

OXFORD TOWNSHIP MEETING
June 2, 2021

The meeting of the Township Committee of Oxford Township was held on June 2, 2021 in the Oxford Township Municipal Building, 11 Green Street, Oxford, NJ and by calling the toll-free number: **(877) 853-5247** and entering the Webinar ID: 81847376686

Notice of time, date, location and agenda of this meeting, to the extent then known was provided at least forty-eight (48) hours prior to the commencement of this meeting in the following manner pursuant to the provisions of Chapter 231 of the law of 1975 “the Open Public Meetings Act”:

- Emailing to the Express Times / Warren County NJ Zoned Edition
- Posting on the Township web-site and Facebook page

In attendance was Gerald Norton, Georgette Miller, and Robert Nyland, Township Committee, Matthew Hall, Township Administrator, Rich Wenner, Township Attorney, Natasha Turchan, Township CFO (via Zoom), and Susan Turner, Deputy Municipal Clerk.

Mayor Norton called the meeting to order at 7:02 PM

Meeting Minutes:

Bob Nyland moved to accept the May 5, 2021 Regular meeting minutes and May 19, 2021 Regular meeting and Executive Session minutes. Seconded by Georgette Miller. Ayes: 3, Nays: 0, Abstain: 0. Absent: 0. Motion passed.

Mayor Norton stated that Ordinance 2021-09 Prohibiting Overnight Parking and Resolution 2021-39 to Purchase a Generator were added to the agenda.

Public Comment on Agenda items: - No comments

Ordinances: 2nd Reading/Public Hearing
Ordinance 2021-04 – Garbage Fee Waiver

ORDINANCE NO. 2021-04
ORDINANCE AMENDING THE TOWNSHIP OF OXFORD, COUNTY OF
WARREN, STATE OF NEW JERSEY, MUNICIPAL CODE, BY AMENDING
CHAPTER 280 ENTITLED, “SOLID WASTE; RECYCLING” ARTICLE I
ENTITLED “GARBAGE, RUBBISH AND REFUSE”

WHEREAS, the Mayor and Township Committee of the Township of Oxford has determined that the Code of the Township of Oxford should be modified to permit the waiver of garbage fees for unoccupied homes.

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey, as follows:

Section 1:

Chapter 280, *Solid Waste; Recycling, Article I, Garbage, Rubbish and Refuse*, of the Code of the Township of Oxford is hereby amended by adding a new subsection 13.1 entitled *Temporary cessation of garbage collection service and billing*, as follows:

280-13.1 Temporary cessation of garbage collection service and billing.

A. Temporary cessation of service. Residential property owners may temporarily stop garbage collection service to their home in the event it will be unoccupied for an extended period of time, not to

exceed six (6) months. There will be no charge for the period that the service is stopped. Temporary cessation of service must be for a minimum of three months and be in full month increments. To be eligible for a temporary service stoppage, a homeowner must:

- (1) Be Current with all Fees and Charges owed to the Township at the time of the request.
- (2) Request the stoppage in writing to the Utility Collector, specifying the stop and start dates.
- (3) Provide a certification on a form provided by the Township that building is unoccupied and will remain so for the duration of the stoppage.

B. No refuse placed during temporary cessation. A homeowner who has received a temporary cessation of garbage collection service shall not deposit any refuse to be collected at the property where service has been stopped during the time period that has been stipulated.

C. Failure to comply. Any residence where refuse is placed to be collected during a temporary cessation in service will be billed for service for the entire period of stoppage and interest from the date that billing would have occurred had service not been stopped in addition to any other penalties that may be imposed as provided by this section.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

Bob Nyland moved to accept Ordinance 2021-04. No public comments or discussion. Seconded by Georgette and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

Ordinance 2021-07 – Cannabis Regulations

ORDINANCE 2021-07

AN ORDINANCE AMENDING CHAPTER 340 OF THE CODE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, TO REGULATE THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, OR MAINTENANCE OF FACILITIES, BUSINESSES, OR ANY OTHER ACTIVITIES INVOLVING THE PRODUCTION AND PROCESSING OF CANNABIS

