

CITY OF ELIZABETH

CITY CLERK'S OFFICE

50 WINFIELD SCOTT PLAZA
ELIZABETH, N.J. 07201

Email: opra+request-47738-75d7180c@requests.opramachine.com
Ms. Rejane Ferreira

July 28, 2023

RE: JUNE 27, 2023
OPRA # 1012

Dear Ms. Ferreira:

Pursuant to your OPRA request dated July 10, 2023, please see the section in the minutes regarding Valerie's Garden, LLC.

Should you have any questions with regards to this matter, please feel free to contact me at (908) 820-4130.

Very truly yours,

Grace Sequeira

Grace Sequeira
City Clerk's Office

OPRA request - Valerie's Garden LLC Cannabis Retail - Council Meeting Minutes

Rejane Ferreira <opra+request-47738-75d7180c@requests.opramachine.com>

Sat 7/8/2023 9:06 AM

To: Yolanda M. Roberts <yroberts@elizabethnj.org>

*** CAUTION ***

This message came from an EXTERNAL address. DO NOT click on links or attachments unless you know the sender and the content is safe. Suspicious? Forward the message to spamreport@elizabethnj.org <mailto:spamreport@elizabethnj.org>

RECEIVED

JUL 10 2023

Dear Elizabeth City,

CITY CLERK'S OFFICE

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Elizabeth City Council regular meeting minutes from June 27, 2023. Also, if the video recording is available from the city council meeting on June 27, 2023 please send a digital copy. Thank you.

Yours faithfully,

Rejane Ferreira

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-47738-75d7180c@requests.opramachine.com

Is yroberts@elizabethnj.org the wrong address for OPRA requests to Elizabeth City? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=elizabeth_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/valeries_garden_llc_cannabis_ret_2

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N. J.

Tuesday Evening
June 27, 2023
7:30 p.m.

A regular meeting of the City Council was held this evening in the City Council Chamber, City Hall.

President Frank Mazza announced that this regular meeting is listed in the "annual notice" as defined by Chapter 231, P.L. 1975, and that copies of the "annual notice" have been mailed or delivered to the Star Ledger, and Home News Tribune and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chap. 231, P.L. 1975 on December 22, 2021.

PRESENT: Council members at Large Patricia Perkins-Auguste, Council

Members: Carlos Torres, 1st Ward; Nelson Gonzalez, 2nd Ward; Kevin Kiniery, 3rd Ward; William Gallman, Jr., 5th Ward, And Council President Frank Mazza, 6th Ward – 6.

ABSENT: Council members at Large Frank Cuesta, Manny Grova, Jr.; Council Member Carlos Cedenó – 3.

ALSO PRESENT: Samantha Castrelos, Special Counsel.

Councilwoman Perkins-Auguste delivered the opening prayer and led all present in the Pledge of Allegiance to the American Flag.

PUBLIC SPEAKING

Mr. Edgar Ramirez, 1079 North Avenue, Elizabeth, NJ spoke regarding Ordinance No. 5425 which requires used motor vehicle dealerships to obtain licenses. He queried to if City Council has received a response regarding the license fee.

Ms. Rejane Ferreira, 210 North 10th Street, Newark, NJ spoke regarding Valerie's Garden's application to operate a cannabis facility in the City of Elizabeth to be located at 600-602 Spring Street. She stated that she has been working diligently. She is a working mother of three (3), a college graduate with a law degree. She continued that her CEO is an Elizabeth resident, and they would like to work with City Council to be able to give back to the city. She stated further that they have everything in place. She informed City Council that she has eight (8) years' experience in cannabis and the location is properly zoned. The location they have chosen is on Route 1 & 9 which is a good location. If need be, they can install a fence or wall. She asked City Council to approve their request because they cannot do this without them.

Ms. Ellen White, 20 South First Avenue, Highland Park, NJ stated that she works with undocumented immigrants and has worked with people at the detention center located in Elizabeth. She continued that over the years, they have described horrible living conditions. She is not allowed to write on a piece of paper. She stated further that a number of people were diagnosed with COVID and it was difficult to get medical attention to them. Ms. White asked City Council if there is a committee to stop what is happening in the City's borders. In closing she wanted to know what is holding Council back from handling this.

Ms. Kathy O'Leary, Pax Christi USA, Irvington, NJ stated that her organization has been praying in front of the detention center. The zoning for that facility does not meet the zoning requirements. Hopefully, this center will close at the end of August, and she does not want it to house anyone ever again. She continued that in "1994, the federal government began detaining immigrants in a former industrial warehouse in Elizabeth, New Jersey. Not a full year later, people detained there staged an uprising to protest the torturous conditions they faced at the already infamous facility and call for their freedom." Ms. O'Leary then passed the article to Mr. Carl Schwartz to continue reading from the "Anthology of Abuse".

PUBLIC SPEAKING (Cont'd)

Mr. Carl Swartz, Elizabeth, NJ echoed the sentiments of the previous speaker. He stated that the facility must shut down. This is the only solution. He continued to read from the article entitled "Anthology of Abuse" regarding the detention center.

Ms. Mary Rizzo, 72-86 Union Street, Newark, NJ stated that there are deplorable conditions at this center. Individuals do not have the opportunity to breathe fresh air. She spoke of overcrowding and the refusal to provide medical care. The facility should be shut down. She then continued to read from the article entitled "Anthology of Abuse" regarding the detention center.

