

BOROUGH OF NORTH PLAINFIELD



**BIENNIAL ORGANIZATION MEETING AGENDA
MONDAY, JANUARY 2, 2023**

NORTH PLAINFIELD BOROUGH COUNCIL CHAMBERS
263 Somerset Street, North Plainfield, NJ

12:00 P.M.

CALL TO ORDER by Eric M. Bernstein, Esq.

Pledge of Allegiance to the Flag

Moment of Silence for the Men and Women Serving in Our Armed Forces

Statement of Compliance as to Notice of Meeting

Borough Clerk:

PRESENTATION OF DETERMINATION OF THE BOARD OF CANVASSERS OF SOMERSET COUNTY RELATIVE TO AN ELECTION HELD IN THE COUNTY OF SOMERSET ON NOVEMBER 8, 2022 FOR FOUR FOUR-YEAR BOROUGH COUNCIL SEATS

OATH OF OFFICE BY MAYOR LAWRENCE LA RONDE TO COUNCIL MEMBERS-ELECT:

SUEZETTE GIVEN

STEVEN MCINTYRE

EVERETT MERRILL

WENDY SCHAEFER

ROLL CALL

Council Members:

Aimee Corzo
Suzette Given
Steven McIntyre
Everett Merrill
Keiona R. Miller
Wendy Schaefer
Frank "Skip" Stabile

NOMINATIONS BY COUNCIL FOR PRESIDENT OF THE COUNCIL FOR YEARS 2023-2024

RESOLUTION:

Ms. Corzo:

01-02-23-01 Election of the President of the Council for the years 2023 and 2024

Roll Call

The President of the Council presides for the remainder of the meeting.

NOMINATIONS BY COUNCIL FOR VICE PRESIDENT OF THE COUNCIL FOR YEARS 2023 AND 2024

RESOLUTIONS:

Ms. Schaefer:

01-02-23-02 Election of the Vice President of the Council for the years 2023 and 2024

Roll Call

Ms. Miller:

01-02-23-03 Adoption of the Rules of Order for the Years 2023-2024

Roll Call

Mr. Stabile:

01-02-23-04

INTRODUCTION OF NEW ORDINANCE NO. 23-01 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 2 OF THE BOROUGH CODE, ENTITLED "ADMINISTRATION," MOST NOTABLY ARTICLE I, ENTITLED "ADMINISTRATIVE CODE," SPECIFICALLY § 2-2, ENTITLED "OFFICE OF THE MAYOR" MORE SPECIFICALLY § 2-3, ENTITLED "COUNCIL," MORE SPECIFICALLY § 2.3.12, ENTITLED "SALARY OF THE BOROUGH COUNCIL PRESIDENT AND COUNCIL MEMBERS."

Roll Call

Be read by its title by the Borough Clerk

APPOINTMENTS BY COUNCIL REQUIRING COUNCIL CONFIRMATION:

BOARD OF ADJUSTMENT:

Maria Paola Castro	Four-year term
Daniel Battista	Four-year term
Michelle Brown, Alternate 1	Two-year term
Bryan Carley, Alternate 2	Two-year term

SOMERSET COUNTY COMMUNITY DEVELOPMENT COMMITTEE:

Katherine Miller One-year term

APPOINTMENTS BY COUNCIL, ACTING AS LOCAL BOARD OF HEALTH:

MUNICIPAL ALLIANCE:

Suzette Given One-year term

APPOINTMENTS BY COUNCIL OF COUNCIL MEMBERS:

COUNCIL MEMBER TO THE ECONOMIC DEVELOPMENT COMMITTEE:

Steven McIntyre One-year term

COUNCIL MEMBER TO THE LIBRARY ADVISORY COMMITTEE:

Wendy Schaefer One-year term

COUNCIL MEMBER AS CLASS III MEMBER TO THE PLANNING BOARD:

Aimee Corzo One-year term

COUNCIL MEMBER TO THE YOUTH SERVICES COMMISSION:

Suzette Given One-year term

APPOINTMENTS BY COUNCIL PRESIDENT OF COUNCIL LIAISONS FOR ONE-YEAR TERMS:

BOARD OF EDUCATION: Suzette Given

PARKS & RECREATION COMMITTEE: Everett Merrill

RENT STABILIZATION BOARD: Wendy Schaefer

SHADE TREE ADVISORY BOARD: Wendy Schaefer

APPOINTMENT BY COUNCIL PRESIDENT OF COUNCIL MEMBER:

SEWER USAGE CHARGE BOARD OF APPEALS:

Aimee Corzo One-year term

APPOINTMENTS BY MAYOR REQUIRING COUNCIL CONFIRMATION:

MUNICIPAL JUDGE Three-year term

Brian Levine, Esq.