WHEREAS, in 2020 New Jersey voters approved Public Question NO. 1, amending the New Jersey Constitution and allowing for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age, and authorizing the State Commission created to oversee the State’s medical cannabis program to oversee the new personal use cannabis market, and subject cannabis products to State sales tax and, if authorized by the Legislature, a municipality to pass a local ordinance to charge a local tax on cannabis products; and

WHEREAS, subsequently the New Jersey Legislature enacted and the Governor signed into law Senate Bill 21 and Assembly Bill 21, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”) and codified as P.L. 2021, c.17, establishing a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, and which also legalized limited personal recreational cannabis use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, Section XX of P.L. 2021, c.17, provides every municipality with the option to authorize and regulate, in a manner consistent with the Act, the regulation of cannabis business, the number of licensed business, as well as their location, manner, and times of operation within its jurisdiction; and

WHEREAS, a municipality must within 180 days of the effective date of the Act, enact regulations through an ordinance regarding cannabis business within its jurisdiction; and

WHEREAS, failure to timely enact an ordinance prohibiting such operations would result in any class of cannabis business that is not prohibited from operating within the local jurisdiction as being permitted to operate therein for a period of five years as follows:

- the growing, cultivating, manufacturing, and selling and reselling of cannabis and cannabis items, and operations for transporting and delivery services by a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, or cannabis delivery service would be permitted uses in all industrial zones of the municipality; and
- the selling of cannabis items to consumers from a retail store by a cannabis retailer would be a conditional use in all commercial zones or retail zones, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance from one or more of those conditions in accordance with the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.); and

WHEREAS, only at the end of any five-year period following a failure to enact a local ordinance, could any municipality revisit the issue of prohibition during a new 180 day-period, but any ordinance would be prospective only and not apply to any cannabis business already operating within the local jurisdiction subject to the ordinance; and

WHEREAS, the governing body of the Township of Oxford recognizes the potential adverse impacts on the health, safety, and welfare of its residents and business from secondary effects associated

with commercial cannabis activity, which include: offensive odors, trespassing, theft, violent encounters between growers and persons attempting to steal plants, fire hazards, increased crime in and about the dispensary, robberies of customers, negative impacts on nearby businesses, nuisance problems, and increased DUI incidents; and

WHEREAS, there is a need to adopt health, safety, and welfare regulations to avoid adverse impacts on the community which may arise from commercial cannabis activity; and,

WHEREAS, the Township of Oxford does not currently have any provisions regulating the licensing, production, processing, delivery, or retail sale of cannabis.

WHEREAS, it is the intent of the Mayor and Committee of the Township of Oxford to permit all Classes of licensed businesses within the Township of Oxford in certain locations with the exception of a Class 5 Cannabis Retailer license at this particular point in time.

NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Oxford, County of Warren, State of New Jersey, that Chapter 340, entitled “**Oxford Township Zoning Ordinance of 1978**” shall be amended as follows:

1. **Article IV, “Zone Regulations” shall be amended to include new section 340-18.2 as follows:**
§340-18.2 Class 5 Cannabis Businesses Prohibited
Class 5 cannabis retail uses and establishment of business uses specific to operation of cannabis delivery services by Class 6 licensees, as defined in the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” and codified as P.L. 2021, c.17, shall be prohibited within the Township of Oxford. This provision shall not limit or otherwise prohibit the delivery of cannabis items and related supplies within the Township of Oxford by a delivery service.
- 2.
3. **Article IV, “Zone Regulations” shall be amended to include new section 340-18.3 as follows:**
§340-18.2 CBO Cannabis Business Overlay Zone
The following regulations shall apply in the CBO Cannabis Business Overlay Zone:
 - A. **Purpose and Intent – It is the intent of the CBO Cannabis Business Overlay Zone to permit certain Classes of licensed cannabis businesses only within those overlay areas identified on the Zoning Map, dated May 2021. The overlay requirements are intended to provide the option for certain Classes of licensed cannabis businesses, as defined in the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”) and codified as P.L. 2021, c.17.**
 - B. **Permitted principal uses subject to the requirements of site plan review:**
 - (1) Any business requiring a Class 1, 2, 3 or 4 cannabis license, as defined in “the Act”.
 - C. **Permitted accessory uses.**
 - (1) Off-street parking in accordance with Article VII.
 - (2) Signs in accordance with Article VIII.
 - (3) Facilities and services which are essential to the operation of a permitted cannabis use.
 - D. **Special provisions and requirements applicable to the CBO Cannabis Business Overlay Zone.**
 - (1) All cannabis licensed businesses shall be designed and operated to minimize noise and odors and to maximize security and sanitation. The Land Use Board may require additional screening, landscaping, and similar precautions to prevent cannabis licensed businesses from having a substantial adverse effect on surrounding areas.

