



## **VERNON TOWNSHIP COUNCIL MEETING AGENDA**

**OCTOBER 17, 2024**

**6:00 PM EXECUTIVE SESSION**

**7:00 PM REGULAR SESSION (OPEN TO THE PUBLIC)**

**1. CALL TO ORDER**

- 2. STATEMENT:** Adequate notice of this meeting has been provided to the public and the Press on January 17, 2024 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

**3. ROLL CALL**

- 4. EXECUTIVE SESSION – Resolution #24-256** – Resolution to Enter into Executive Session Marsico

**AT 7:00 PM**

**1. CALL TO ORDER**

- 2. STATEMENT:** Adequate Notice of this Regular Meeting was provided to the public and the press on January 17, 2024 and was posted at the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A.10:4-7.

**3. SALUTE THE FLAG**

**4. ROLL CALL**

**5. PRESENTATION**

Planet Networks

**6. MAYOR COMMENTS**

**7. PUBLIC COMMENT (For Current Agenda Items Only, Limited to 3 Minutes Per Person)**

## **8. REVIEW OF BILLS LIST**

## **9. APPROVAL OF MINUTES**

September 9, 2024 – Regular Meeting  
September 23, 2024 – Executive Session  
September 23, 2024 – Regular Session

## **10. CONSENT AGENDA**

**Resolution #24-257:** Resolution Authorizing Grant of Parking Easement Relative to Property Identified as Block 512, Lot 37 on the Official Tax Map of the Township of Vernon

**Resolution #24-258:** A Resolution Approving Participation with the State of New Jersey Federal Grant Program Administrated by the New Jersey Department of Law & Public Safety, Office of the Attorney General

**Resolution #24-259:** Appointment of Office of Emergency Management Deputy Coordinator (Howard Lazier)

**Resolution #24-260:** Approving Active Volunteer Firefighter for Membership in the New Jersey State Fireman's Association (Speight)

**Resolution #24-261:** Approving Active Volunteer Firefighter for Membership in the New Jersey State Fireman's Association (Pallis)

**Resolution #24-262:** Approving Active Volunteer Firefighter for Membership in the New Jersey State Fireman's Association (O'Connor)

**Resolution #24-263:** Approving Active Volunteer Firefighter for Membership in the New Jersey State Fireman's Association (Enering)

**Resolution #24-264:** Authorizing the Use of Morris County Cooperative Pricing Council for Proposed Improvements to Glenwood Mountain Road – Section II

**Resolution #24-265:** Refund for Totally Disabled Veteran (Block 302 Lot 3 (Muniz)

**Resolution #24-266:** Refund for Totally Disabled Veteran (Block 436 Lot 14 (Chialkowski) – Amended

**Resolution #24-267:** Refund Overpayment Block 233 Lot 1 QFarm (Stephens)

**Resolution #24-268:** Refund Overpayment Block 263 Lot 2 QFarm (Stephens)

**Resolution #24-269:** Refund Overpayment Block 40 Lot 4 QFarm (Stephens)

**Resolution #24-270:** Refund Overpayment (Block 387 Lot 9 - Corelogic)

**Resolution #24-271:** Refund Overpayment (Block 529 Lot 248 -Clark)

**Resolution #24-272:** Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Authorizing the Procuring of Financial Advisory and Management Services LOSAP Program Competitive Contract

## **11. INTRODUCTION OF ORDINANCE**

**Ordinance #24-22:** An Ordinance of the Township Council of the Township of Vernon, County of Sussex and State of New Jersey Amending Certain Portions of Chapter 99 Entitled “Vehicles and Traffic”

## **12. ADOPTION OF ORDINANCE**

**Ordinance #24-21:** An Ordinance of the Township of Vernon, County of Sussex, State of New Jersey Amending Chapter 275 of the Township Code to Repeal Chapter 275 and Replace Same: to Adopt Flood Hazard Maps: To Designate a Floodplain Administrator; and Providing for Severability and an Effective Date.

## **13. PUBLIC COMMENT (Limited to 5 Minutes On Any Topic)**

## **14. COUNCIL COMMENTS**

## **15. COUNCIL PRESIDENT COMMENTS**

## **16. ADJOURNMENT**

**VERNON TOWNSHIP**

**RESOLUTION #24-256**

**RESOLUTION TO ENTER INTO AN EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss:

- ☐ Matters made confidential by state, federal law or rule by court
- ☐ Matters in which the release of information would impair the right to receive funds from the Government
- ☐ Matters involving individual privacy
- ☐ Collective bargaining
- ☐ Purchase, lease or acquisition of real property with public funds, setting of bank rates, investment of public funds if disclosure would harm the public interest
- ☐ Public safety
- ☐ Attorney-Client privilege
- ☒ Pending, ongoing or anticipated litigation or negotiation contracts (Marsico)
- ☐ Personnel matters
- ☐ Civil penalty or loss of license
- ☐ Risk Management Strategies

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW THEREFORE BE IT RESOLVED** that the public be excluded from this meeting.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 6:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	3-01	179.76	0.00	0.00	179.76
CURRENT FUND	4-01	2,205,736.24	186.25	0.00	2,205,922.49
CAPITAL FUND	C-04	1,130,768.45	0.00	0.00	1,130,768.45
ESCROW	E-12	6,110.38	0.00	0.00	6,110.38
GRANT FUND	G-02	3,900.00	0.00	0.00	3,900.00
OTHER TRUST	T-14	20,728.95	0.00	0.00	20,728.95
RECREATION TRUST	T-16	72.77	0.00	0.00	72.77
PAYROLL	T-22	4,405.80	0.00	0.00	4,405.80
Year Total:		25,207.52	0.00	0.00	25,207.52
Total of All Funds:		3,371,902.35	186.25	0.00	3,372,088.60