MUNICIPAL PROSECUTOR One-year term

Raymond J. Stine, Esq.

BOROUGH TREASURER One-year term

Kathleen Intravartolo

PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.):

David E. Hollod One-year term

MUNICIPAL HOUSING LIAISON:

David E. Hollod One-year term

BOROUGH HOUSING OFFICER:

Ken Capobianco One-year term

GARDEN STATE MUNICIPAL JOINT INSURANCE FUND – One-year terms:

William Speck Fund Commissioner
David E. Hollod Alternate Commissioner

LICENSED SEWER OPERATOR:

Joseph Aidukas One-year term

RECYCLING COORDINATOR:

Stephanie Sherwood One-year term

**APPOINTMENTS BY MAYOR TO BOARDS, COMMITTEES AND COMMISSIONS
REQUIRING COUNCIL CONFIRMATION:**

GREEN BROOK FLOOD CONTROL COMMISSION:

William F. Crosby, III	Four-year term
Dr. Harry Allen, Alternate	One-year term

HISTORIC PRESERVATION COMMISSION:

Scott Lamperti	Four-year term
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LIBRARY ADVISORY COMMITTEE:

Tom Fagan	Three-year term
Anne McBride	Three-year term

MUNICIPAL ALLIANCE COMMITTEE:

Rev. Ursula Cargill, Ph. D	Three-year term
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MUNICIPAL WASTEWATER MANAGEMENT PLAN COMMITTEE – One-year terms:

Lawrence La Ronde	Elected Official
Angelo Bufaino, P.E.	Consultant Engineer
David E. Hollod	Planning Board Member
William F. Crosby III	Utility Authority Representative

OFFICE OF EMERGENCY MANAGEMENT/LOCAL EMERGENCY PLANNING
COUNCIL:

OFFICE OF EMERGENCY MANAGEMENT:

One-year terms:

James DiPaolo - Three-year term	Coordinator
Joseph Asprocolas	Deputy Coordinator
Jennifer Bartholomew	Deputy Coordinator
Michael J. Ceccato	Deputy Coordinator
Chief William G. Parenti	Police Department
Chief William F. Eaton	Fire Department
Chief William F. Eaton	Emergency Medical Services

LOCAL EMERGENCY PLANNING COUNCIL:

One-year terms:

David E. Hollod	Mayor's Representative
Everett Merrill	Council Member
Jody Karcher	North Plainfield Public Schools

Michael Giordano, Jr.	Citizen-at-Large
Sumera Khurram	Health
Richard Phoenix	Media
Angelo Costello	Public Works
Dr. Harry L. Allen	Hazardous Materials
Josh Reyes	Emergency Animal Shelter

RENT STABILIZATION BOARD:

Mary Ann Climes	Three-year term
Michael Dellipoali, Alternate	Two-year term

SEWER USAGE CHARGE BOARD OF APPEALS:

Tom Fagan	One-year term
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YOUTH SERVICES COMMISSION:

Rev. Ursula Cargill, Ph. D	Three-year term
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APPOINTMENTS BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

ARCHITECTURAL DESIGN REVIEW BOARD – *One-year terms*

Lawrence La Ronde, Mayor
 David E. Hollod, Business Administrator (*requires confirming resolution*)
 Leonard W. Lange, Economic Development Committee
 Daniel Battista, Alternate
 Aimee Corzo, Alternate

ECONOMIC DEVELOPMENT COMMITTEE:

Janice Allen	Two-year term
Bruce Heyman	Two-year term
Amnet Ramos-Hernandez	Two-year term