- (2) All required site plans for cannabis licensed businesses shall indicate specific measures to reduce the impact of such uses on other surrounding uses with respect to lights, traffic control and aesthetics.
 - (3) The Land Use Board may, in conjunction with the applicant, impose reasonable hours of operation upon such uses.
 - (4) All state regulations shall be complied with.
- E. Area, lot and bulk regulations applicable to permitted principal uses in the CBO Cannabis Business Overlay Zone shall be as follows:
- (1) Minimum lot area – 5 acres
 - (2) Minimum lot width – 300 feet
 - (3) Maximum lot coverage – 35%
 - (4) Maximum building height – 50’ and 2 ½ stories
 - (5) Minimum front yard – 70’
 - (6) Minimum side yard (one) – 40’
 - (7) Minimum side yard (both) – 80’
 - (8) Minimum rear yard – 60’
 - (9) Minimum accessory building side yard – 40’
 - (10) Minimum accessory building rear yard – 60’
 - (11) All parking and loading areas shall meet the required setbacks for permitted principal uses as defined in this section.

4. The Zoning Map of the Township of Oxford is hereby amended to include the Cannabis Business Overlay Zone, as attached to this ordinance.

3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Bob Nyland moved to accept Ordinance 2021-07. No public comments or discussion. Seconded by Georgette and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

Ordinances: 1st Reading/Public Hearing

Ordinance 2021-09 – Prohibit Overnight Parking

ORDINANCE 2021-09

AN ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 91, *VEHICLES AND TRAFFIC*, SECTION 43, *SCHEDULE XV, PARKING PROHIBITED CERTAIN HOURS*, OF THE CODE OF THE TOWNSHIP OF OXFORD TO PROHIBIT OVERNIGHT PARKING OF COMMERCIAL VEHICLES ON MUNICIPAL LOTS AND AMENDING CHAPTER 91 *VEHICLES AND TRAFFIC*, SECTION 2, *VIOLATIONS AND PENALTIES*, IN ORDER TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS

BE IT ORDAINED by the Township Committee of the Township of Oxford that Chapter 91, *Vehicles and Traffic*, Section 43, *Schedule XV, Parking Prohibited Certain Hours*, of the Code of Township of Oxford is hereby amended by adding the following to said Chapter and Section:
Section 1.

