

November 28, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on November 28, 2023.

Mayor Holeman called the meeting to order and declared a quorum present.

Pledge of Allegiance to the Flag of our Country.
Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Public Meeting Act.

ATTENDANCE: Councilman SuZrez, Councilman Glass, Councilwoman Hedgepaath, Councilman Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

*** Attorney Feintuchwas also present at this meeting.

Motion to accept the minutes of 11/14/23 as received by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

CORRESPONDENCE: NONE

VOUCHERS:

The Mayor asked if there were any questions or comments on the vouchers? There were no questions on the vouchers.

VOUCHER REPORTS
COUNCIL MEETING
November 28, 2023

Voucher #	Payable to:	Type of Service	Amount	Check #
11-29	ATT Long distance	Utilities	\$ 46.38	
11-30	Dover Board Of Education	School Taxes	\$ 2,621,359.46	
11-31	Glass Gardens Inc	Recreation OE	\$ 261.32	
11-32	Interstate waste services	Trash removal	\$ 12,267.58	
11-33	JCPL	Street Lighting	\$ 575.58	
11-34	JCPL	Fire OE	\$ 141.31	
11-35	JCPL	utilities	\$ 364.75	
11-36	JLM Computers	Clerk OE	\$ 363.75	
11-37	Morris county MUA	Road OE	\$ 702.00	
11-38	Morris county Office of community Devel	Engineering OE	\$ 99,175.62	
11-39	Optimum Borough Hall	Clerk OE	\$ 6.01	
11-40	Protective measures Security and fire	Fire OE	\$ 309.00	
11-41	Town Of Dover Fire	Fire Dept Adm & Exec	\$ 23,863.31	
11-42	Verizon Borough Hall	Utilities	\$ 160.44	
11-43	Vision Service plan	Group Insurance	\$ 138.74	
11-44	Wex Bank Shell	Road OE	\$ 115.07	
11-45	Hector Lorenzo	Streets and roads SW	\$ 2,914.00	
11-46	Leticia Diaz	Clerk SW	\$ 1,920.00	
11-47	Manuel Venereo	Streets and roads SW	\$ 2,500.00	

Total Vouchers \$ 2,767,184.32

Motion to approve the vouchers for payment by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

Councilman Suarez,	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

DEPARTMENT REPORTS:

BUILDING DEPARTMENT - 3 permits issued. Total value of construction was \$53,050.00

PROPERTY MAINTENANCE - Everyone has a copy of the report.

MUNICIPAL COURT - We received \$2.00 for POAA. We also received \$158.56 in court fines.

TAX COLLECTOR - Total Tax Receipts Month To Date: 145,514.83
" " " " Year To Date: 1,753,352.59

REGISTRAR - No marriage licenses issued this month.

COMMITTEE REPORTS:

Councilman Glass said that Master Tree came back to do more trimming that they didn't do when they first came out. There was no extra charge. It now looks better up there by the firehouse.

There were no other reports by any other Council persons.

Motion was made to accept and put on file all reports. Motion made by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

NEW BUSINESS:

BEST PRACTICES CHIEF FINANCIAL OFFICER - Joe isn't here yet. We will go back to it once he gets here.

MEETING DATES FOR THE NEW YEAR - Everyone has a copy of the meeting dates for the new year. Is everyone okay with those dates? Yes.

Motion was made to accept the meeting dates for 2024 by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

OLD BUSINESS:

TANGERINE TREE - They are waiting on another person to get here. Traffic is bad.

We will wait but proceed with the meeting.

Motion was made to open the meeting to the public by Councilman Lorenzo, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Jim Janone - Are you waiting on the CFO to get here to go over best practices? Yes. What happens if I have questions in it? Then you ask him when he gets here. When is drain by firehouse getting repaired? A temporary repair needs to be done. They will look at it tomorrow. Sidewalk on Coolidge was a good improvement. Everyone seems to be happy with it. There is one car that parks over the sidewalk. I did tell the state Police about it and they will keep an eye on it. Are dump trucks allowed to be in the Borough? For deliveries. It's parked over by the apartments. The house is next to the one with the purple shutters. I will get you the house number. When will there be a Planning Board meeting. In January. Voucher #38. The voucher is for Community Development. Are we giving them money back? No, it is payment for AJM. We give it to the County, the County gives to AJM and then the County pays us. New way of doing things at the County.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

The Mayor said we will not go back since everyone has arrived.

