

**ORDINANCE 2021-1**

**CALENDAR YEAR 2021**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1 % unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriation, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Chesilhurst in the County of Camden finds it advisable and necessary to increase its CY budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough council is hereby determines that a 2 1/2 % increase in the budget for said year, amounting to \$68,050.35 in excess of the increase in final appropriations otherwise permitted by the Local Government Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Chesilhurst, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Chesilhurst shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased 3 1/2%, amounting to \$95,270.49 and that the CY 2021 municipal budget for the Borough of Chesilhurst be approved and adopted in accordance with this ordinance; and

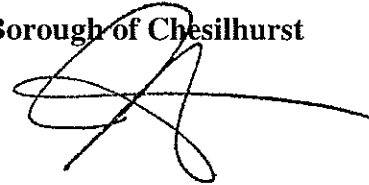
**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

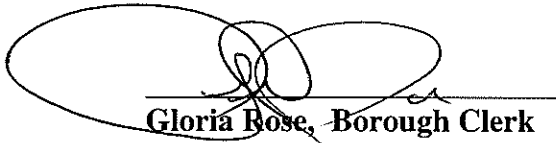
**Adopted: February 11, 2021**

**Borough of Chesilhurst**



**Jamila Odom-Garnett, Mayor**

**Attest:**



**Gloria Rose, Borough Clerk**

ORDINANCE NO 2021-02

AN ORDINANCE FIXING THE COMPENSATION OF OFFICERS AND  
EMPLOYEES OF THE BOROUGH OF CHESILHURST, COUNTY OF CAMDEN,  
STATE OF NEW JERSEY

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of  
Chesilhurst, County of Camden, State of New Jersey:

Section 1: The pay categories and salary or hourly wage ranges for the following  
positions are hereby determined as follows:

<u>Position</u>	<u>Pay Frequency</u>	<u>Annual Salary</u>
Mayor/Day to Day Operations Manager	Monthly	\$ 15,965.00
President of Council	Monthly	8,755.00
Council Members	Monthly	6,180.00
Borough Clerk	Bi Weekly	48,660.00
Registrar of Vital Statistics	Bi Weekly	3,602.00
Election Clerk (Per Election)	Bi Weekly	650.00
Chief Financial Officer/Treasurer	Bi Weekly	48,660.00
Certifying Officer Division of Pensions	Bi Weekly	3,602.00
Finance Clerk	Bi Weekly	28,500.00
Deputy Registrar of Vital Statistics	Bi Weekly	1,688.00
Notary Public	Bi Weekly	1,350.00
Tax Assessor	Bi Weekly	12,000.00
Tax Collector	Bi Weekly	19,708.00
Municipal Court Judge	Monthly	13,642.00
Court Administrator	Bi Weekly	19,708.00
Interim Court Administrator	Bi Weekly	35,535.00
Court Disposition Clerk/Deputy	Monthly	Per Hour 47.08
Sound Recorder	Monthly	Per Session 50.00
Prosecutor	Monthly	10,040.00
Emergency Management Coordinator	Quarterly	3,605.00
Deputy Emergency Management Coordinator	Annually	3,581.00
Rent Control Board: Secretary	Bi Weekly	2,830.00
Planning Board Secretary	Bi Weekly	2,830.00
Compliance Officer	Quarterly	515.00
Police Clerk	Bi Weekly	39,140.00
Community Center Coordinator	Bi Weekly	Per Hour 21.08

Community Center Coordinator hired/appointed After December 31, 2019			13.39
SLEO II	Bi Weekly	Per Hour	14.85

**Department of Public Works**

Supervisor	Bi Weekly	Per Hour	21.08
Foreman	Bi Weekly	Per Hour	18.45
CDL Driver No.1	Bi Weekly	Per Hour	18.38
CDL Driver No.2	Bi Weekly	Per Hour	16.72
Laborer	Bi Weekly	Per Hour	15.40
Laborer (Ninety Day Probationary)	Bi Weekly	Per Hour	12.02
Seasonal (Clean Communities)	Bi Weekly	Per Hour	9.86
Public Works Manager	Annual		800.00
Recycling/Clean Communities Coordinator	Bi Weekly		1,545.00

Uniform Construction Code:

Zoning Official	Quarterly		5,030.00
Code Enforcement	Quarterly		4,152.00
Sewer Utility Clerk	Bi Weekly		23,000.00

**Department of Public Safety:**

Chief of Police	Bi Weekly		108,000.00
Police Lieutenant	Bi Weekly		102,831.06
Police Sergeant	Bi Weekly		83,329.75
Police Officer-Probationary	Bi Weekly		45,456.26
Police Officers Year 1	Bi Weekly		47,729.07
Police Officers Year 2	Bi Weekly		50,115.53
Police Officers Year 3	Bi Weekly		52,621.30
Police Officers Year 4	Bi Weekly		55,252.37
Police Officers Year 5	Bi Weekly		58,014.99
Police Officers Year 6	Bi Weekly		60,915.74
Police Officers Year 7	Bi Weekly		63,961.52
Police Officers Year 8	Bi Weekly		67,159.60
Police Officers Year 9	Bi Weekly		70,517.58
Police Officers Year 10	Bi Weekly		74,043.46
Police Officers Year 11	Bi Weekly		77,745.63
Police Officers Year 12	Bi Weekly		81,392.45

Additional to Annual Salary:

Detective			900.00
Tactical Team Member			300.00
Traffic Investigator			300.00
K-9 Officer			300.00

Section 2. Payments for Driving while intoxicated special court sessions shall be allocated as follows:

Municipal Court Judge			300.00
Prosecutor			200.00

Public Defender	100.00
Court Administrator	150.00
Court Disposition Clerk	125.00
Sound Recorder	50.00

Section 3. Police officers required to appear at other courts (Superior Court, Municipal Court, Federal Court or Juvenile Conference Committee) within the State of New Jersey will be compensated at the rate of \$135.00 per appearance when an officer goes to court in another jurisdiction/township. During Chesilhurst Borough Court sessions, officers will receive time and one half of their current base salary.

