreational cannabis have yet to be promulgated by the New Jersey Cannabis Regulatory Commission, each municipality has until August to decide how they are going to approach the issue under 'home rule.'

The purpose of this meeting is for the governing body to hear and discuss the various options that may be incorporated into a local ordinance. Ultimately, an ordinance will be drafted and, after introduction, will be accorded a public hearing as every other ordinance is before final vote by the governing body.

Dr. Arthur stated tonight's meeting was not a public hearing on the legalization of recreational cannabis. However, as with every open meeting of City Council, a public comment period will occur.

The rules for the Public were outlined that;

1. Each speaker who is addressing City Council had to state and spell their names, address, and town of residence;
2. Each speaker will had time limit of 5 minutes, and each speaker was expected to be respectful and courteous;
3. Comments were concise, and speakers were advised not to repeat any points made by any previous speaker;
4. Each speaker had only one opportunity to speak;
5. Please keep in mind that City Council members are having this session to have dialogue with each other and with staff on the options available to us.

The President asked if there was anyone in the audience who wished to be heard.

Stephen Lewis from 1322 Brandywine Drive, Vineland mentioned he believed all council members in one form or another know the effects of marijuana through their personal jobs. He mentioned the police officers hands are tied in this situation and the state opened a can of worms and gave no direction. The issue is how much money Vineland stands to make from Cannabis and also the health and well-being of our citizens, our youth and how easily it will be able to get. Once you sell legally, how can police differentiate legal from illegal marijuana? How much has the City made over medical marijuana? He mentioned this is one of the most important decisions this council and administration is going to have to make.

Ed Fiori 1748 Kay Terrace, Vineland expressed that legal marijuana property values stand to increase from the legalization of cannabis. He traveled the country through all the legalized states and mentioned Denver Colorado and stated in 2013, property values were 500% less than what the value is today. Quality of life in Denver was beautiful artwork in streets which was paid for by medical marijuana. New Jersey is projected to make 950 million dollars in 2024 through cannabis sales. At 3% sales tax equates to approximately 28 million dollars in tax revenue to the City. That is a lot of money our tax payers would like to see. If the City doesn't take control, we will lose that money. 2/3rds of our population uses marijuana recreationally and will continue to use it whether we let them use it or not. We all want improvement for Vineland. This is a bottomless pit of revenue for the City that will create wonders for this town if we take charge.. Health benefits – there have been no fatalities from marijuana overdose. This is a common sense issue for everyone.

Antonio DeThomasi 4520 Post Road Vineland and Lewis Harvey 629 Main Avenue Vineland who does live in Richland but has a Vineland postal address. Mr. Harvey spoke on behalf of a small company who hopes to open an organic grow facility in Vineland. He works in Egg Harbor where he sees a lot of medicine that helps a lot of people. He said his company is excited that Vineland is considering this issue and his company is on a waiting list and will apply for a State license once Vineland reaches an outcome with zoning. He looks forward to having a company in Vineland.

Mike Regenelli 1987 W. Korff Drive in Vineland. Mr. Regenelli presented at a previous council meeting on cannabis in an official role for his job but speaks tonight as a resident of Vineland. His concerns with sales within City limits is with the way in which you approach it, not if the City wants it. The City has a lot of options before it. Not allowing the sale of recreational marijuana in the city will help keep addiction rates of not only marijuana but other vices such as alcohol and tobacco low. A town can still keep these addiction rates down by allowing recreational marijuana but adopting aggressive regulations and zoning laws. Whatever option the City chooses, there are many options available to help reduce the harm that comes with it.

Mayor Anthony Fanucci remarked and to clarify to Council that marijuana is legal in the State of NJ so even if the City were to opt out completely, we cannot ban delivery into the City. So it can come from any City in the State. The points from Mr. Regenelli are well taken and whatever direction Council wishes to take, delivery is out of our control.

With no one else to be heard, President Dr. Arthur closed the Public comment portion of the meeting.

Councilman Franceschini stated he is here to listen to our City Solicitor as to if any research was done and if there was anything new with the multi-hundred page State bill for legislating cannabis. Associate Solicitor Michael Benson commented that the regulation portion of the bill is very substantive. Franceschini asked if the solicitor was aware of how many municipalities have banned cannabis throughout the state to which, Mr. Benson had no answer.