Ms. Yael Webber, 58 Gordonhurst Avenue, Montclair, NJ spoke of an investigation of the detention center in Elizabeth and found that the guards assaulted the occupants and kept the lights on continuously as punishment. She continued that there were one hundred twenty-six (126) grievances reported. She stated further that the NJ Journal spoke of ICE having a history of endangering immigrants. She spoke of an article in the Times that also wrote regarding the detention center in Elizabeth. She then continued reading the article entitled "Anthology of Abuse" regarding the detention center.

Councilman Torres was recognized by Council President Mazza.

Councilman Torres announced that he thanked everyone for their comments and passion, but he stated that he spoke to the owner of the property, and he will not be renewing the lease.

Councilwoman Perkins-Auguste stated that it is her understanding that the owner tried to evict the tenant but failed in the Court system. She continued that the property is not a city property, but the owner is working with the City.

Ms. O'Leary stated that she understands the property owner's position. She stated that she did not come here to ask what the property owner will do, but what City Council will do.

There being no one else present who desired to be heard, Council President Mazza declared the public speaking portion of the meeting closed.

NEW BUSINESS

Councilman Gallman MOVED for a suspension of the rules for the purpose of considering resolutions which did not appear on the agenda, seconded by Councilwoman Perkins-Auguste.

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act; and

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program ("LGAP") for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182; and

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, the City of Elizabeth, does hereby authorize the Mayor and City Clerk to sign the attached grant agreement, and thus bind the City of Elizabeth to the grant agreement's terms in order to receive the \$245,800 grant from the DLGS;

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Torres, Gonzalez, Kiniery,
Gallman, And President Mazza –6.

NEGATIVE: None.

The regular order of business was then resumed.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised that the City of Elizabeth has received a written request from **Valerie's Garden, LLC**, ("Applicant"), for a resolution of local support for their application to the New Jersey Cannabis Regulatory Commission for a Class 5 retail cannabis license for a Cannabis Establishment to be located at **600-602 Spring Street, Elizabeth, NJ**; and

WHEREAS, the Applicant's request is made in conjunction with its application for a cannabis business license from the City pursuant to Chapter 5.26 of the Code of the City of Elizabeth, entitled "Cannabis Establishments"; and

WHEREAS, the acting Chief License Inspector has advised that the Applicant has met all requirements set forth in Section 5.26.110 of the Code of the City of Elizabeth, including providing all required information, paying all licensing fees, and receiving recommendations for licensure from the Chief of Police, Director of the Department of Planning and Community Development, Health Official, and Fire Official; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby supports **Valerie's Garden, LLC**, in its application to the New Jersey Cannabis Regulatory Commission for a Class 5 retail cannabis license for a Cannabis Establishment to be located at **600-602 Spring Street, Elizabeth, NJ**.

Councilman Gallman stated that he spoke to the young man advising him that he cannot support this project, or any project, when it is too close to any residence.

Which was DEFEATED by the following vote:

AFFIRMATIVE: Perkins-Auguste – 1.

NEGATIVE: Torres, Gonzalez, Kiniery, Gallman, And President
Mazza – 5.

4

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend and congratulate the Elizabeth High School Girls Track and Field Team and Coaches on winning the NJ Group 4, Section 2 Championship, June 3, 2023, and the NJSIAA Track and Field, Group 4 Championship, June 10, 2023; and

WHEREAS, their Championship title win on June 10, is the Lady Minutemen's first in school history. The team and coaches are as follows:

Coaching Staff			
Mike Penta	Austin Holman	Mike Sacca	Angela Vaughn
		Tony Williams	Anthony Ziobro
			Sarah Regha
Students			
Layaiea Almedia	Kathy Valle	Cynthia Boakye	Tiffany Vigil
Rosario Chavez	Alex Koon	Pricille Burdy	Samiya Bryant
Linya Gedeon	Naiomy Mezu	Michelle Algaba	Ka-Deen Scarlett
Zaraie Castillo	Maisha Valme	Zariah Castillo	Sofia Velez
Raven Davis	Sakiyya Brooks	Daniella Esteves	G'yona Agostinho
Francesca Figueroa	Crystal Batts	Alani Gordon	Gabriela Cardona
Darlineka Joanus	Joselyn Carranza	Sarah Munoz	Isabella Lopez
Crystal Burbano	Daphne Manuel	Brianna Reyes	Glori Sanchez
Reyana Trail	Jackayla Wiley	Yellin Vargas	
	Idanalysse Perez	Aniyah Murrell-	
	Munoz	Sanders	

NOW THEREFORE, BE IT RESOLVED, that City Council of the City of Elizabeth hereby extends its congratulations to the Elizabeth High School Girls Track and Field Team and Coaches on winning the NJ Group 4, Section 2 Championship, June 3, 2023, and the NJSIAA Track and Field, Group 4 Championship, June 10, 2023; and be it

FURTHER RESOLVED, that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the Elizabeth High School Girls Track and Field Team and Coaches.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Torres, Gonzalez, Kiniery, Gallman, And President Mazza –6.

NEGATIVE: None.

Council President Mazza moved that City Council do now adjourn.

Which was carried unanimously.

Whereupon Council President Mazza declared City Council adjourned at

8:59 P.M.

APPROVED

FRANK MAZZA
President of City Council

YOLANDA M. ROBERTS
Municipal Clerk