



**Borough of Elmwood Park
Cannabis and Marijuana Administrative Board**

182 Market Street
Elmwood Park, New Jersey 07407
201.796.1457

Thank you for expressing interest in seeking to open a cannabis establishment in the Borough of Elmwood Park.

The Borough of Elmwood Park Cannabis and Marijuana Administrative Board will be accepting applications for a maximum of eight (8) cannabis licenses. No more than two (2) licenses for each license Class.

Pursuant to Borough Ordinance No: 21-13, Section 4-7.3(D)(1) the following information must be submitted to the Cannabis and Marijuana Administrative Board:

Section 1: Administrative Information Requirements— completed in its entirety

See attached Exhibit "A"

Section 2: The following items are required to be submitted for an application to be deemed complete:

(a) Proof of possession of Physical Plant.

- Proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment. Proof can be a deed, lease, real estate contract, which can be contingent upon successful licensing, or binding letter of intent.

(b) Affirmative Action; Non-Discrimination Affidavit

- An affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination, and fair employment practices, and a certification under oath that shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. **See Attached Exhibit 'B'**

(c) Compliance with Zoning Laws/Health Requirements.

- The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code. **See Attached Exhibit "C"**

(d) Proof of Financial Capability.

- Proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the "Cannabis and Marijuana Administrative Board" and approved by the Borough Council. [i.e. Certified Balance Sheet, Profit/Loss Statement etc.]

(e) Application Fees;

- Submit the \$500.00 non-refundable application fee for the submissions and review of the application. Please make your check payable to the Borough of Elmwood Park.
- An application will be deemed incomplete and denied if the required non-refundable fees are not submitted with the application.

(f) Good Character/Background Requirement:

Applicant shall comply with any State requirement related to good character and criminal background, and any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in New Jersey or a subdivision thereof within the preceding five (5) years.

- Please contact the Detective Bureau at the Borough of Elmwood Park Police Department (201) 796-0700 to initiate the background check.
- The background check must be completed within thirty (30) days of the approval of the application.

Section 3: Narratives

Please complete and submit the following to be used in the event of multiple applicants applying for the same category license:

- i. **Principals' Qualifications and Experience in Regulated Industries.** Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principals (twenty percent, not to exceed 2,500 words) (see Ordinance at Section 4-7.3(D)(1)(i)(1))
- ii. **Principals' Public Safety Experience; Applicant's Operational Plans.** Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1,000 words), and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (five percent, not to exceed 2,500 words) (see Ordinance at Section 4-7.3(D)(1)(i)(2));
- iii. **Principals' Human Subject Cannabis Research Experience and Plans.** Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board-approved research involving human subjects that are related to medical cannabis or substance abuse ... (five percent, not to exceed 2,500 words), whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 – Protection of Human Subjects (five percent), and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine or osteopathic medicine

with experience conducting cannabis-related research (five percent) (see Ordinance at Section 4-7.3(D)(1)(i)(3));

- iv. Applicant's Commitment to Labor Peace or Collective Bargaining Agreement. Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year) (see Ordinance at Section 4-7.3(D)(1)(i)(4));
- v. Applicant's Commitment to Sustainability and Limiting Environmental Impact. Summary of the applicant's environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability (three percent), and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system (three percent) (see Ordinance at Section 4-7.3(D)(1)(i)(5));
- vi. Applicant's Commitment to Elmwood Park. Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in Elmwood Park for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in Elmwood Park for five or more years in the past ten years (five percent) (see Ordinance at Section 4-7.3(D)(1)(i)(6)); and
- vii. Diversity. Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as an NJ minority-owned, women-owned, or veteran-owned business (twenty percent in

total; ten points for one certification and twenty points for two or more)
(see Ordinance at Section 4-7.3(D)(1)(i)(7)).

Section 4: Notification of Award of License; State Licensing.

A notification of award and conditional municipal license shall entitle the recipient to pursue a State permit or license in the appropriate classification for up to twelve (12) months, which may be extended in the Borough Council's discretion for an additional six (6) months for good cause.

No license to operate shall issue until the Applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a Notice of Award and conditional license has not received a State permit or license within twelve (12) months from issuance, unless extended for good cause, the "Cannabis and Marijuana Administrative Board" shall issue a new request for applications and re-evaluate all applicants for licensure under the above criteria. (See Ordinance at Section 4-7.3(D)(2))

Within ten (10) business days of the Borough's notification to Applicant of award of conditional municipal license by the Borough Council, the applicant shall submit all annual registration fees required in accordance with the following fee schedule:

Annual License Fees.

- Class 1 (cultivator, processor wholesaler, distributor)
\$40,000.00 per year Cannabis supplier license

- Class 2 (retail license) \$20,000.00 per year Cannabis supplier license

EXHIBIT "B"

AFFIRMATIVE ACTION REQUIREMENTS

Applicants are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27

Required Affirmative Action Evidence

Procurement & Service Contract (which are not subject to a Federally approved or sanctioned affirmative action program). All successful vendors must submit within ten calendar (10) days of the notice of intent to award (Memorandum of Agreement) or the signing of the contract, whichever is sooner, one of the following:

1. A photocopy of their Federal Letter of Affirmative Action Plan Approval;
or
2. A photocopy of their Certificate of Employee Information Report; or
3. A completed Affirmative Action Employee Information Report (AA 302).

The Affirmative Action Affidavit for vendors having less than fifty (50) employees is no longer acceptable.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et. seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her proposal shall be rejected as non-responsive if said vendor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et. seq.

COMPANY NAME: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the Proposer (herein after the contractor) agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex. The contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey, and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents: Letter of Federal Affirmative Action Plan Approval Certificate of Employee Information Report Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract compliance.

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

EXHIBIT "C"

COMPLIANCE WITH ZONING LAWS/HEALTH REQUIREMENTS

The Applicant shall comply with any and all applicable municipal zoning laws and the location restrictions set forth by Borough Code and/or Ordinance. Applicant shall make any and all required improvements to the property and/or structure(s) in accordance with all applicable specifications, of the Borough of Elmwood Park, County of Bergen and State of New Jersey. Any and all specifications as set forth in Ordinances, Rules, Regulations and the Planning or Zoning Board Resolution, if required, shall be inspected by the Planning or Zoning Board Engineer or Borough Engineer, or someone designated in writing by the Planning or Zoning Board or Borough Engineer for that purpose. A signed copy of said designation by the Planning or Zoning Board or Borough Engineer shall be furnished to the Applicant prior to said inspection and approval by such designee of the Planning or Zoning Board or Borough Engineer.

The Applicant shall comply with the lawful requirements of the Borough's Board of Health as to all matters within its jurisdiction.

COMPANY NAME: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____