

RESOLUTION

WHEREAS, following the adoption of the Jake Honig Compassionate Use Medical Cannabis Act in 2019 and passage of the 2020 ballot issue amending the New Jersey Constitution to legalize the possession, cultivation, processing and sale of retail marijuana, the State of New Jersey adopted the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act in 2021 (the “State Statute”); and

WHEREAS, the State Statute created the New Jersey Cannabis Regulatory Commission (the “Commission”) and established a framework for the application and issuance of a state license for the operation of cannabis related business licensed by the State of Jersey (“Licensed Cannabis Entities”) which includes the requirement that an applicant for a state license provide proof of local support as to the suitability of the proposed location for a proposed cannabis related business; and

WHEREAS, On August 19, 2021, pursuant to N.J.S.A. 24:6I-34(d)1a of the State Statute, the Commission established regulations further governing the application and issuance of a state license for Licensed Cannabis Entities (the “Commission Regulations”); and

WHEREAS, N.J.A.C. 17:30-5.1(g) of the Commission Regulations requires the applicant for a State License to include in its application “proof of local support for the suitability of a cannabis business’s proposed location indicating that the intended location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business” (“Local Support”); and

WHEREAS, the Township of West Orange (the “Township”) through its Cannabis Business Advisory Taskforce (the “Taskforce”) prepared and posted a Request for Applications (the “RFA”) for prospective applicants to the Commission to apply for resolutions of Local Support for cannabis retail businesses interested in operating within the Township with a notice published in the Star Ledger on February 25, 2020; and

WHEREAS, on March 4, 2022, the Taskforce received applications for resolutions of Local Support, including an application from **GARDEN STATE NATURAL GREEN, INC (the “Applicant”)** with a proposed location at **632 Eagle Rock Avenue**; and

WHEREAS, on March 15, 2022, the Township Council adopted Resolution 56-22 based upon the recommendations of the Taskforce following evaluation of the applications submitted in response to the Township’s RFA as set forth in its Evaluation Report to the Township Council as a resolution of Local Support for the Applicant; and

WHEREAS, on March 16, 2022, two (2) members of the Township Council who also serve on the Taskforce conducted a teleconference with the individual identified as the Managing Member of the Applicant as well as the majority shareholder of the Applicant (the “Managing Member”) as set forth in the Applicant’s application in response to the RFA; and

WHEREAS, during the teleconference, it became evident that the Managing Member has no actual role in the operations of the Applicant and that the Managing Member has insufficient knowledge regarding the structure and operations of the Applicant; and

WHEREAS, the Applicant’s actual structure, management, and operations materially differs from the descriptions and depictions in the Applicant’s application.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that Resolution 56-22 be rescinded and revoked; and be it further

RESOLVED, that a copy of this Resolution shall be made available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Township Clerk

Susan McCartney
Council President

Adopted: April 5, 2022