Cell Tower Revenue			126,000.00		41,474.38
(84,525.62)					
ARP Funding		0.00		126,753.62	126,753.62
Total Section G: Special Items of General Revenue Anticipated with					
Prior Written Consent of Director of Local Government Services - Other Special Items					
680,238.68		522,466.68	(157,772.00)	(157,772.00)	
					0.00
Summary of Revenues:					
1. Surplus Anticipated		0.00		0.00	0.00
3. Miscellaneous Revenues					
Total Section A: Local Revenues				65,800.00	265,800.00
200,000.00					
Total Section B: State Aid without Offsetting Appropriations					0.00
0.00		0.00			
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations\					
0.00		0.00	0.00		
Total Section D: Interlocal Agreements				0.00	0.00
0.00					
Total Section F: Public and Private Revenues					0.00
0.00		0.00			
Total Section G: Special Items of General Revenue					680,238.68
522,466.68		(157,772.00)			
Total Miscellaneous Revenues					
1,104,131.68		42,228.00	42,228.00		1,061,903.68
Subtotal General Revenues					
1,680,781.13		42,228.00	42,228.00		1,638,553.13
6. Amount to Be Raised By Taxes					
1,020,463.00		(18,228.00)			1,038,691.00
7. Total General Revenues					
2,701,244.13		24,000.00	24,000.00		2,677,244.13
8. General Appropriations:					
a. Operations Within "CAPS":					
Road Repairs and Maintenance-Other Expenses					40,000.00
64,000.00		24,000.00			
					0.00
					0.00
Total Operations (Items 8(A) Within "CAPS"					1,064,700.00
1,088,700.00		24,000.00	24,000.00		
b. Contingent					
					0.00
Total Operations Including Contingent Within "CAPS"					
1,088,700.00		24,000.00	24,000.00		1,064,700.00
Salaries and Wages					
0.00		0.00		360,300.00	360,300.00
Other Expenses			704,400.00		728,400.00
24,000.00		0.00			
Total General Appropriations For Municipal Purposes Within "CAPS"					
1,154,804.00		1,178,804.00	24,000.00	24,000.00	
(L) Subtotal General Appropriations {Items (h-1) and (o)}					
2,376,244.13		24,000.00	24,000.00		2,352,244.13
(M) Reserve for Uncollected Taxes					
0.00		0.00		0.00	0.00

9. TOTAL GENERAL APPROPRIATIONS			2,677,244.13	
	2,701,244.13	24,000.00	24,000.00	
SEWER UTILITY				
10. Dedicated Revenues From Sewer Utility				
Operating Surplus Anticipated			247,297.66	
187,358.62	(59,939.04)			
Sewer Use Charges		0.00		0.00 0.00
Total Sewer Utility Revenues			1,377,297.66	
1,317,358.62	(59,939.04)	(59,939.04)		
11. Appropriations For Sewer Utility				
Salaries and Wages		25,000.00	0.00	15,000.00
(10,000.00)				
Deficit in Operations in Prior Years			64,997.66	15,058.62
(49,939.04)				
			0.00	
Total Sewer Utility Appropriations			1,377,297.66	
1,317,358.62	(59,939.04)	(59,939.04)		

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A.40A:4-9, be published in the express Times-Warren County Edition in the issue of July 15, 2021, and that said publication contain notice of public hearing on said amendment to be held at Municipal Annex on July 21, 2021 at 7:00 (p.m.).

Bob Nyland moved to accept Resolution 2021-38. Seconded by Georgette and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.
 Natasha Turchan stated the Township is still waiting for permission from the State to adopt the budget.

Resolution 2021-39 – Purchase Generator

**Resolution 2021-39
 RESOLUTION AUTHORIZING PURCHASE OF GENERATOR**

WHEREAS, the Township of Oxford solicited proposals for the purchase and installation of a generator for use at the Township Municipal Building; and

WHEREAS, Cooper Electric was the chosen vendor to provide said goods and services and has presented a proposal in the form attached hereto; and

WHEREAS, the cost for same is \$ _____; and

WHEREAS, sufficient funding is available as evidenced by the attached certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee that the purchase and installation of a generator from Cooper Electric in the amount of \$ _____ is hereby approved and directed to be paid.

Bob Nyland moved to accept Resolution 2021-39. Seconded by Georgette and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

New Business:

Municipal Building Emergency Site plan -Bob Nyland stated that a policy to use the lower level of the Municipal Building as an Emergency Site should be developed now that a generator will be installed. Bathroom and shower facilities can be used by residents affected by an emergency event. Bottled water, shelf stable foods, and paper products could be stocked. Natasha will check the OEM budget to designate a specific amount to purchase only groceries and paper products.

Reduce Vegetative Waste in Solid Waste pickups – Mayor Norton stated a lot of vegetative waste, especially grass clippings, is being put at the curb with solid waste. He would like Ordinance 2021-01 amended to include vegetative waste regulations. Discussion included DEP regulations, a dumpster on municipal property and limits on allowable amounts.

Old Business:

Resident’s request to purchase alley property – This is being worked on by the Township Engineer and Attorney.

Fence Height Discussion –Changes to the existing ordinance are being worked on.

Meeting venue change – Existing or upcoming documents potentially affecting by changing to in person audience meetings only include: Budget public hearing and adoption, Ordinance 2021-01, Ordinance 2021-09, and a resolution for the DOT 2022 paving grant.

Mower -Matt Hall stated the purchase just has to be finalized. The tractor is ready.

45 Bush Street – Bob Nyland stated there was a group of people in the building and around the property recently. Rich Wenner stated an “Unsafe Structure” sign can be posted. He also stated neither his office nor the tax office has received notice that the property/ tax certificate was purchased, contradicting the group’s claim that they owned it. Bob also stated that rodents and other animals are prevalent within the structure. The Board of Health has visited the site but has not done anything. Rich Wenner will draft a letter to the County Board of Health, the County Administrators and the County Commissioners requesting information and progress reports on this site and others in the Township.

Township Committee Reports and Correspondence

Dog Park - - Georgette Miller has 5 volunteers for the Dog Park Committee. The first meeting is scheduled for this Saturday.

Roadside Clean up – the Streakd Wrestling Club collected six large bags of garbage along Pequest Furnace Road.

Oxford Lake – Mayor Norton was at the Lake’s season opening. Despite the rainy weekend \$700 in season passes were purchased. Bob Nyland was also at the lake and was impressed with its condition. He asked Susan Turner to draft a letter of thanks to the DPW for all of their work making the improvements. Bob will look into the cost of coyote decoys to control the geese.

The Lake Director submitted a letter regarding the advancement of employee Tim Gilbert to the position of Assistant Director. Mr. Gilbert will be sent a RICE notice for discussion of this at the next meeting.

Girls on the Run – Mayor Norton received a letter from the runners thanking the Committee for closing Kaufman Road and allowing them to hold the event at the Lake.

Hill Street – Mayor Norton spoke with residents on Hill Street about the condition of the property and structure at 6 Hill Street. Matt Hall emailed the property owner he has 10 days to bring in an exterminator for the rodents/vermin or the code official will be involved.

JCP&L/ Ash Trees – Mayor Norton has not heard from JCP&L regarding removal of ash trees. Matt Hall will contact JCP&L.

Township Administrator: No report

Township Engineer Report: No report

Township Attorney’s Report:

Rich Wenner is waiting to hear back from Unisys.

Motion to Pay Bills:

Bob Nyland moved to pay all bills presented to and approved by the Committee. Seconded by Georgette Miller and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

Reports: No additional reports.

Public Comment: Ronald Policheck, 7 Hill Street, Oxford, NJ – Mr. Policheck spoke about the deterioration of the structure and property at 6 Hill Street and its impact on the neighborhood and property values. Rich Wenner suggested Mike Finelli, Code Inspector, inspect the structure for a habitability hearing.

Bob Nyland moved to begin habitability hearing proceedings on 6 Hill Street. Seconded by Georgette Miller and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

Meeting Recap:

Executive Session-

EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.

The general nature of the subject matters to be discussed are contractual concerning PCFA, redevelopment concerning Cambridge West and “The Triangle”, and Attorney/Client concerning Covanta.

Mayor Norton moved to enter Executive Session at 7:48 PM, seconded by Georgette Miller and passed unanimously on roll call vote. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0.

Bob Nyland moved to close Executive Session and reconvene public session at 8:17 PM. Seconded by Georgette Miller. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0. Motion passed.

No action was taken during Executive Session

Bob Nyland moved to adjourn the meeting at 8:18 PM. Seconded by Georgette Miller. Ayes: 3, Nays: 0, Abstain: 0, Absent: 0. Motion passed.

Susan Turner, Deputy Clerk