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Range of Checking Accts: 01-001 to 24-101      Range of Check Dates: 09/19/24 to 10/10/24  
Report Type: All Checks      Report Format: Condensed      Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
10-001		GENERAL/CENTRAL CHECKING			
62545	10/04/24	TREAS045 TREASURER, STATE OF NEW JERSEY			551
	24-01299	3rd qtr 2024 state train fee	11,655.00		
62546	10/07/24	KELLY020 Kelly Smolen			552
	24-01300	release of drive bond 577/6	3,000.00		
62547	10/09/24	ABATE005 ABATE FENCE, LLC			553
	24-01126	FENCE REPAIR MG PARK	4,455.00		
	24-01148	FENCE REPAIR VETERANS/OLD ORCH	4,615.00		
			9,070.00		
62548	10/09/24	ACEWA005 ACE WALCO TERMITE & PEST CONTR			553
	24-00034	PEST CONTROL SERVICES	76.67		
62549	10/09/24	ACMEM005 ACME MARKETS, INC			553
	24-00086	Senior Center Kitchen Supplies	77.87		
62550	10/09/24	AIRGA010 AIRGAS			553
	24-00091	WELDING SUPPLIES & ANNUAL LEAS	739.54		
62551	10/09/24	AIRGR005 AIRGROUP LLC			553
	24-01153	EMERGENCY REPAIR BLD/HEALTH	1,515.74		
	24-01154	EMERGENCY-BLD/HEALTH REPAIR	236.25		
	24-01157	EMERGENCY REPLACE AIR COMPRESS	13,458.36		
			15,210.35		
62552	10/09/24	ALICI005 ALICIA SAAVEDRA FERRANTE, ESQ,			553
	24-00184	Prosecutor Services 2024	2,375.00		
62553	10/09/24	ALLIE020 ALLIED OIL			553
	24-00237	Municipal Gas Fuel	10,024.51		
62554	10/09/24	AMAZ0005 AMAZON.COM SERVICES LLC		10/09/24 VOID	0
62555	10/09/24	AMAZ0005 AMAZON.COM SERVICES LLC			553
	24-00106	Police Supplies	408.38		
	24-00135	SC Programs & Events	176.59		
	24-00144	Rec Programs & Events	357.29		
	24-00998	Chair	299.95		
	24-01199	Office Supplies	173.52		
	24-01219	Tree Memorial Marker Morl	72.77		
			1,488.50		
62556	10/09/24	ARKEL005 ARKEL MOTORS INC			553
	24-00065	PARTS TO REPAIR INTER'L VEH	441.60		
62557	10/09/24	BABCO005 CLARENCE E. BABCOCK			553
	24-01266	BOOT REIMBURSEMENT	87.99		

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PO #	Description				Contract
10-001	GENERAL/CENTRAL CHECKING	Continued			
62558	10/09/24 BOBBI005 BOB & BILL'S SERVICE STATION				553
24-00071	VARIOUS TOWING NEEDS	400.00			
24-01180	TOWING OF PVFD #463	400.00			
		800.00			
62559	10/09/24 BOLES005 ALLAN BOLES				553
24-00629	DJ Services Senior Events	250.00			
62560	10/09/24 BRIGH005 BRIGHT, DONELLE				553
24-01240	NJGFOA Mileage/Expenses	291.17			
62561	10/09/24 BRIGH010 BRIGHTSPEED				553
24-00295	Blanket - Telephone Service	843.73			
62562	10/09/24 BSNSP005 BSN SPORTS, LLC				553
24-01182	SUPPLIES FOR BALL FIELDS	1,338.90			
62563	10/09/24 CAESA005 CAESARS ATLANTIC CITY				553
24-01141	P.Rizzuto NJLM Conference 2024	498.00			
62564	10/09/24 CANNI005 THE CANNING GROUP LLC				553
24-00187	Qualified Purchasing Serivces	791.67			
62565	10/09/24 CETIR005 C & E TIRES				553
24-00160	VARIOUS TIRE REPAIRS	484.00			
62566	10/09/24 CHERR005 CHERRY VALLEY TRACTOR SALES, I				553
24-00156	PARTS TO REPAIR NEW HOLLAND EQ	131.75			
62567	10/09/24 CINTA005 CINTAS CORPORATION NO 2				553
24-01090	2024 Municipal AED Maintenance	400.00			
62568	10/09/24 CLUTC005 DOVER BRAKE & CLUTCH				553
24-00063	PARTS TO REPAIR DPW VEHICLES	5,092.02			
62569	10/09/24 COUNT065 COUNTY OF SUSSEX				553
24-01327	3rd qtr 2024 health insurance	14,331.22			
62570	10/09/24 CREAT020 CREATIVE VISUAL SYSTEM				553
24-00036	SIGN SUPPLIES	1,480.38			
62571	10/09/24 CREAT025 CREATIVE MANAGEMENT INC				553
24-00238	Municipal Fuel Diesel	2,698.68			
62572	10/09/24 CROWN005 CROWN AWARDS				553
24-01217	Rec Turkey Trot Medals	136.19			
62573	10/09/24 CRYST005 CRYSTAL MOUNTAIN SPRINGS				553
24-00022	WATER COOLER SERVICE	194.75			
62574	10/09/24 DAMST005 JANE DAMSTRA				553
24-00133	Mileage Donation Pickup	58.63			

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Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid		Contract
10-001	GENERAL/CENTRAL CHECKING	Continued		
62575	10/09/24 DECKE015 DECKER TRANSPORTATION, INC			553
24-01229	Bus Svc SC Holiday Luncheon	150.00		
62576	10/09/24 DELTA005 DELTA DENTAL PLAN OF NJ			553
24-01253	OCTOBER 2024	15,066.30		
62577	10/09/24 DONNE015 RR DONNELLEY			553
24-01142	#10 ENVELOPES	1,275.10		
62578	10/09/24 EASAA005 EAST COAST ELITE BASKETBALL			553
24-00852	CLEAN COMMUNITIES	750.00		
62579	10/09/24 EDMUN005 EDMUNDS & ASSOCIATES, INC			553
24-01196	VALIDATOR MAINT. ANNUAL FEE	299.25		
24-01208	EPSON ANNUAL MAINTENANCE FEE	25.08		
		324.33		
62580	10/09/24 ELAVO005 ELAVON, INC			553
24-00352	2024/Court/ Credit Card Fees	89.73		
62581	10/09/24 ELIZA005 ELIZABETHTOWN GAS CO			553
24-00367	Blanket Municipal Gas Services	651.07		
62582	10/09/24 ELIZA015 ELIZABETHTOWN GAS CO			553
24-01222	Road Opening Escrow Release	5,000.00		
62583	10/09/24 ENTER020 ENTERPRISE FLEET MANAGMENT, INC			553
24-00067	MONTHLY LEASE PAYMENTS	9,803.27		
24-00326	CAR LEASE	528.27		
24-00405	FP Leases	3,655.60		
		13,987.14		
62584	10/09/24 FARMS025 FARMSIDE SUPPLIES			553
23-00749	Animal Shelter Food/Medicine	179.76		
62585	10/09/24 FASTE005 FASTENAL COMPANY			553
24-00176	RE-STOCKING OF SAFETY VENDING	94.14		
62586	10/09/24 FEDER015 FEDERAL EXPRESS			553
24-00429	Municipal - Express Postage	99.86		
62587	10/09/24 FIREA005 FIRE AND SAFETY SERVICES LTD			553
22-00579	FIRE DEPT MINI PUMPER	233,699.93		
62588	10/09/24 FIREF010 FIREFIGHTER ONE LLC			553
24-00915	Air Pack Hydro Testing	3,480.00		
62589	10/09/24 FLEMI005 JOHN T FLEMING			553
24-00982	2024 Various St Improvements	183,585.00		
62590	10/09/24 FOREM005 FOREMOST PROMOTIONS			553
24-01028	Fire Prevention Week Hats	1,642.51		