NEW BUSINESS:

BEST PRACTICES - JOe said on the questions for Best Practices were scored 38 out of 42 on the questions. We will get 100% of State Aid. That is what this is based on. Councilwoman Montes asked if everything was done with Best Practices? Yes. We are in good shape. Does Council have to approve anything by vote or is it just discussion the Clerk asked? Just discussion. Best Practices has been submitted to the State. Jim Janone asked what were the two questions that we missed on Best Practices? They were questions on electric vehicles used within the town.

OLD BUSINESS:

TANGERINE TREE CANNABIS APPLICATION - Matthew Gilson, Esq was here on behalf of Tangerine Tree. You have our application. If we are approved here tonight then we will go back to the Planning Board to get our approvals from them. At that time we will deal with parking and egress into and out of the site. We are working on getting some offsite parking. We would make sure all that is in place before we go to the Planning Board.

Councilman Glass reminded the applicant that all the paperwork has to be into the Planning Board 10 days prior to the meeting. Yes, we will make sure we have everyhting together before we come before the Board.

Myclient has her conditional license. We can take any questions from the Council on our application.

Councilwoman Hedgepath said her only question had to do with the parking. We have a plan and it is in the works to lease parking behind the Krausers. There is a big lot behindthere. We have a letter of intent from them to lease 8 parking spots to us contingent upon approval from the Planning Board. This is from John Dyer from Valley Die Casting. If we need more then we will ask for more parking from him.

Councilwoman Montes asked if they are no longer wanting to blacktop more area in the back of the store they are looking to occupy? Not at this time. No. We want to do this first so our employees can park off site. If we do anything else with the parking on site, then we would need the Planning Board approval to do so. Are you expanding the building? No. We have decided not to do that.

The client has a license for a micro business. The asked what is a micro business? You can only go up to 2,500 feet of space for the store. These types of businesses are smaller in size, they are easier to open, and they are usually done for minorities or women, the licensee must live within a certain area where the business will open and my client lives in Randolph.

Councilwoman Montes asked why they wanted to go into this spot for the business? It is real bad over there with traffic. It is very difficult in the town to find a place to go in. You are not that big. There is no other retail space available in this town.

Councilman Lorenzo asked ifthey are only allowed to have 8 employees? No, we can have 10. But not all at the same time. There will be different shifts.

The Clerk said she knows all this will go to the Planning Board, but are you having parking in front of the building? There will be no parking there. We will have security there and that will help prevent parking in the front of the building. Will security be armed? Yes.

See Resolution Next page for Tangerine Tree, LLC.

**A RESOLUTION OF THE BOROUGH COUNCIL OF VICTORY GARDENS
IN SUPPORT OF THE LOCATION AND OPERATION OF A
CLASS 5 CANNABIS RETAIL FACILITY
BY TANGERINE TREE DISPENSARY, LLC**

WHEREAS, both the medical and adult use of cannabis are authorized in the State of New Jersey ("State") under the Jake Honig Compassionate Use Medical Cannabis Act, *N.J.S.A. 24:61-1, et seq.* (the "Jake Honig Law") and the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act ("CREAMMA") (collectively referred to as the "New Jersey Cannabis Laws");

WHEREAS, the State of New Jersey recognizes both the beneficial uses of medical cannabis as well as the intent of the people of New Jersey to adopt a new approach to cannabis policies by controlling and legalizing adult-use cannabis in a similar fashion to the regulation of alcohol for adults.;

WHEREAS, the State of New Jersey recognizes the need for additional cannabis locations and licenses under regulation by the New Jersey Cannabis Regulatory Commission (the "CRC");

WHEREAS, the Borough of Victory Gardens (the "Borough") recognizes that the ultimate decision to approve any new cannabis licensees is guided by the standards identified within the New Jersey Cannabis Laws and is vested in the discretion of the CRC;

WHEREAS, the New Jersey Cannabis Laws nevertheless recognize the necessity for ensuring that any potential licensees have the support of the local community, as evidenced by a resolution adopted by said municipality's governing body, indicating that the intended location is appropriately located or otherwise suitable for the activities related to the retail sales of cannabis, cannabis products and related supplies as will be conducted at the proposed facility;