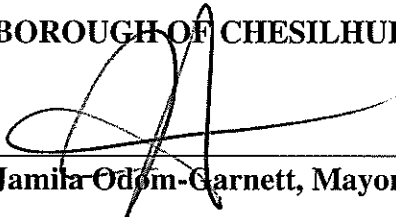
Section 4. Repealer All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 5. Severability If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The Mayor and Borough Council of the Borough of Chesilhurst declare that they would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 6 Effective Date: This Ordinance shall take effect immediately upon passage and publication according to law and Retroactive to January 1, 2021.

Adopted: June 3, 2021

**BOROUGH OF CHESILHURST**

  
 Jamila Odom-Garnett, Mayor

**ATTEST**

  
 Gloria D. Rose, Borough Clerk

## ORDINANCE NO. 2021-3

### AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH OF CHESILHURST AND AMENDING SECTION 285 OF THE BOROUGH MUNICIPAL CODE

**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 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” (the “Act”), which legalizes the recreational use of marijuana by adults 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 Act establishes six (6) 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 purchases 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 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”),

cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act which, here, is August 22, 2021; and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five (5) years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, the governing body of the Borough of Chesilhurst (“Borough”) has determined that, due to present uncertainties regarding the potential future impacts of allowing one or more classes of cannabis business, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough’s residents and members of the public who visit, travel, or conduct business in the Borough, to amend the Borough’s zoning regulations to prohibit all manner of marijuana-related land use and development; and

**WHEREAS**, due to the complexity and novelty of the Act, including the many areas of New Jersey and municipal law that are or may be implicated in decisions made pursuant to the Act, and the impending automatic authorization of all of the aforementioned six (6) marketplace classes of licensed businesses and cannabis uses in the event the Borough fails to adopt an ordinance prior to August 22, 2021, the Borough has determined that the appropriate course of action at this time, whether or not the Borough is generally or ultimately in favor of cannabis or medical cannabis land development and uses, is to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

**NOW THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Chesilhurst, Camden County, New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Chesilhurst, except for the delivery of cannabis items and related supplies by a delivery service.

2. Section 285-97 of the Borough Code, "List of Zoning Districts", is hereby amended to include the following language: "All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service, are hereby prohibited in any of the Zoning Districts contained in this Chapter and within the geographical boundaries of the Borough."

3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Chesilhurst Municipal Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

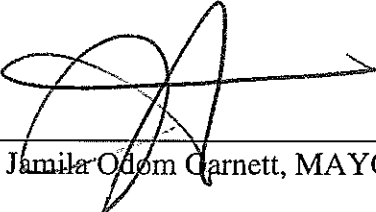
4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall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

5. This ordinance shall take effect upon its passage and publication and filing with the Borough of Chesilhurst Planning Board and the Camden County Planning Board, and as otherwise provided for by law.

ADOPTED: August 5, 2021

BOROUGH OF CHESILHURST

  
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Gloria Rose, BOROUGH CLERK

  
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Hon. Jamila Odom Garnett, MAYOR



ORDINANCE NO 2021-04

AN ORDINANCE AMENDING THE BOROUGH OF CHESILHURST'S 2021  
SALARY ORDINANCE NO. 2021-02 PERTAINING TO  
MUNICIPAL COURT POSITIONS

**WHEREAS**, on June 3, 2021, the Borough of Chesilhurst (Borough) adopted its 2021 Salary Ordinance, setting forth the various salaries, hourly rates, and per diem rates for Borough employees and officials;

**WHEREAS**, pursuant to Borough Resolution Nos. 21-130 and 21-131, adopted on August 5, 2021, the Borough's prior Interim Deputy Municipal Court Administrator has now been appointed to the position of Interim Municipal Court Administrator, and the Borough's prior Municipal Court Administrator has now been appointed to the position of Deputy Municipal Court Administrator.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Resolution No. 21-130 and 21-131, the Interim Municipal Court Administrator's salary shall be revised to an annual salary of \$42,000.00 and the Deputy Municipal Court Administrator's salary shall be set at \$20.00/hour;

**BE IT FURTHER RESOLVED**, that the Interim Municipal Court Administrator's position listed in Ordinance 2021-02 shall be revised to read Interim Deputy Municipal Court Administrator.

This Ordinance shall take effect immediately upon passage, approval and publication as provided by law.

Adopted: September 2, 2021

**BOROUGH OF CHESILHURST**



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**Jamila Odom-Garnett, Mayor**

**ATTEST**



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**Gloria D. Rose, Borough Clerk**