



**CASINO REINVESTMENT
DEVELOPMENT AUTHORITY
15 SOUTH PENNSYLVANIA AVENUE
ATLANTIC CITY, NJ 08401**

**MINUTES – PUBLIC MEETING 24-03
MARCH 19, 2024**

- PRESIDING:** Chairman, Modia Butler
- PRESENT:** Michael Beson, Paulina Banasiak O'Connor, Daniel Cosner, Christopher Glaum for State Attorney General Matthew J. Platkin, Michael Hanley, Michael Laughlin, Alicia Magee, Brett Matik, William Mullen, Mayor Marty Small, Sr., William Sproule, Jacquelyn Suárez, Acting DCA Commissioner, Robert Tighue for State Treasurer Elizabeth M. Muoio
- ABSENT:** James Plousis, Joseph Tyrrell
- STAFF:** Maisha Moore, Sharon Dickerson, Kathleen Marshall, Jerry Barnhart, Lisa Britt, Jane Fontana, Dawn Hinton, Kathryn Jones, Lance Landgraf, Karen Martin, Tom Meehan, John Ostwald, John Tracy
- OTHER
ATTENDEES:** Dorian Smith, Esq, Governor's Authorities Unit,
Christopher A. Brown, Atlantic City Senior Advisor for DCA

OPENING STATEMENT

The meeting was called to order by the Chairman at 2:00 pm. Ms. Britt read a statement of compliance with the notice requirements of the Senator Byron M. Baer Open Public Meetings Act and called the roll.

RATIFICATION OF THE MINUTES OF THE FEBRUARY 20, 2024 BOARD MEETING

The Chairman requested a motion to approve the minutes of the February 20, 2024 Board Meeting. A motion was made by Mr. Beson and seconded by Ms. Matik. Resolution 24-18 was approved by unanimous vote of the members.

LAND USE REGULATION & ENFORCEMENT

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING A CERTIFICATE OF NON-CONFORMITY PURSUANT TO N.J.S.A. 40:55D-68 FOR THE PROPERTY LOCATED AT 1639 ATLANTIC AVENUE, BLOCK 290, LOT 8, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-01-3586

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and



seconded by Mr. Glaum. Resolution 24-19 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING A CERTIFICATE OF NON-CONFORMITY PURSUANT TO N.J.S.A. 40:55D-68 FOR THE PROPERTY LOCATED AT 122 N. GEORGIA AVENUE, BLOCK 339, LOT 16, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-12-3565

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Tighue. Resolution 24-20 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING A CERTIFICATE OF NON-CONFORMITY PURSUANT TO N.J.S.A. 40:55D-68 FOR THE PROPERTY LOCATED AT 120 N. GEORGIA AVENUE, BLOCK 339, LOT 36, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-12-3571

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Ms. Matik. Resolution 24-21 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO PERMIT THE OPERATION OF A CLASS 5 DISPENSARY FOR THE SALE OF ADULT USE RECREATIONAL CANNABIS AT THE SUBJECT PROPERTY LOCATED AT 2311-2315 ATLANTIC AVENUE, BLOCK 280 LOTS 44 AND 45, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-03-3420

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Mr. Tighue asked if the Authority was approving the bulk requirement and parking variances only. Mr. Landgraf said the bulk variance is already noted in the report; however, the applicant is asked to justify the signage variance and parking offsite variance. Mr. Beson asked the location of the loading dock. Mr. Landgraf stated it is currently at the rear door with intent to be moved to the front of the building once the



license is issued. Mr. Beson asked if any other approved cannabis businesses were operational yet. Mr. Landgraf listed three operational businesses; MPX New Jersey, LLC, Design 710, LLC and Legal Distribution, LLC. Hearing no further comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Hanley and seconded by Mr. Tighue. Mr. Beson voted no. Resolution 24-22 was approved by a majority vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING THE DENIAL OF AN APPLICATION FOR MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO PERMIT THE OPERATION OF A CLASS 5 DISPENSARY FOR THE SALE OF ADULT USE RECREATIONAL CANNABIS AT THE SUBJECT PROPERTY LOCATED AT 1926 ATLANTIC AVENUE, BLOCK 158 LOT 3.01, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-05-3453