ENVIRONMENTAL COMMISSION:

Keiona Miller	Three-year term
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PARKS AND RECREATION COMMITTEE:

Michelle Brown	Three-year term
Nyja Canada	Three-year term
Nick Kisling	Three-year term
Joanne Pierre	Three-year term

PLANNING BOARD:

David E. Hollod	One-year term
Aimee Corzo	One-year term
Michael Giordano	Four-year term

SHADE TREE ADVISORY BOARD:

William E. Rathjen III	Four-year term
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SOMERSET COUNTY COMMUNITY DEVELOPMENT COMMITTEE:

Lawrence La Ronde	One-year term
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RECOMMENDATIONS BY THE MAYOR FOR APPOINTMENTS BY THE SOMERSET COUNTY BOARD OF CHOSEN COMMISSIONERS:

SOMERSET COUNTY CULTURAL AND HERITAGE ADVISORY COMMITTEE:

Keiona R. Miller	One-year term
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SOMERSET COUNTY SOLID WASTE ADVISORY COUNCIL:

Michael Giordano, Jr.	One-year term
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RECOMMENDATIONS BY THE COUNCIL FOR APPOINTMENTS BY THE SOMERSET COUNTY BOARD OF CHOSEN COMMISSIONERS:

SOMERSET COUNTY SOLID WASTE ADVISORY COMMITTEE:

Frank "Skip" Stabile	One-year term
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Mr. Merrill:
01-02-23-05

- 1. INTRODUCTION OF NEW ORDINANCE NO. 23-02 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 4, "GENERAL LICENSING," MOST NOTABLY § 4-17, MORE SPECIFICALLY § 4-17-1, ET SEQ., ENTITLED "RECREATIONAL CANNABIS TAX" BY ADDING NEW DEFINITIONS TO §4-17.1 "DEFINITIONS" AND ADDING A NEW SECTION §4-17.4, ENTITLED "MUNICIPAL CANNABIS LICENSE REQUIRED."**

Roll Call

CONSENT AGENDA NO. 1

Statement by Council President

RESOLUTION:

Ms. Miller:

01-02-23-06 Approving Consent Agenda No. 1

Roll Call

CONSENT AGENDA NO. 1 RESOLUTIONS:

- a. Confirming the appointment of a Council member to the Economic Development Committee
- b. Confirming the appointment of a Council member to the Library Advisory Committee
- c. Confirming the appointment of a Council member as Class III member to the Planning Board
- d. Confirming the appointment of a Council member to the Youth Services Commission
- e. Confirming the appointment of a Council member to the Somerset County Community Development Committee
- f. Confirming the appointment of the Borough Treasurer
- g. Confirming the appointment of the Public Agency Compliance Officer
- h. Confirming the appointment of the Municipal Housing Liaison
- i. Confirming the appointment of the Borough Housing Officer
- j. Confirming the appointments of the Joint Insurance Fund Commissioners
- k. Confirming the appointment of the Borough's Designated Sewer Operator
- l. Confirming the appointment of the Recycling Coordinator
- m. Confirming the appointments of the Green Brook Flood Control Commission Representatives
- n. Recommending the appointment of a representative to the Somerset County Solid Waste Advisory Council as representative of the Borough of North Plainfield by the Somerset County Board of Chosen Commissioners
- o. Confirming the appointment of the Business Administrator to the Architectural Design Review Board
- p. Confirming the Historic Preservation Commission appointments
- q. Confirming the Library Advisory Committee appointments

- r. Confirming the Municipal Alliance Committee appointments
- s. Confirming the Municipal Wastewater Management Plan Committee appointments
- t. Confirming the Office of Emergency Management/Local Emergency Planning Council appointments
- u. Confirming the Rent Stabilization Board appointments
- v. Confirming the Sewer Usage Charge Board of Appeals appointments
- w. Confirming the Youth Services Commission appointments
- x. Confirming the Board of Adjustment appointments
- y. Resolution Appointing Municipal Court Prosecutor to the North Plainfield Municipal Court

CONSENT AGENDA NO. 2

Statement by Council President

RESOLUTION:

Ms. Schaefer:

01-02-23-07 Approving Consent Agenda No. 2

Roll Call

CONSENT AGENDA NO. 2 RESOLUTIONS:

- a. Designating the official newspapers of the Borough for calendar year 2023
- b. Designating the depositories for Borough funds for calendar year 2023
- c. Naming the persons authorized to sign checks for the Borough for calendar year 2023
- d. Establishing the interest rates to be charged for delinquent taxes, assessments and sewer user accounts for calendar year 2023
- e. Authorizing the Tax Assessor to file corrections for calendar year 2023
- f. Authorizing the Chief Financial Officer to establish change funds for various departments for calendar year 2023
- g. Authorizing the cancellation of property tax overpayments or delinquent amounts
- h. Providing for a temporary budget for the year 2023

- i. Approving the Consolidated Bill List of January 2, 2023
- j. Awarding Bid for CDBG Covid Prevention Project: New Public Courtyard
- k. Awarding Bid for CDBG Covid Prevention Project: Minor Toilet Room Improvements

REPORT

POLICE: October 2022 Monthly Police Report

REQUESTS FOR AGENDA ITEMS

PUBLIC COMMENT

General public comments shall be limited to five minutes for each individual.
(Rule 29 of the Borough Council's Rules of Order)

MAYOR'S MESSAGE

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

ADJOURNMENT

Deletions shown by ~~deletion~~; additions shown by underline.

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

ORDINANCE NO. 23-01

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 2 OF THE BOROUGH CODE, ENTITLED “ADMINISTRATION,” MOST NOTABLY ARTICLE I, ENTITLED “ADMINISTRATIVE CODE,” SPECIFICALLY § 2-2, ENTITLED “OFFICE OF THE MAYOR,” MORE SPECIFICALLY § 2.2.3 ENTITLED “SALARY,” AND MORE SPECIFICALLY, § 2-3, ENTITLED “COUNCIL,” MORE SPECIFICALLY § 2.3.12, ENTITLED “SALARY OF THE BOROUGH COUNCIL PRESIDENT AND COUNCIL MEMBERS.)”

WHEREAS, pursuant to *N.J.S.A. 40:48-1* and *N.J.S.A. 40:48-2*, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and bylaws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order, and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and,

WHEREAS, pursuant to *N.J.S.A. 40:69A-29*, each municipality governed by an optional form of government pursuant to the statute shall have full power to organize and regulate its internal affairs and to establish, alter and abolish offices, positions and employments and to define the functions, powers and duties thereof and fix their terms, tenure and compensation; and,

WHEREAS, pursuant to *N.J.S.A. 40:69A-180(c)*, the Council shall fix the compensation of the Mayor, Council Members and department heads immediately after its organization at its organizational meeting; and,

WHEREAS, it is necessary, pursuant to said statutes, to enact such Ordinances and Resolutions which may be necessary and appropriate to set such salaries for the Mayor and Council at each reorganization; and,

WHEREAS, the Borough Council finds it necessary and appropriate to amend, revise and supplement Chapter 2 of the Borough Code, entitled “Administration”, most notably Article I, entitled “Administrative Code”, specifically § 2-2, entitled “Office of the Mayor,” and more specifically § 2-2.3, entitled “Salary,” and to amend, revise and supplement Chapter 2 of the Borough Code, entitled “Administration”, most notably Article I of the Borough Code, entitled “Administrative Code”, entitled “Council,” more specifically § 2-3.12, entitled “Salary of the Borough Council President and Council Members.”

Deletions shown by ~~deletion~~; additions shown by underline.

Deletions shown by ~~deletion~~; additions shown by underline.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield is hereby amended, revised and supplemented as to Chapter 2 of the Borough Code, entitled "Administration", most notably Article I, entitled "Administrative Code", specifically § 2-2, entitled "Office of the Mayor," more specifically § 2-2.3, entitled "Salary," and to amend, revise and supplement Chapter 2 of the Borough Code, entitled "Administration", most notably Article I of the Borough Code, entitled "Administrative Code", entitled "Council," more specifically § 2-3.12, entitled "Salary of the Borough Council President and Council Members" as follows:

§ 2-2.3 Salary Of The Mayor.