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PO #	Description				Contract
10-001	GENERAL/CENTRAL CHECKING	Continued			
62591	10/09/24	FOVEO005 FOVEONICS DOCUMENT SOLUTIONS			553
24-01093	document management		19,387.01		
62592	10/09/24	FUNEX005 FUN EXPRESS			553
24-01200	Rec Fall & Holiday Event		198.46		
62593	10/09/24	FWWEB005 F.W. WEBB COMPANY			553
24-00031	B&G REPAIRS		353.40		
62594	10/09/24	GIANA005 MARCY GIANATTASIO			553
24-01271	Zoom Webinar 9/25/24-10/24/24		59.70		
62595	10/09/24	GRAIN005 WW GRAINGER			553
24-01216	Rec Supplies		159.30		
62596	10/09/24	HAROL005 HAROLD E PELLOW AND ASSOC, INC		10/09/24 VOID	0
62597	10/09/24	HAROL005 HAROLD E PELLOW AND ASSOC, INC			553
24-01221	Eng -Parks& Rd Imprvmnts,LDPs		17,478.84		
62598	10/09/24	HERAL005 NEW JERSEY HERALD			553
24-00304	Admin - Legal Notices		29.14		
24-00391	2024 Legal Advertising		156.84		
			185.98		
62599	10/09/24	HHAUT005 H & H AUTO PARTS OF VERNON			553
24-00060	PARTS TO REPAIR VES VEHICLES		43.16		
24-00061	PARTS TO REPAIR DPW VEHICLES		697.33		
24-01183	TO PURCH NEW OTC TRANS JACK		4,866.52		
			5,607.01		
62600	10/09/24	HIGHL010 HIGHLAND FLOWERS AND GIFTS			553
24-01159	Admin- Floral Arrangement		199.59		
62601	10/09/24	HOOVE005 HOOVER TRUCK CENTERS, INC			553
24-00178	PARTS TO REPAIR FREIGHTLINER		349.44		
62602	10/09/24	INTEG010 INTEGRATED MICRO SYSTEMS, INC			553
24-01220	Municipal Technology Services		2,800.00		
62603	10/09/24	JCPLO005 JCP&L			553
24-00523	Municipal Electric Services		4.88		
62604	10/09/24	JEMEL005 JEM ELECTRIC LLC			553
24-00259	ELECTRIC REPAIRS		222.00		
62605	10/09/24	KUNZO005 APRIL A KUNZ-OLEKSY			553
24-00140	SC Exercise Programs		400.00		
62606	10/09/24	LAWOF020 LAW OFFICE OF JOHN C GREY JR.			553
24-00189	Municipal Public Defender Serv		1,650.00		

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10-001	GENERAL/CENTRAL CHECKING	Continued		
62607	10/09/24 MAINT005 SPORTCARE SYNTHETIC FIELD MAIN		553	
24-01174	CRUMB RUBBER INFILL MG	1,858.00		
62608	10/09/24 MCAFE005 MC AFEE FIRE DEPT.		553	
24-01170	Reimburse Monthly July 2024	910.06		
62609	10/09/24 MCAFE010 MC AFEE HARDWARE CO., INC.		553	
24-00130	VARIOUS HARDWARE NEEDS	35.97		
24-00134	SC Supplies	34.58		
		70.55		
62610	10/09/24 MONTA015 MONTAGUE TOOL & SUPPLY		553	
24-00051	ROAD SAFETY SUPPLIES	197.28		
24-00052	ROAD MATERIALS & SUPPLIES	52.42		
24-00075	VARIOUS CHAINSAW NEEDS	71.98		
24-00076	PARTS TO REPAIR SMALL ENGINES	87.23		
24-00895	SIGN POST DRIVER	3,798.00		
24-01147	CHAINSAW REPLACEMENT	421.22		
24-01209	WINTER GLOVES	574.05		
		5,202.18		
62611	10/09/24 MORTO005 MORTON SALT, INC		553	
24-00042	ROAD SALT	37,115.13		
62612	10/09/24 MTETU005 MTE Equipment Solutions, INC		553	
24-00098	BALLFIELD GROOMER PARTS	771.60		
62613	10/09/24 NIELS005 NIELSON FORD INC		553	
24-00077	FORD PARTS AND REPAIRS	62.72		
62614	10/09/24 NJSTA010 NJ ST ASSOC OF POLICE CHIEFS		553	
24-01241	Case Law & Liability	780.00		
62615	10/09/24 NORTH015 NORTH EAST PARTS GROUP LLC		553	
24-00058	PARTS TO REPAIR DPW VEHICLES	1,082.23		
62616	10/09/24 NORTH050 NORTHEAST COMMUNICATIONS INC		553	
24-00119	Police Maintenance	540.00		
24-00845	Zetron Maintenance	550.00		
24-01223	FCC License Renewal	795.00		
		1,885.00		
62617	10/09/24 OPRAN005 OPRANDY'S FIRE & SAFETY INC		553	
24-00101	Police- Oxygen Tank Refill	682.25		
62618	10/09/24 OPTIM005 Optimum		553	
24-00090	Police- Cable	9.95		
62619	10/09/24 PAPPA005 MICHAEL PAPPA		553	
24-01224	TOOL REIMBURSEMENT	500.00		

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10-001		GENERAL/CENTRAL CHECKING	Continued		
62620	10/09/24	PENTE005 PENTELEDATA LP			553
24-00383		Blanket - Muni Cable Services	507.80		
62621	10/09/24	POCHU010 POCHUCK VALLEY FIRE DEPT.			553
24-01285		Fire Dept Reimbursmt Sept 2024	2,100.28		
62622	10/09/24	PRINC010 PRINCETON HYDRO LLC			553
24-00804		Lake/Watershed Plan Phase II	900.00		
62623	10/09/24	RERSU005 RER SUPPLY, LLC			553
24-01112		PARKS MULCH	3,200.00		
62624	10/09/24	RIVER020 RIVERVIEW PAVING, INC.			553
24-00984		2024 Various St Improvements	664,849.73		
62625	10/09/24	ROUTE005 ROUTE 23 AUTO MALL LLC			553
24-00068		PARTS TO REPAIR FORD VEHICLES	2,992.14		
24-00069		PARTS TO REPAIR FORD VES VEH	3,737.95		
			6,730.09		
62626	10/09/24	ROUTE010 ROUTE 23 PATIO & MASON CENTER			553
24-00342		DRAINAGE SUPPLIES	494.00		
62627	10/09/24	SHAW0005 LAUREN SHAW			553
24-01197		Notary	15.00		
62628	10/09/24	SHIIN005 SHI INTERNATIONAL CORP			553
24-00654		Police Computer- Squad Car	4,036.28		
24-00832		Dispatch Computers	3,056.32		
24-00912		Tower Battery backup	221.00		
			7,313.60		
62629	10/09/24	SIRCH005 SIRCHIE			553
24-01032		Police Supplies	251.79		
62630	10/09/24	SPACE005 SPACE WILD ANIMAL FARM INC			553
24-00025		DEER CARCASS REMOVAL	87.00		
62631	10/09/24	STAND005 STANDARD INSURANCE CO.			553
24-01250		SEPTEMBER 2024	2,926.28		
24-01252		OCTOBER 2024	2,926.28		
			5,852.56		
62632	10/09/24	STAPL010 Staples Contract & Commercial			553
24-00246		Admin Office Supplies	42.74		
62633	10/09/24	SUSSE095 SUSSEX COUNTY M.U.A.			553
24-00014		PLASTIC DISPOSAL	123.50		
62634	10/09/24	TELEP005 WARWICK VALLEY TELEPHONE			553
24-00089		Police-Digital Radio	78.04		

