

OCTOBER 23, 2018
SPECIAL MEETING –
RECREATIONAL
MARIJUANA

Special Meeting of the Mayor and Council was held on Tuesday, October 23, 2018 in the Borough Hall and was called to order by Mayor O'Brien at 7:00 pm followed by a salute to the flag.

Notice of the meeting had been satisfied in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Sentinel Publishing Co. and the Star Ledger, posting on the bulletin board and filing with the Municipal Clerk.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak.

Absent: Councilpersons Melendez.

Others Present: Mayor O'Brien, Municipal Clerk Theresa A. Farbaniec, and Borough Attorney Michael DuPont, Daniel E. Frankel, Business Admin.

Mayor O'Brien announced that this is a special meeting to on the retail sale of recreational marijuana in the Borough of Sayreville. He said that this meeting is not about medical marijuana. Mayor asked if anyone had a statement before he called upon the public. Councilman Buchanan said that he would like to thank the residents for coming out and wished more people would come out to these events. He made a statement that at last night's council meeting the governing Body voted on a resolution opposing recreational marijuana. He felt that it should have been held off until today. He felt that the residents should have an opportunity to hear and discuss the resolution tonight when we would be discussing the topic. He said that the resolution was passed by three of the five members present. We should listen to the residents then vote, he felt it was done backwards. He explained why he and Councilman Melendez abstained, because he wanted it voted on here tonight after hearing from the public.

Councilman Grillo said that he was not at last night's meeting. He said he has the resolution in front of him. He said that the resolution is non-binding. He said that a significant number of decisions still have to be made as to how we want to approach medicinal, adult use as well as the potential grow of marijuana. He said that all comments are valuable tonight. He said the resolution is simply a statement it is not a policy agreement that is being made from zoning codes or anything else like that. Decisions will have to be made down the line.

Councilwoman Novak said that the resolution was primarily sent to the legislatures in Trenton so they know how we in Sayreville feel. After Trenton votes then we will have to develop ordinances.

Mayor announced that there are copies of the resolution on the back table for the public.

Council President Kilpatrick stated that this was a resolution that was voted on and does not stop the Council from anything they might decide moving forward after Trenton makes their decision. Afterwards we have a lot of decisions. She said that she had previously put comments on the record, based upon information included in their packet which was an ordinance from Old Bridge which she wanted to bring that for a discussion. She said that they formed a committee made up of Councilmen Lembo, Grillo and Buchanan. She said that when the resolution came before them last night she did not feel the need to abstain because she had made her comments clear where she stood as to recreational marijuana. She explained her reasons to ban recreational marijuana. She said that the comments and opinions of the public here tonight does matter. She made a decision as a councilperson and did not want to abstain she felt it was important to put her vote on the record.

Councilman Lembo said that this is a resolution and that it is non-binding. He said that if it were an ordinance that was voted on last night he would have then agreed

to abstain from voting and waited for all public input. He felt no harm in getting his opinion out there.

No further comments from the Council. Mayor then opened the meeting to the public stating that they are here to just listen to their opinions.

Those appearing were:

- Kevin Heaney, 15 Ash Terrace, Parlin

He agreed with the councilmembers who expressed disappointment on having a vote before this forum was conducted.

He spoke in favor of recreational sale of marijuana and that it is an economic issue not a moral issue. Tax could be used for so many things in the town. He made a comparison to purchasing a pack of cigarettes or bottle of wine and the rules and regulations that go along with that. He asked that if Trenton would legalize it then what would Sayreville have to do then. The Borough Attorney responded that the resolution would be overridden by the State Law.

- Kyle Osmuski, 83 Haven Terrace

Spoke in support of recreational marijuana. He spoke about being a veteran how it would benefit him in many ways. If legalized by the State he does not want to see this municipality fall behind in so many ways. He spoke about the lack of funding for so many programs and various needs in the Borough.

- Ann Murickan, Sayreville War Memorial High School Student, Sayreville Boulevard South

Member of TIGS, Teens in The Garden State telling kids don't need drugs in the high school in order to cope. Asked if Sayreville would be promoting the use of recreational marijuana that would be going against what they stand for. So they are opposed to recreational marijuana. She spoke about the stats of both short and long term effects of marijuana on the body and the brain.

- Ed Strek, Nickel Avenue

Commented that he is opposed to recreational marijuana use.

He commented that by the showing the residents here today that they are not too concerned about the issue but the military is. Expressed his concerns about the sale of recreational marijuana in this town.

- Tom Fritzen, 143 Main Street

Questioned if this resolution that was passed would stop the set up of shops selling marijuana in town.

The Attorney responded that what this resolution is saying is that we are opposed any retail sale of marijuana.

He said that he can see some financial gain for the town if we open up these stores, but with restrictions to be sure they do everything by the book. May be a financial win for the town.

Questioned where the wording came from in paragraph 5 regarding the quality of life. Responded by the Attorney that it came from various information and studies.

- Dralle Fung, Harding Avenue

Spoke in favor of recreational marijuana he compared the sale to that of liquor or cigarettes. If felt this is a great revenue opportunity.

He spoke about the other States legalizing recreational marijuana and the revenue it could generate.

Councilman Buchanan said that another reason that we are having these meetings is that we have to address this one form or another in our zoning laws. No one up here is looking to have in the high school next to any school whether for or against marijuana. If it gets approved it needs restrictions on it, just like cigarettes and alcohol. But we need to do it correctly so the ordinances do not get challenged. The Zoning Board would have input.

Council President Kilpatrick said that the Zoning Law would have to address these matters. Real serious decisions will have to be made if the Governor decides to legalize this and that is why we passed the resolution. This is way we needed the committee to review, research and put things together in a proper manner. The resolution is not binding and there are much more decisions to be made after the Governor's decision.

Councilman Grillo explained a procedural issue. He said that the resolution is essentially a letter to Trenton expressing the Council's opinion. He said that two councilmembers voted in favor, two abstained and that he was not present to vote. He said that their voice would be heard when the ordinances are being drafted. He said that he is on the Sub-committee along with Councilman Buchanan and Councilman Lembo and will deep dive into the issues but the end result will be a zoning ordinance change on how you can actually sell marijuana.

- Louella Albert-Lois, 91 Washington road
Asked who sets how these shops are formulated and placed.

Mayor responded that at this point it is going through the legislature and at this point he heard that it is delayed now at least through the summer. But to his knowledge that it will probably be a profitable to a town as a liquor store is, in which we do not participate in sales tax. In the beginning there may be a little bonus.

Ms. Albert-Lios explained her experience in walking into a dispensary in Nevada just to see what it was about.

- Kevin Haney, 15 Ash Terrace
Talked about the way the meeting notices are published and felt that it is out dated.

- Kyle Osmuski, 83 Haven Terrace
He gave his opinion that if we do not have dispensaries here in Sayreville, other towns will gain by the revenue resources and jobs.

- Wyatt Derm, Morgans Bluff
Spoke about the verbiage in the resolution and the revenue stream without selling to the general public.

Councilman Buchanan said that all aspects are being looked at by the sub-committee

There were no further comments.

Mayor thanked everyone for coming out and giving their testimony.
There was no other business.

- **ADJOURNMENT**

Mayor called for a motion to adjourn. So moved by Councilwoman Novak.
Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

Time: 7:56 PM.

Theresa A. Farbaniec, RMC

Date Approved