There is established a salary for the office of Mayor of the Borough of North Plainfield. The salary of the Mayor of the Borough of North Plainfield shall be set forth in the Ordinance adopted at the organizational meeting of the Council immediately after its organization in accordance with *N.J.S.A. 40:69A-180(c)*. The filing of the Ordinance with the Borough Clerk shall be in lieu of codification of same.

Mayor Salary Range:	Low	Mid	High
	\$7,500.00	\$12,000.00	\$15,000.00

The starting salary shall be \$12,000.00 annually until otherwise made and provided by the Council.

§ 2-3.12 Salary Of The Borough Council President and Council Members.

There is established a salary for the office of Council President of the Borough of North Plainfield, and for the Members of the Borough Council. The salary of the Council President and Council Members of the Borough of North Plainfield shall be set forth in the Ordinance adopted at the organizational meeting of the Council immediately after its organization in accordance with *N.J.S.A. 40:69A-180(c)*. The filing of the Ordinance with the Borough Clerk shall be in lieu of codification of same.

Council President Salary Range:	Low	Mid	High
	\$5,500.00	\$7,200.00	\$9,000.00

The starting salary shall be \$7,200.00 annually until otherwise made and provided by the Council.

Council Member Salary Range:	Low	Mid	High
	\$4,500.00	\$6,000.00	\$8,500.00

The starting salary shall be \$6,000.00 annually until otherwise made and provided by the Council.

Deletions shown by ~~deletion~~; additions shown by underline.

Deletions shown by ~~deletion~~; additions shown by underline.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR: Yes _____ No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on _____, 2023

ATTEST:

BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Borough Clerk
Borough of North Plainfield

Council President

Date signed: _____, 2023

Date signed: _____, 2023

Lawrence LaRonde, Mayor

Date signed: _____, 2023

Deletions shown by ~~deletion~~; additions shown by underline.

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

ORDINANCE NO. 23-02

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 4, “GENERAL LICENSING,” MOST NOTABLY § 4-17, MORE SPECIFICALLY § 4-17-1, *ET SEQ.*, ENTITLED “RECREATIONAL CANNABIS TAX” BY ADDING NEW DEFINITIONS TO §4-17.1 “DEFINITIONS” AND ADDING A NEW SECTION §4-17.4, ENTITLED “MUNICIPAL CANNABIS LICENSE REQUIRED.”

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 twenty-one (21) years of age; 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” (hereinafter referred to as the “Act”), which legalizes the recreational use of cannabis by adults twenty one (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 Borough Council of the Borough of North Plainfield has introduced a new section of the Borough Code of the Borough of North Plainfield § 22-115.33, entitled “Commercial Recreational Adult Use Cannabis Operations”, to amend the Borough of North Plainfield’s zoning regulations to permit certain adult recreational cannabis-related uses to be licensed within the geographic boundaries of Borough of North Plainfield; and,

WHEREAS, the Borough Council of the Borough of North Plainfield wishes to insure that such licensed recreational adult use cannabis operations provide the maximum local licensing fees and municipal taxation as provided for in the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”; and,

WHEREAS, the enabling legislation enacted by the New Jersey State Legislature included the enactment of *N.J.S.A.* 40:48I-1, which permits the Borough Council of the Borough of North Plainfield to adopt transfer and user taxes for the growing, manufacturing, wholesale, distribution, retail sale and/or delivery of recreational cannabis; and,

WHEREAS, the enabling legislation enacted by the New Jersey State Legislature included the enactment of *N.J.S.A.* 40:48I-1 and *N.J.S.A.* 24:6I-31, *et seq.*, which permit the Borough Council of the Borough of North Plainfield to adopt reasonable licensing fees for the operation of establishments for the cultivation, manufacture, distribution, wholesaling, retailing and/or delivery of recreational cannabis:

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, in the County of Somerset, State of New Jersey, that Borough Code Chapter 4, entitled “General Licensing,” more specifically § 4-17-1, *et seq.*, entitled “Recreational Cannabis Tax,” is hereby revised, amended and supplemented by the amendment to §4-17.1 regarding Definitions and the addition of a new § 4-17-4, entitled “Municipal Cannabis License,” as follows:

“§4-17 RECREATIONAL CANNABIS TAX

§ 4-17.1 Definitions

As used in this section:

1. “Cannabis” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
2. “Cannabis cultivator” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
3. “Cannabis establishment” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
4. “Cannabis items” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
5. “Conditional license” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
6. “Cannabis manufacturer” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
7. “Cannabis retailer” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
8. “Cannabis wholesaler” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
9. “Consumer” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).
10. “License” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33). The term includes a conditional license for a designated class, except when the context of the provisions of P.L.2021, c. 16 (C.24:6I-31 et al.)

[Brackets] mean deletions; Underlines mean additions

[Brackets] mean deletions; Underlines mean additions

otherwise intend to only apply to a license and not a conditional license.

11. “Licensee” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33) except when the context of the provisions of P.L.2021, c. 16 (C.24:6I-31 et al.) otherwise intend to only apply to a person or entity that holds a license and not a conditional license.
12. “Premises” means the same as that term is defined in section 3 of P.L.2021, c. 16 (N.J.S.A. 24:6I-33).

§ 4-17.4 Municipal Certificate of Permitted Use; Municipal Cannabis License Required

- A. Every Licensee holding a Cannabis license for any Cannabis related business as set forth in § 4-17-1 shall apply for and will need to be issued a municipal Cannabis license prior to the commencement of any recreational Cannabis business.
- B. Every person, corporation, partnership or other entity seeking to locate a Cannabis establishment in the Borough of North Plainfield shall first obtain a certificate of permitted use from the North Plainfield Zoning Officer. The fee for each certificate of permitted use is One Hundred Dollars (\$100.00).
- C. Every person, corporation, partnership or other entity shall obtain a municipal Cannabis license before commencing any business of a Cannabis establishment in the Borough of North Plainfield. Each such person, corporation, partnership or other entity shall apply for a municipal Cannabis License by a form as provided by the Borough of North Plainfield through the Borough Administrator. Each applicant for a municipal Cannabis License shall pay an application fee of One Thousand Dollars (\$1,000.00) upon submission of the application for a municipal Cannabis License, which application fee shall be nonrefundable.
- D. Every person, corporation, partnership or other entity shall annually renew the municipal Cannabis license to operate a business of a Cannabis establishment in the Borough of North Plainfield. Following the first year or part of year of operation of such business of a Cannabis establishment, each such person, corporation, partnership or other entity shall annually apply for a municipal Cannabis License on or before January 31 of each renewal year on a renewal form as provided by the Borough of North Plainfield through the Borough Administrator. Each renewal of a municipal Cannabis License shall be accompanied by a license renewal fee upon submission of the application for renewal of a municipal Cannabis License, which application fee shall be nonrefundable. The renewal fee is established at One Thousand Dollars (\$1,000.00), which may be amended from time to time by Resolution of the Governing Body in December of any year for applications for renewal of a Cannabis license for the following year.

[Brackets] mean deletions; Underlines mean additions

[§4-17.4] § 4-17.5 Administration And Enforcement Of Transfer and User Tax

This Ordinance shall be interpreted, administered and enforced in accordance with N.J.S.A. 40:48I-1, as the same may be amended, revised and/or supplemented from time to time. Failure to obtain a certificate of permitted use or a municipal Cannabis License prior to conducting business at any Cannabis establishment shall constitute a violation punishable under Borough Code § 1-5.1.

BE IT FURTHER ORDAINED that any article, section, paragraph, subsection, clause, or other provision of the Borough Code of the Borough of North Plainfield inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency; and,

BE IT FURTHER ORDAINED that if any article, section, paragraph, subsection, clause, or other provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the article, section, paragraph, subsection, clause, or other provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective; and,

BE IT FURTHER ORDAINED that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL: AYES:
 NAYS:
 ABSTAIN:
 ABSENT:

APPROVED BY THE MAYOR: Yes _____ No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on _____, 2023

ATTEST:

BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Borough Clerk
Borough of North Plainfield

Council President

Date signed: _____, 2023

Date signed: _____, 2023

Lawrence La Ronde, Mayor

[Brackets] mean deletions; Underlines mean additions