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Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
10-001	GENERAL/CENTRAL CHECKING	Continued		
62634	WARWICK VALLEY TELEPHONE	Continued		
24-00260	Municipal Phone Service	3,951.10		
		4,029.14		
62635	10/09/24 THECR005 THE CRAFTING CORNER, LLC		553	
24-01177	Senior Center Art Classes	500.00		
62636	10/09/24 TILCO005 TILCON NEW YORK, INC		553	
24-01231	GARBAGE COMPACTOR	262.18		
24-01232	COLD PATCH	2,479.50		
		2,741.68		
62637	10/09/24 TREES005 TREES PLUS, LLC		553	
24-00047	TREE REMOVAL	2,100.00		
62638	10/09/24 TROOP010 BOY SCOUT TROOP 404		553	
24-01227	CLEAN COMMUNITIES	750.00		
62639	10/09/24 ULINE005 ULINE, INC		553	
24-01175	YELLOW ROPE MAPLE GRANGE	143.34		
62640	10/09/24 USBAN025 U.S. BANK NATIONAL ASSOCIATION		553	
24-01284	Ricoh Map Copier Lease Sept 24	428.56		
62641	10/09/24 VALLE030 VALLEY PHYSICIAN SERVICES, PC		553	
24-01205	DPW Employee DOT Testing 2024	338.00		
62642	10/09/24 VERIZ005 VERIZON		553	
24-00303	Municipal Phone Service	142.48		
62643	10/09/24 VERIZ010 VERIZON WIRELESS		553	
24-00257	Blanket-Municipal Cell Phone	1,125.41		
62644	10/09/24 VERIZ035 VERIZON CONNECT FLEET USA LLC		553	
24-00027	GPS SERVICE DPW	724.60		
62645	10/09/24 VERN0045 VERNON ELECTRICAL SUPPLY INC		553	
24-00028	B&G REPAIRS	92.50		
62646	10/09/24 VERN0075 VERNON SENIOR RECREATION		553	
24-00129	SC Programs	76.25		
62647	10/09/24 VERN0120 VERNON TWP BOARD OF EDUCATION		553	
24-01254	Oct current	1,997,258.20		
62648	10/09/24 VERN0130 VERNON TWP FIRE DEPARTMENT		553	
24-01145	training reimbursement	900.00		
62649	10/09/24 VERN0190 VERNON UNITED METHODIST CHURCH		553	
24-01050	CLEAN COMMUNITIES	750.00		

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
10-001	GENERAL/CENTRAL CHECKING	Continued			
62650	10/09/24	VERNO280 VERNON INSTRUMENTAL PARENTS, I			553
24-01029	CLEAN COMMUNITIES	750.00			
62651	10/09/24	VISIO005 VISION SERVICE PLAN			553
24-01248	SEPTEMBER 2024	2,139.36			
24-01251	OCTOBER 2024	2,139.36			
		4,278.72			
62652	10/09/24	WBMA005 W B MASON CO INC			553
24-00977	OFFICE SUPPLIES	453.98			
24-01178	SC Printer Toner Black	146.96			
		600.94			
62653	10/09/24	WELDO005 WELDON ASPHALT CO.			553
24-00667	HOT ASPHALT	5,309.17			
62654	10/09/24	WELLS050 WELLS FARGO VENDOR FINANCIAL			553
24-00244	Copier Lease Clerk Office	184.43			
62655	10/09/24	WELLS055 WELLS FARGO VENDOR FINANCIAL			553
24-00245	Municipal Copier Lease (6)	1,752.64			

Checking Account Totals	Paid	Void	Amount Paid	Amount	Void
Checks:	109	2	3,361,572.42		0.00
Direct Deposit:	0	0	0.00		0.00
Total:	109	2	3,361,572.42		0.00

12-001	PLANNING/ZONING				
4581	09/19/24	HAROL005 HAROLD E PELLOW AND ASSOC, INC			548
24-01213	9/19/24	lub various payments	3,246.88		
4582	09/19/24	JCALD005 J. CALDWELL & ASSOCIATES LLC			548
24-01214	9/19/24	lub various payments	420.00		
4583	09/19/24	WEINE005 WEINER LAW GROUP LLP			548
24-01215	9/19/24	lub various payments	2,443.50		

Checking Account Totals	Paid	Void	Amount Paid	Amount	Void
Checks:	3	0	6,110.38		0.00
Direct Deposit:	0	0	0.00		0.00
Total:	3	0	6,110.38		0.00

22-001	PAYROLL AGENCY				
4897	09/26/24	AFSCM005 A.F.S.C.M.E., NEW JERSEY COUNC			549
24-01246	SEPTEMBER 2024	997.53			
4898	09/26/24	LOCAL005 P.B.A. LOCAL 285			549
24-01245	SEPTEMBER 2024	1,600.00			

October 11, 2024  
09:16 AM

Township of Vernon  
Check Register By Check Date

Page No: 9

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
22-001	PAYROLL AGENCY	Continued		
4899	09/26/24 LOCAL010 U.A.W. LOCAL 2326		549	
24-01244	SEPTEMBER 2024	665.60		
4900	09/26/24 POLIC005 POLICE AND FIREMAN'S INS. ASSO		549	
24-01243	SEPTEMBER 2024	98.34		
4901	09/26/24 TRANS015 TRANS WORLD ASSURANCE COMPANY		549	
24-01247	SEPTEMBER 2024	1,020.00		
4902	09/26/24 AFSCM005 A.F.S.C.M.E., NEW JERSEY COUNC		550	
24-01249	SEPTEMBER 2024	24.33		

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	6	0	4,405.80	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	4,405.80	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	118	2	3,372,088.60	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	118	2	3,372,088.60	0.00