WHEREAS, the Borough supports cannabis businesses seeking to operate within the Borough, subject to reasonable time, place and manner restrictions imposed by any lawfully adopted ordinance;

WHEREAS, the Borough has adopted Ordinances allowing for the operation of two (2) Class 5 Retail licenses within the Borough;

WHEREAS, the Borough recognizes ample benefits to its community associated with permitting two (2) cannabis retail facilities to be located within its borders, including, but not limited to, job creation, use of local vendors for build-out and ongoing operational needs and anticipated dedicated tax revenues associated with hosting a cannabis business.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Victory Gardens, in the County of Morris, State of New Jersey, as follows:

1. The governing body believes that the Borough will benefit from the location of a cannabis retail facility within the Borough's boundaries, subject to compliance with all applicable ordinances, permits and approvals;
2. Donna Mastrantonio, the owner of Tangerine Tree Dispensary, LLC ("Tangerine Tree"), has appeared before this Council to provide education as to the New Jersey Cannabis Laws generally, and, more recently, completed and filed an Application to the Borough identifying the proposed

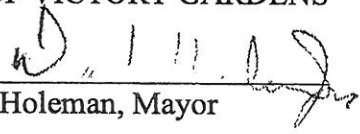
location and operations of its proposed facility and the jobs and revenue that a business such as Tangerine Tree can bring to our local community;

3. Specifically, Tangerine Tree has identified that it intends to locate its proposed Class 5 Retail License at 301-303 South Salem Street, Borough of Victory Gardens, NJ, also known as Block 3, Lot 7 (the "Property"), which is located in a zone where such retail cannabis is permitted;
4. The Borough recognizes not only the suitability of the operation of a retail facility at the Property, but also the benefits that a company such as Tangerine Tree would bring to the community as a whole;
5. Based on the preceding, the Borough is satisfied that not only would Tangerine Tree be a valuable addition to the group of cannabis retail license holders awarded by the CRC, but more so, would ensure that its business operations have a positive impact on the Borough and community at large;
6. In light of that, and in the event that the CRC issues a license to operate as a Class 5 Retail facility to Tangerine Tree, this Resolution should be viewed by the State as unequivocal support of the application of Tangerine Tree and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the retail sale of cannabis, cannabis products and related supplies as will be conducted at the proposed facility;
7. Tangerine Tree recognizes that the issuance of this Resolution nevertheless obligates it to comply with the conditions identified under the Ordinance, with the Borough recognizing that the issuance of this Resolution permits Tangerine Tree to submit its application for licensure to the CRC, while simultaneously pursuing any and all local approvals required to become operational;
8. The Borough also hereby confirms that the ultimate issuance of a license to Tangerine Tree by the CRC would not exceed any limit on retailers identified by the Ordinance.

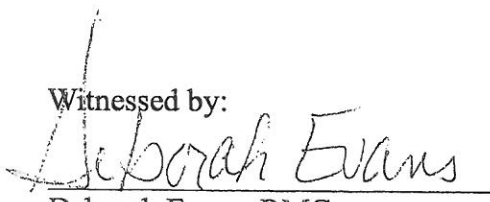
This Resolution was adopted at the regular meeting of the Mayor and Council on November 28, 2023.

BOROUGH OF VICTORY GARDENS

By:


David Holeman, Mayor

Witnessed by:


Deborah Evans, RMC
Borough Clerk

3420018v1 11-21-2023

Adopted: 11-28-2023

- 2 -

Motion was made to accept the application for Tangerine Tree, LLC by Councilwoman Hedgepath, seconded by Councilman Suarez and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Abstain
Councilwoman Hedgepath	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The CFO explained that there are 2 ways to do money thru CDBG. One is that we pay the contractor directly, the other that they pay the contractor. Once that is done, they will pay us the money for the contracted amount. we are paying the County and the County will pay AJM and then once that is done, the County will reimburse us the money back.

Motion was made to go out of the regular order of business in order to go into closed session with the CFO. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Motion was made to adourn the meeting by Councilwoman Hedgepath, seconded by Councilman Hale and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk