

Richard C. McCarthy Commission Chamber  
Millville City Hall  
Work Session  
May 17, 2022, 5:30 P.M.

The Board of Commissioners met in a **WORK SESSION** with Mayor Orndorf presiding. Members present: Hewitt, Sooy, Romanik and McQuade. City Solicitor, Brock Russell was also present.

### **Salute to the Flag**

The Salute to the Flag was led by Mayor Orndorf.

### **Open Public Meeting Statement by City Clerk**

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975 and was advertised, posted and made available to the public as required by Statute. The Municipal Clerk is directed to include a statement in the minutes of this meeting."

### **Public Comment**

Mayor Orndorf declared the public comment portion open on agenda items only and asked if any person present wished to be heard.

There being no response Mayor Orndorf declared the public comment portion on agenda items closed.

### **Discussion Items**

Vice-Mayor Sooy announced that the NJ DEP closed Menantico Ponds due to people going back there to party and it appears that the DEP Fish and Game Officers only have the ability to keep law abiding citizens out that want to fish and kayak and apparently do not have the ability to arrest the people who are breaking the law. He urged the governing body to pass a resolution at the next meeting and send to the NJ Governor, DEP Commissioner and state legislators urging them to reopen the public lands that the citizens of the City of Millville pays for and enjoys.

Vice-Mayor Sooy recommended that the City of Millville consider hiring a redevelopment attorney due to the amount of development projects the city has received and noted the advantage is for the City of Millville and the developer in hiring an attorney that specializes in redevelopment, since they have the expertise in the tax laws, bonding, financing and leverage.

Vice-Mayor Sooy further advised that the developers would pay the attorney, similar to when developers come before the Planning Board and pays the planner and the engineer, therefore there would be no cost to the citizens of Millville and everyone will reap an advantage.

### **Public Comment**

Mayor Orndorf declared the public comment portion open and asked if any person present wished to be heard.

Adam Siegel addressed the governing body and stated he will soon be a resident of Millville and stated he is here this evening to discuss an ordinance that was passed last year regarding cannabis regulations, which approved licenses for Class 1 through 4 and advised that he would like to see Recreational Cannabis Licenses for Class 5 Retail and Class 6 Delivery approved in the future. He advised that the Cannabis Regulatory Commission of New Jersey has not enacted regulations on Classes 5 and 6 and although the same applies to Classes 1 through 4, he is disappointed that the board decided to allow those licenses and prohibited Class 5 and 6.

Mr. Siegel urged the governing body to consider repealing the ordinance that is prohibiting Class 5 and 6 licenses and explained that he is a representative of Royal Highness Dispensary LLC and advised that they have already been approved in a different jurisdiction, but he would like them to move to Millville to bring those tax dollars and provide jobs to the city since he is going to be a Millville resident.

Mr. Siegel stated that he provided the Commissioners with evidence this evening with several scholarly articles and peer reviewed documentation showing that whenever you have retail cannabis in a

community, its property values go up and tax dollars come in. He continued that it brings in people from neighboring communities and as the current City of Millville ordinance stands, those tax dollars are going to go to places like Vineland and other local municipalities who have already approved the Class 5 and 6 Licenses.

Mr. Siegel recommended that the city reconsider allowing the Class 5 and 6 Licenses and suggested it would be probably best for the local community to approve it in the neighborhood business districts B1, B2 and B3, because it would help property values in those areas.

Mr. Siegel explained that retail should be located in a retail commercial area rather than an industrial area, because that doesn't help your other businesses that are retail establishments.

Mayor Orndorf interrupted Mr. Siegel and asked him to clarify what he is requesting. She asked him that if the City of Millville considered allowing Class 5 and 6 licenses that he is also asking for the districts to change for neighborhood businesses in order to allow those type of businesses in those areas with Mr. Siegel responding yes, Mayor Orndorff further confirmed with Mr. Siegel that he is seeking to allow delivery anywhere in the city and allowing Class 5 retail in the neighborhood business districts, which he previously mentioned.

Mr. Siegel informed the governing body that in Trinidad, Colorado a lot of their businesses were closed, but after they approved retail cannabis licensing, it saved Trinidad by bringing in new businesses and Trinidad is now thriving.

Mr. Siegel stated that he understands that a lot of people believe cannabis to be a drug and if it is legalized it would be a gateway to other drugs. He referenced a study from the University of Pittsburgh, a prestigious teaching hospital and is one of the highest regarded hospitals by US News and World Report and their studies show that within 6 months of legalizing recreational marijuana there is a significant drop in emergency visits for opioid use.

Vice-Mayor Sooy stated that without conducting more research, his answer would be no and explained that he has a relative in Colorado who is not happy with what the Class 5 did to his town. Vice-Mayor Sooy stated that he does not have a problem with Class 6 delivery and is sure they will get feedback from rest of the community.

Mr. Siegel encouraged the commissioners to reach out to the local businesses to see how they would feel about the boom that they would receive from this type of business coming in.

Vice-Mayor Sooy again advised Mr. Siegel that his answer is currently leaning to be a no, but that does not mean his dialogue is closed.

Mayor Orndorf inquired if Royal Highness Dispensary deals with recreational or medical marijuana and asked if their company has a cannabis license.

Mr. Siegel replied that his company deals with recreational marijuana and that they have submitted their license to the State of New Jersey, and it has not yet been technically approved yet, but he expects to get a response within the next month.

Mayor Orndorf advised Mr. Siegel that there are a lot of interested parties asking for Letters of Intent and reminded him that there is a very limited number of licenses that the State of New Jersey is approving and she agrees with Vice-Mayor Sooy that the city will receive a lot of negative pushbacks, because unfortunately our community has a lot of drug issues and we don't want to bring any more of that in, but she is open to looking into it and obtaining more information.

Mr. Siegel advised Mayor Orndorf that to date, the only recreational licenses that have been approved by the State of New Jersey have been conversion licenses for medical dispensaries for two companies that have been approved because they already had a medical license and to the best of his knowledge anyone that has applied for a new license has not yet been approved and further added that his company absolutely anticipates being approved by the State of New Jersey.

Commissioner Hewitt stated that he has the same concerns as the Mayor does regarding the licensing and indicated that this Commission and the prior Commission have signed off on many Letters of Intent and advised that he also had a good friend that left Millville and moved to Colorado, which he regrets.

Mr. Siegel advised that he believes the State of New Jersey has only approved 17 licenses, but that is because they have only approved the medical dispensaries and they are going to start approving the other licenses next month.

Mayor Orndorf asked Brock Russell if the City of Millville can even change the cannabis ordinance with Mr. Russel responding that under the CREAMMA Act it provided that if a municipality did not enact legislation to deal with the issue of marijuana it would automatically be permitted in all the zones and then the governing body would have to wait 5 years before they could change the permitted use, which is why the governing body chose to permit certain class licensed facilities in the I-1 and I-3 districts and to specifically ban Class 5 and Class 6 as a permitted use, therefore he believes the city is flexible to change the city's cannabis ordinance since the city has a cannabis ordinance in place.

Brock Russell further added that because of the CREAMMA language the League of Municipalities recommended at that time that every municipality adopt an ordinance that would prohibit all cannabis in all zones and then the municipality could take their time to decide how they wanted to move forward, but it was his recommendation at the time to designate Class 1 through 4 as permitted uses in the Industrial Park, since they are just industrial uses and does not affect the use of drugs in the city.

Mayor Orndorf stated the next step would be to do further research and receive feedback from the community. She extended her appreciation to Mr. Siegel for his presentation this evening.

There being no further comments Mayor Orndorf declared the public comment portion closed and asked for comments by the commissioners.

Commissioner Romanik stated that Mr. Siegel did his homework and agreed with Mayor Orndorf that they need to do research regarding Class 5 and Class 6 cannabis licenses, therefore he is not prepared to say no or yes. but thinks the city could.

Commissioner McQuade extended his appreciation to Mr. Siegel for the information he presented this evening and advised he is not against retail cannabis in Millville, but is not yet for it either, pending further research and community feedback.

#### **Closed Session Resolution**

City Clerk read the following resolution:

Resolution No. 159-2022 authorizing a Closed Session Meeting for the following matter:

- I. City of Millville v. DeSantis, et als  
Attorney/ Client Privilege & Contract Negotiations

Vice-Mayor Sooy made a motion to approve the resolution, which was seconded by Commissioner Hewitt. The motion was carried by the following vote: Yeas: Hewitt, Sooy, McQuade, Romanik and Orndorf.

The Board of Commissioners proceeded to the 4<sup>th</sup> Floor Conference Room and held the executive session. Upon completion the Board of Commissioners returned to the dais.

#### **Adjournment**

There being no further comments the meeting was adjourned on a motion made by Vice-Mayor Sooy and seconded by Commissioner Hewitt subject to the call of the chair. All were in favor. None were opposed.

Respectfully submitted,

  
Jeanne M. Parkinson, RMC  
City Clerk