Councilman Acosta, worked in Atlantic City for the State in the regulatory committee so he has some experience of what the commissioners are dealing with promulgating regulations and laws. It is constantly changing. He remarked this issue will be one of the most difficult decisions he and this Council will have to make and understand that he has to represent a community that has voted 67% to allow Vineland to have recreational cannabis. We need to regulate this issue so it doesn't come back to hurt the Community in the future. Acosta had many questions as to a drafted City ordinance. The suggested zoning map presented and that the City should adopt these 5 licenses in areas zoned 'industrial.' There were a couple areas in the industrial zone that he would like to see excluded. Section on Lincoln Avenue near Barry Drive believes it is pretty close to a school. Kathleen Hicks commented that there were restrictions but the Planning board recommended modifying them to be a more stringent than for alcohol. Another concern is the exception near the college and the CC-tech technical school and do not feel they should be near a school. Kathleen Hicks stated she can have that clarified in the ordinance if Council wished. Councilman Acosta asked where does micro-business fall in the ordinance. Ms. Hicks explained she ignored breaking out the micro-business because the State is not accounting for micro-business in their numbers. Kathie explained they should all be counted the same from the beginning. He mentioned a cannabis retail license cost of \$300 dollars seems mighty low and that businesses having multiple licenses should not get a "discount" or only pay a fraction of the license cost because they have multiple licenses. Acosta believes there should be a limit to all types of cannabis licenses regardless of what the state says, and should limit the licenses just like the liquor licenses in the City. Kathie explained all but retail occur in the industrial setting. Acosta asked if there will be a limit or restriction to the size of manufacturing or growing facilities. Kathie stated she was not familiar of any limitation from the State that was put on the dimension or sizes of structures the produce marijuana. Acosta asked how are the violations of the specifics be dealt with and commented that the City ordinance should specifically enumerate what Council thinks is necessary. He questioned who will be completing inspections and how will the City be determined that the City is collecting the proper percentage of tax. It should be enumerated in the ordinance. If a liquor store sell alcohol to a minor, they can lose their license for a period of time and Acosta believe the same should hold true for the marijuana retail facilities. The Mayor commented that the recording of sales, etc... may end up like liquor does with the State similar to a Point of Sale system and will likely be enforced like ABC is handled. Mayor Fanucci remarked that urban mayors have been in touch and concerned on how to handle all this properly. If we [the City] opt for 'home rule,' we will likely work it just as we do for ABC. One of the benefits is to get into it now and early so the City always has the ability to amend moving forward. Acosta also stated the City should expand the language in the ordinance dealing with security and how it should work so business owners have a clear vision as to what they are supposed to do. He asked what was "excessive consumption." Franceschini responded that education will be needed as to what it is and expressed the regulations are great but do we have the manpower to enforce all the regulations. The City's ordinance should enumerate that a license will not be given to anyone who has not been vetted by the State. How will transfer of licenses work? Kathie couldn't remember the specifics but stated it would be very strict under the State.

Councilman Vargas asked if someone who lives within a school zone and is uses marijuana, can they be penalized under this proposed ordinance? Kathie said there is provisions for underage use. State took the alcohol law and added cannabis to it. Anywhere you have no smoking laws, one will have to where cannabis to it as the same applies. Underage drinking laws will have to add cannabis and all its products to it to apply. The City would like to add banning the public consumption of cannabis to its model ordinance. Councilman Franceschini remarked that he is under the impression that only certain certified trained police officers to acknowledge drug usage and asked how many are employed for the City. The Mayor responded stating he believed 6 or 7 officers which will likely increase if the City proposes cannabis.

Dr. Arthur remarked stating she thinks Councilman Acosta asked all the questions the Council also had including the law enforcement side and the concern for the community's children especially around schools. With the information tonight, the City will come to a good ordinance which will identify everything that needs to be identified and the City can always amend or add an addendum as we progress. This is a living document. Dr. Arthur stated Council was given enough food for thought.

Councilman Acosta thanked the Chairperson for allowing the special meeting at least in public to address some of the question and concerns. To simply do this at a regular meeting frankly skirts the issue and doesn't really address the complexity Council will need to decide in the very near future.

Associate Solicitor Michael Benson remarked that he will be able to meet and discuss with each councilperson what issues they may have or address or enumerate in the ordinance as they all see appropriate.

Dr. Arthur mentioned that in her background and implementation of computers, she knows one can plan all they can to ensure "all the T's are crossed and the I's are dotted," however once one goes live and turns that switch on, one will find things that did not evolve or surface in the planning or preparation stage. If Council decides to do this, there are going to be things that will have to be addressed after the fact. It is all about continuous improvement

TUESDAY, MAY 25, 2021

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Dr. Arthur entertained a motion by Councilman Acosta and seconded by Councilman Franceschini that the special meeting be adjourned.

The Deputy Clerk called the role: YEAS – Councilman Acosta
Councilman Franceschini
Councilman Spinelli
Councilman Vargas
President Dr. Arthur

Meeting adjourned at 8:16 P.M.

ATTEST:

Dr. Elizabeth A. Arthur,
President of Council

Richard G. Franchetta, EJD
Deputy Municipal Clerk