**Action Data Services**  
**0577 Township of Vernon**

**Payroll Summary**

**Page: 1**

Run: 05772419 Pay Date: Monday 9/30/24 Pay Period: 18 Type: Regular Schedule: 1

Taxable Wages		Current	Qtr To Date	Year To Date	
Federal Income		340,184.68	2,124,793.23	6,331,110.10	
FICA - Social Security		375,377.72			
FICA - Medicare		375,377.72	2,339,433.32	6,973,051.77	
State Income		399,345.65	2,487,380.10	7,425,317.22	
State Unemployment		61,613.18	618,601.69	4,508,823.92	
State FLI / DIS		394,415.95	2,452,615.56	7,338,238.26	
Amount Your Account Will Be Debited:				150,271.32	
		Employer Share	Employee Share	Total	ADS
<b>Federal Taxes</b>					
Federal Income Tax			39,068.62	39,068.62	*
Social Security	6.200% / 6.200%	23,273.38	23,273.38	46,546.76	*
Medicare	1.450% / 1.450%	5,442.95	5,442.95	10,885.90	*
<b>Total Federal Taxes</b>		<b>28,716.33</b>	<b>67,784.95</b>	<b>96,501.28</b>	
<b>NJ State Taxes</b>					
NJ State Income Tax			16,343.90	16,343.90	*
NJ Unemployment	/ 0.425%		261.99	261.99	*
NJ Family Leave	/ 0.090%		355.00	355.00	*
<b>Total NJ State Taxes</b>			<b>16,960.89</b>	<b>16,960.89</b>	
<b>Public Employees Retirement System</b>					
PERS Pension			13,116.44	13,116.44	*
PERS Back Deduction			257.61	257.61	*
PERS Pension Loan			3,723.46	3,723.46	*
PERS Contributory Insurance			874.49	874.49	*
<b>Total PERS Pension</b>			<b>17,972.00</b>	<b>17,972.00</b>	
<b>Police And Firemans Retirement System</b>					
P&F Pension			15,921.58	15,921.58	*
P&F Pension Loan			2,699.71	2,699.71	*
P&F Pension Arrears			100.96	100.96	*
P&F Supplemental Annuity			114.90	114.90	*
<b>Total P&amp;F Pension</b>			<b>18,837.15</b>	<b>18,837.15</b>	
<b>DCRP Contribution</b>					
DCRP Contribution		194.46	389.24	583.70	
DCRP Adjustment			125.16-	125.16-	
<b>Total DCRP Contribution</b>		<b>194.46</b>	<b>264.08</b>	<b>458.54</b>	
<b>Agency / Deductions</b>					
Child Support			377.00	377.00	
Aflac Post Tax			180.74	180.74	
Trans Wo			510.00	510.00	
POL/FIRE			49.17	49.17	
Dues AFSCME D			486.60	486.60	
Dues UAW			332.80	332.80	
Valic 457			5,033.33	5,033.33	
Lincoln 457			600.00	600.00	
Dues PBA			800.00	800.00	
AFLAC Pre Tax			483.05	483.05	
FSA Dependent Care			228.34	228.34	
Medical Pre Tax			22,347.37	22,347.37	
FSA Medical			909.17	909.17	

**Action Data Services**  
**0577 Township of Vernon**

**Payroll Summary**

**Page: 2**

**Run: 05772419 Pay Date: Monday 9/30/24 Pay Period: 18 Type: Regular Schedule: 1**

	Employer Share	Employee Share	Total	ADS
Agency / Deductions Continued				
Total Agency / Deductions		32,337.57	32,337.57	
Net Pay				
Net Checks		7,059.31	7,059.31	
Net Deposits Checking		226,925.77	226,925.77	
Net Deposits Savings		3,493.05	3,493.05	
Partial Checking		5,500.00	5,500.00	
Partial Savings 1		1,750.00	1,750.00	
Partial Savings 2		270.00	270.00	
Net Memorandums		1,447.15-	1,447.15-	
Total Net Pay		243,550.98	243,550.98	
Grand Totals				
Taxes, Pension, Agency, & Net Pay	28,910.79	397,707.62	426,618.41	
Payroll Funding				
Gross Payroll		397,707.62		
Total Payroll Funding	28,910.79	397,707.62	426,618.41	
Gross Earnings				
Regular		365,514.34	365,514.34	
Overtime		9,163.59	9,163.59	
Adjustment		21.60	21.60	
Sgnt Pay		1,736.59	1,736.59	
Sgnt Overtime		76.84	76.84	
Spec Off		212.50	212.50	
Benefit		1,400.12	1,400.12	
On Call		350.00	350.00	
Double Time		188.65	188.65	
Dispatch Lunch		509.72	509.72	
Outside		12,840.64	12,840.64	
Vernon Disability		1,416.67	1,416.67	
Health Care Stipend		1,672.19	1,672.19	
Stipend		2,604.17	2,604.17	
Total Gross Earnings		397,707.62	397,707.62	
Taxable / Non Taxable / Other				
Group Life		1,638.03	1,638.03	
Total Txbl/Non Taxable/Other		1,638.03	1,638.03	
Deductions Summary				
Total Taxes	28,716.33	84,745.84	113,462.17	
Total Pension		36,809.15	36,809.15	
Total DCRP	194.46	264.08	458.54	
Total Agency		32,337.57	32,337.57	
Total Deductions	28,910.79	154,156.64	183,067.43	



**TOWNSHIP OF VERNON**

**RESOLUTION #24-257**

**RESOLUTION AUTHORIZING GRANT OF PARKING EASEMENT RELATIVE TO  
PROPERTY IDENTIFIED AS BLOCK 512, LOT 37 ON THE OFFICIAL TAX MAP OF  
THE TOWNSHIP OF VERNON**

**WHEREAS**, the Township of Vernon (“Township”) is the owner of a 50’ Right of Way (“ROW”), known as “Canistear Road”, as more particularly described on a survey attached hereto as **Exhibit A**; and

**WHEREAS**, the fee owners of Block 512, Lot 37, commonly known as 692 Canistear Road, are seeking an easement from the Township for a portion of the Township’s ROW, pursuant to the terms of a Right of Way Parking Easement, substantially in the form attached hereto as **Exhibit B**; and

**WHEREAS**, the Township seeks to grant said Right of Way Parking Easement to the fee owners of Block 512, Lot 37 pursuant to the terms set forth in **Exhibit B**.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, in the County of Sussex, New Jersey:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township hereby grants a Right of Way Parking Easement, substantially in the form attached hereto as **Exhibit B**, to the fee owners of Block 512, Lot 37, and shall record same and return to the fee owners.
3. All Township officials, including, but not limited to, the Mayor, Township Administrator, and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

**BE IT FURTHER RESOLVED** that this Resolution shall be effective immediately upon adoption by the Township Council.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

---

Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

<b>NAME</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

# THE LAW OFFICE OF MICHAEL J. HANIFAN, P.A.

Counselor at Law



Post Office Box 357  
3 Main Street, 1<sup>st</sup> Floor  
Newton, New Jersey 07860  
Telephone (973) 383-8082  
Facsimile (973) 383-0501  
E-Mail: [office@hanifanlaw.com](mailto:office@hanifanlaw.com)

Michael J. Hanifan, Sr. \* +  
Attorney ID #031991997

Of Counsel  
Gerald B. Hanifan, Sr.  
Attorney ID# 218481968

Counsel  
John M. Breslin, Esq.  
Attorney ID # 039031996

\* Member of the NJ and PA Bar  
+ Member of the 3rd Circuit Federal Court of Appeals

September 9, 2024

## **Via Email Only**

Township of Vernon  
21 Church Street  
Vernon, NJ 07462

Attn.: Ed Babcock, Director of Public Works via [headofdpw@vernontwp.com](mailto:headofdpw@vernontwp.com)  
Corey Stoner, P.E., P.P., C.M.E. via [cstoner@hpellow.com](mailto:cstoner@hpellow.com)  
Tina Kraus, Business Administrator via [businessadmin@vernontwp.com](mailto:businessadmin@vernontwp.com)

**RE: Louis Mascolo & Veronika Grundler  
692 Canistear Road  
Block 512 Lot 37**

Dear Sir and Madam:

I am in receipt of the August 27<sup>th</sup>, 2024 email regarding the reconstruction of the Mascolo parking area. In principle, the Mascolo's agree with all concepts relating to the agreement, descriptions, scope of work and so on. The only issue that remains is that parallel parking would not be a viable situation. The Mascolo's are proposing, increasing the depth of the parking by more than five feet (5'), as well as widening it by moving further to the right towards the stairway maximizing the space and site distance. Further, they will be removing large trees and shrubs that block their driveway, which will increase site distance for anyone driving on Canistear Road. If parallel parking was utilized, there would be no way to have an inside car get out without taking the outside car and temporary parking it on the road and moving it. Current proposed plan moves both cars almost fully out of the townships white right away as well as many feet from the actual roadway. This would allow back out and turning to be done in a safer and more efficient manner as opposed to fully traversing the roadway to exit the parking as occurs now.