The resolution was read by title. Mr. Laughlin and Ms. Matik recused themselves. The Chair clarified that this resolution is for the denial of the application, then requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Mr. Tighue asked if the applicant owned the building. Lance Landgraf, Director of Planning and Development responded yes. Mr. Tighue asked about other uses for the building if not for this particular use. Mr. Landgraf said other commercial business could potentially use the site and have access to the easement for a loading zone. Tanger Outlets objected to the use of their easement for this type of business. Mayor Small stated the importance of promoting small businesses. He expressed his concerns for negative perceptions about cannabis businesses reminding the public that these are discrete, professional business owners that can generate revenue for the city. The Chairman said the CRDA has provided full support for all the cannabis applicants. This is the first denial for a specific reason and this denial has nothing to do with overall Board policy. Mr. Beson asked Mayor Small the revenue to date from the three operational cannabis businesses. The mayor did not have the amount off hand but added the fact that local community organizations are being financially assisted by these business owners in addition to promoting revenue for the city. Mr. Beson reiterated his disapproval of cannabis businesses creating some safety issues and being near schools and churches. Mr. Glaum asked if the applicant offered an alternative solution to the loading zone issue. Mr. Landgraf said the applicant originally proposed a loading zone on Michigan Avenue. That location was deemed too far from the building and there was no ability to install security cameras. The applicant then proposed use of the easement that belongs to Tanger Outlets, which was denied. Hearing no further comments from the members, the Chair requested public comment. Attorney Lou Magazzu spoke on behalf of Tambre, LLC telling the Board he felt they were not provided with sufficient information concerning this applicant's approval process and asked them



to read the planning transcripts before voting. Attorney Nicholas Talvacchia, Esq. on behalf of AtlantiCare interrupted Mr. Magazzu and asked the Chairman to acknowledge that permitting this applicant to supplement the record after the hearing process had been closed violates the CRDA practice and would allow other applicants to be granted the same opportunity. The Chairman agreed and told Mr. Magazzu that no additional testimony would be heard in this forum, but that he would allow Members to ask him questions if they chose. There were no questions from the Members. The applicant, Ms. Sherry Gartino, stated this is her livelihood, her family business and assured the Board that Atlantic City would benefit from her business. She asked the Board to reconsider the vote denying her application. Mr. Mullen stated that the CRDA Board hired Mr. Landgraf for his land use knowledge and professional recommendations. His recommendation to deny this application should be honored. The mayor responded to Mr. Mullen and said staff professionals are paid to advise but there is no requirement to accept the advice. Hearing no further public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Tighue. Mayor Small voted no. Resolution 24-23 was approved by a majority vote of the eligible members.

ITEMS LISTED BELOW HAVE BEEN REVIEWED AND RECOMMENDED BY COMMITTEE FOR BOARD APPROVAL

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY AUTHORIZING ACCEPTANCE AND USE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS FOR THE ATTRACTION AND HOSTING OF THE UFC SPORTING EVENT AT JIM WHELAN BOARDWALK HALL IN RESPONSE TO THE NEGATIVE IMPACT ON THE TOURISM, HOSPITALITY, AND TRAVEL INDUSTRIES DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO ONE OR MORE MEMORANDUM OF UNDERSTANDING OR OTHER DOCUMENTS

The resolution was read by title. Ms. Matik recused herself. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Cosner. Resolution 24-24 was approved by unanimous vote of the eligible members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY AUTHORIZING THE PROCUREMENT OF MICROSOFT 365 ENTERPRISE PRODUCTS AND ENTERPRISE ONLINE SERVICES FROM DELL MARKETING LP UNDER STATE CONTRACT #T3121 20-TELE-01510 IN AN AMOUNT NOT TO EXCEED \$83,209.40



The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Tighue. Resolution 24-25 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTERS LOCAL 331 FOR THE PERIOD OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2027

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Ms. Matik. Resolution 24-26 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY AUTHORIZING TO REALLOCATE THE UNSPENT BALANCE OF THE \$294,763.45 FROM YEAR 2 TO YEAR 3 OF THE GRANT; AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AN AMENDMENT TO THE GRANT AGREEMENT WITH ATLANTICARE FOR THE SAFE BEGINNINGS INITIATIVE TO ADJUST AND CREATE NEW BUDGET LINE ITEMS FOR THE \$937,562.45 BALANCE OF THE GRANT; AND APPROVING AN EXTENSION OF THE TERM OF THE GRANT FOR A ONE-YEAR PERIOD THROUGH APRIL 19, 2025

The resolution was read by title. Ms. Matik recused herself. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion. Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Tighue. Resolution 24-27 was approved by unanimous vote of the eligible members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY RELEASING AND REALLOCATING UNSPENT PROJECT FUNDS BACK TO THE TOURISM DISTRICT AND COMMUNITY DEVELOPMENT FUND

The resolution was read by title. The Chair requested a description of the proposed action by the Executive Director or designated staff and then requested member discussion.



Hearing no comments from the members, the Chair requested public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Beson and seconded by Mr. Tighue. Resolution 24-28 was approved by unanimous vote of the members.

PUBLIC COMMENT

None

ADJOURNMENT

The Chair requested a motion to adjourn the meeting at 3:01 pm. A motion was made by Mr. Beson and seconded by Ms. Matik.

CERTIFICATION

I, MICHAEL BESON, Secretary of the Casino Reinvestment Development Authority, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the Minutes of the Open Session of the Casino Reinvestment Development Authority conducted on March 19, 2024:

Michael Beson
MICHAEL BESON, SECRETARY