This is clearly a marked improvement from the current situation and based upon the constraints it is the maximum way to keep the cars out of the right of way. If the Township will accept this form of parking based upon the proposed new expanded parking surface, the Mascolo's could then get the permits issued as well as drafting the agreements between the Township and themselves.

Please, please let us know if this is acceptable.

Thank you.

Very truly yours,  
THE LAW OFFICE OF  
MICHAEL J. HANIFAN, P.A.



---

By: Michael J. Hanifan, Sr.

MJH/pb

Cc: client *via* email only

Ray Bears, via [raybears.landscaping89@gmail.com](mailto:raybears.landscaping89@gmail.com) only

# THE LAW OFFICE OF MICHAEL J. HANIFAN, P.A.

Counselor at Law



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3 Main Street, 1<sup>st</sup> Floor  
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Facsimile (973) 383-0501  
E-Mail: office@hanifanlaw.com

Michael J. Hanifan, Sr. \* +  
Attorney ID #031991997

Of Counsel  
Gerald B. Hanifan, Sr.  
Attorney ID# 218481968

Counsel  
John M. Breslin, Esq.  
Attorney ID # 039031996

\* Member of the NJ and PA Bar  
+ Member of the 3rd Circuit Federal Court of Appeals

July 18, 2024

**Via 1<sup>st</sup> Class Mail and businessadmin@vernontwp.com**

Township of Vernon  
21 Church Street  
Vernon, New Jersey 07462  
Attn.: Tina Kraus, Business Administrator

**Re: Zoning Application (Mascola)  
692 Canistear Road  
Block 512 Lot 37**

Dear Ms. Kraus:

On October 4<sup>th</sup>, 2023 a letter was sent to my clients Mr. Louis Mascola and Ms. Veronika Grundler regarding their zoning application for their home located at 692 Canistear Road, Highland Lakes, Township of Vernon, County of Sussex, State of New Jersey. See October 4<sup>th</sup>, 2023 letter attached hereto as **EXHIBIT "A"**. Their application was denied because the proposed plans extended onto Vernon Township's right of way road. The letter sent on October 4<sup>th</sup>, 2023 stated that an easement must be drafted and submitted to the Township Council to review and approval showing the requested easement before construction begins.

Pursuant to the letter sent on October 4<sup>th</sup>, 2023, please find a draft easement (**EXHIBIT "B"**) enclosed for your review describing the area and manner in which the Township owned right of way easement and use is desired to be granted to my clients under the proposed easement enclosed.

Thank you.

Very truly yours,  
THE LAW OFFICE OF  
MICHAEL J. HANIFAN, P.A.

A handwritten signature in black ink, appearing to be 'M. Hanifan', with a long horizontal stroke extending to the right.

---

By: Michael J. Hanifan, Sr.

MJH/cp

Encl.

cc: Client *via* email only (w/encl)

Ray Bears, *via* email only (w/encl)

## RIGHT OF WAY PARKING EASEMENT

This Easement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between, Louis Mascola and Veronika Grundler, Husband and Wife, and the Township of Vernon, a duly formal municipal corporation, County of Sussex, State of New Jersey.

### WITNESSETH:

**WHEREAS**, The Township of Vernon is the owner of the right of way (here and after "ROW"), known as "Canistear Road", as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey.

**WHEREAS**, Louis Mascola and Veronika Grundler, Husband and Wife, being the owners of Block 512, Tax Lot 37, as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey, and more particularly described in a Deed of Conveyance from \_\_\_\_\_ dated \_\_\_\_\_ and recorded \_\_\_\_\_ in the Sussex County Clerk's Office in Deed Book \_\_\_\_\_, Page \_\_\_\_\_ ;

**WHEREAS**, Louis Mascola and Veronika Grundler, Husband and Wife, (owners of Block 512, Lot 37, as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey) in consideration of One Dollar (\$1.00) in hand paid to the Township of Vernon. Louis Mascola and Veronika Grundler, Husband and Wife, are seeking from the Township of Vernon, an easement for the portion of the ROW as shown on the official tax map of the Township of Vernon, County of Sussex, and State of New Jersey, upon the terms and conditions hereinafter set forth.;

**WHEREAS**, Louis Mascola and Veronika Grundler, Husband and Wife, being the owners of Block 512, Lot 37, as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey, (the owners of Lot 37, Block 512 as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey) in consideration of One Dollar (\$1.00), in hand paid to the Township of Vernon, the receipt of which is hereby acknowledged, requesting an easement for the portion of the ROW as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey, upon the terms and conditions hereinafter set forth.; and

**NOW THEREFORE** in consideration of valuable consideration, the receipt of which is hereby acknowledged, the owners agree as follows:

Louis Mascola and Veronika Grundler, Husband and Wife, (the owners of Block 512, Lot 37, as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey) does hereby request unto the Township of Vernon being the owner of the ROW as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey, its successors and/or assigns as their interests may appear, an easement for that portion of the ROW, as shown on the official tax map of the Township of Vernon, County of Sussex, and State of New Jersey,

as said ROW presently exists and as more particularly depicted on the survey attached hereto as **EXHIBIT "A"**. Louis Mascola and Veronika Grundler, Husband and Wife, are hereby authorized to park on area shown in **EXHIBIT "A"**.

Louis Mascola and Veronika Grundler, Husband and Wife, (the owners of Block 512, Lot 37, as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey) does hereby request unto the Township of Vernon being the owner of ROW as shown on the official tax map of the Township of Vernon, County of Sussex and State of New Jersey, its successors and/or assigns as their interests may appear, an easement for that portion of the ROW as shown on the official tax map of the Township of Vernon, County of Sussex, and State of New Jersey, as said ROW presently exists.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
In the Presence of:

\_\_\_\_\_

\_\_\_\_\_  
Anthony Rossi, Mayor, Township of  
Vernon

\_\_\_\_\_

\_\_\_\_\_  
Marcy Gianattasio, Municipal Clerk,  
Township of Vernon

**STATE OF NEW JERSEY**

**COUNTY OF SUSSEX**

**SS:**

I hereby certify that on \_\_\_\_\_, \_\_\_\_\_, 2024, Mayor Anthony Rossi personally came before me and acknowledged under oath, to my satisfaction, that this person:

- a. Is named in and personally signed this document; and
- b. Signed, sealed, and delivered this document as his act and deed.

\_\_\_\_\_  
\_\_\_\_\_  
Notary, State of New Jersey



**STATE OF NEW JERSEY**

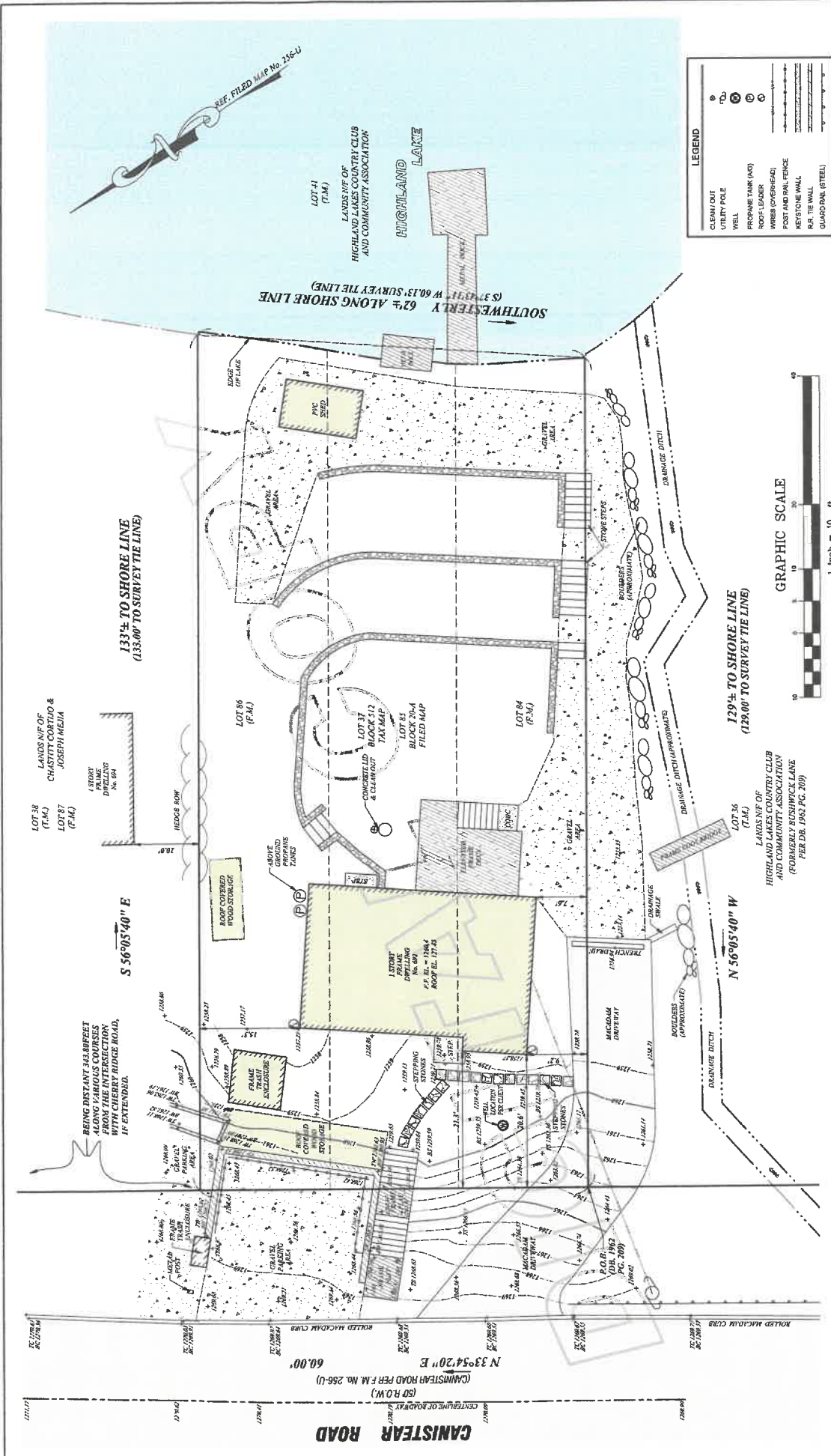
**COUNTY OF SUSSEX**

**SS:**

I hereby certify that on \_\_\_\_\_, \_\_\_\_\_, 2024, Vernon Township Clerk Marcy Gianattasio, personally came before me and acknowledged under oath, to my satisfaction, that this person:

- a. Is named in and personally signed this document; and
- b. Signed, sealed, and delivered this document as her act and deed.

\_\_\_\_\_, Notary, State of New Jersey



**SURVEYOR'S NOTES:**

- A written waiver and direction not to set corner markers has been obtained from the ultimate owner pursuant to P.L. 2003, C. 14 (N.J.S.A. 45:8-36.3) and N.J.A.C. 13:26-5.2(d).
- The utilities shown have been located from evidence observed on the surface only. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, other than those shown. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. The surveyor has not physically located the underground utilities.
- Location of sub-surface improvements are not part of this survey. Example: oil tanks, sanitary-septic and cess pool systems, wells, gas lines, sewer laterals, water mains, drainage structures, etc.
- Riparian claims, riparian rights and conveyance map were not reviewed or considered part of this survey.
- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than those shown, or other interests in the property, or on record at the time of the making of this survey; building setback lines; relative conveyance; subdivision restrictions; zoning or other land use regulations and any other facts that an accurate and current title search may disclose.
- Flood plain maps were not reviewed or considered part of this survey.
- The reticulation of the boundary depicted herein by the surveyor is based upon the evidence found and recorded and the opinion of the surveyor as to the validity of such evidence, any other evidence in the area, or other facts in the area, or other facts in the area, or other facts in the area. The reticulation of this survey shall have acknowledged that this survey could be made public and that the surveyor and company have no fiduciary duty or confidentiality obligation to the client or users.
- Declaration is made to original purchaser of the survey. It is not transferable to additional individuals or subsequent owners.
- Survey is valid only if print has original seal and signature of surveyor.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Subject to any and all easements or restrictions either recorded or unrecorded.
- This survey does not purport to represent or determine Flood Hazard Areas, Riparian Zones, Wetlands, Location or Buffer Zones, etc. as established by the Federal Emergency Management Agency and/or the New Jersey Department of Environmental Protection and are not considered part of contractual obligations under this survey. Ultimate user shall secure the services of a certified Engineer or Engineer-in-Training.
- Flood plain maps were not reviewed or considered part of this survey.

**PARTIAL TOPOGRAPHY SURVEY**

TAX LOT 37, BLOCK 512, A.K.A. 892 CANISTEAR ROAD,  
TOWNSHIP OF VERNON,  
SUSSEX COUNTY, NEW JERSEY

**DMC ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
2000 W. 10TH AVE., SUITE 100  
VERNON, NJ 07099-1000  
TEL: (973) 484-4187 FAX: (973) 484-4188 INFO@DMCSURVEYING.COM

**LEGEND**

- ◉ CREAM CUT
- ◉ UTILITY POLE
- ◉ WELL
- ◉ PROPOSED TANK (AO)
- ◉ ROOF-LEADER
- ◉ AREA (ENVELOPE)
- ◉ POST AND RAIL FENCE
- ◉ KEYSTONE WALL
- ◉ R.R. TIE WALL
- ◉ GUARDRAIL (STEEL)

**GRAPHIC SCALE**

1 inch = 10 ft.

0 10 20 30 40

**THIS SURVEY REPRESENTS A POSITIONAL LOCATION OF RECORDED DEED LINES AND NOT TO REPRESENT OR DETERMINE OWNERSHIP TO ULTIMATE USERS OF THIS SURVEY.**

- Lot Area = 7.9652 ac. ft. or 0.182 ac.
- Vertical Datum is NAVD83 utilizing dual freq. diff. GPS. Benchmarks are NGS Cor. stations. All elevations are shown in feet.
- Contour Interval is 1.0 Foot.
- Existing Conditional/Boundary Analysis shown herein is based on a Map Entitled "Property Survey, Tax Map Lot 37 Block 512, Township of Vernon, Sussex County, N.J.", dated December 10, 2022 and prepared by DMC Associates, P.C.
- As per contractual agreement, this plan does not constitute an out-of-boundary analysis by DMC Associates, Inc. and is intended only to illustrate topographic conditions.

**MAP REFERENCE:**

- Being known and designated as Lots 84, 85 and 86 in Block 20-A as illustrated on a Map Entitled "Map No. 20, Highland Lakes, Vernon Twp., Sussex Co., N.J.", said map being filed in the Sussex County Register's Office on February 7, 1958 as Map No. 256-11.

**DMC ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
2000 W. 10TH AVE., SUITE 100  
VERNON, NJ 07099-1000  
TEL: (973) 484-4187 FAX: (973) 484-4188 INFO@DMCSURVEYING.COM

**ROBERT L. CIGOL, N.J.P.L.S. No. 24GS04026100**  
CERTIFICATE OF AUTHORIZATION No. 24GA27918000

**EXAMINER:** 2M  
**SCALE:** 1" = 10'  
**DATE:** 09/14/2024  
**SHEET NO.:** 1 OF 1  
**PROJECT NO.:** 2405024

## Business Administrator

---

**From:** A Larocca  
**Sent:** Monday, August 19, 2024 11:39 AM  
**To:** Business Administrator  
**Subject:** FW: Msscola Property Survey 12/10/2022 and Topo Survey 5/14/2024  
**Attachments:** 2405024-VERNON-TOPO-05-14-2024-DC.pdf; Mascola Louis - Permit 4.6.2023.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Tina,

The owners have supplied a new survey for 692 Canistear Rd. , the survey clearly show that the staircase and the parking area are on Canistear Rd. which would require an easement from the township. I would recommend that this be looked at by the DPW as well as PD for any comments or concerns.

Thank you  
Sincerely,  
Allison LaRocca  
Vernon Township Zoning & Code Enforcement Officer  
[alarocca@vernontwp.com](mailto:alarocca@vernontwp.com)  
973-764-4055 ex. 2248

**From:** raybears.landscaping89@gmail.com <raybears.landscaping89@gmail.com>  
**Sent:** Monday, August 19, 2024 11:05 AM  
**To:** A Larocca <alarocca@vernontwp.com>  
**Cc:** 'Patti Byk' <office@hanifanlaw.com>  
**Subject:** FW: Msscola Property Survey 12/10/2022 and Topo Survey 5/14/2024

Good Morning,

I appreciate your time today, as per your request I have attached (2) surveys for the Mascola property. I do believe that all the information you need is on the survey's if for some reason you need additional information, please let me know, thank you.

Dawn DeGennaro  
Bears Landscaping & Sons, Inc.  
973-579-2955

**From:** Rick Kreppel <[rkreppel@genesisengllc.com](mailto:rkreppel@genesisengllc.com)>  
**Sent:** Friday, August 16, 2024 12:08 PM  
**To:** Dawn ([raybears.landscaping89@gmail.com](mailto:raybears.landscaping89@gmail.com)) <[raybears.landscaping89@gmail.com](mailto:raybears.landscaping89@gmail.com)>  
**Subject:** Msscola Property Survey 12/10/2022 and Topo Survey 5/14/2024

Richard C. Kreppel, PE

## Business Administrator

---

**From:** Jason Haw <JHaw@vernonpolice.com>  
**Sent:** Monday, August 19, 2024 4:07 PM  
**To:** Business Administrator  
**Cc:** dbyoung43@vernonpolice.com; headofdpw; Cory Stoner  
**Subject:** Re: Msscola Property Survey 12/10/2022 and Topo Survey 5/14/2024

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Tina,

As a follow-up to our phone conversation earlier, I took a ride up to this location. The driveway/parking area has clearly been there a long time. While the sight distance in each direction isn't the greatest, I feel its adequate. Furthermore, it is next to their driveway opening on one side, and in fact, the other side is basically a matching parking area for the adjacent neighbor.

In my opinion, there is no objection on part of the police department for this matter. Please let me know if I can assist with anything else.

*Captain Jason Haw*

Police Captain  
Vernon Township Police Department  
973-764-6155

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**From:** Daniel B Young <dbyoung43@vernonpolice.com>  
**Sent:** Monday, August 19, 2024 11:51 AM  
**To:** Jason Haw <JHaw@vernonpolice.com>  
**Subject:** Fwd: Msscola Property Survey 12/10/2022 and Topo Survey 5/14/2024

Jay,

I'm not sure what this is about. Can you take a look.

Thanks  
Dan

Get [Outlook for iOS](#)



## Business Administrator

---

**From:** Cory Stoner <cstoner@hpellow.com>  
**Sent:** Saturday, September 28, 2024 8:44 AM  
**To:** Business Administrator  
**Cc:** Matthew Moench (MMoench@kingmoench.com); headofdpw; Marcy Gianattasio; Irene Mills; Howard Lazier  
**Subject:** Re: FW: Mascolo

Tina,

I reviewed this issue with Ed this past week again. Unfortunately there are a number of homes along Canistear Road in this area that have similar situations with parking in close proximity to the roadway and require vehicles to back out into the roadway. These homes were built many years ago and were not constructed in accordance with the standards that the Township requires today. That being said, I believe it is important to make the parking situations better when there is opportunity to do so.

The above being stated, I see the parallel parking option as not being a viable option and that the construction of the new wall and parking area as being a better situation than what exists today. I believe that the current proposal is acceptable and it would be my recommendation to approve the permits for construction as long as the parking easement is acceptable to the Township Attorney.

If there are any questions, please feel free to contact me. Thank you.

Cory L. Stoner, P.E. - Vernon Township Engineer

**Harold E. Pellow & Associates, Inc.**

17 Plains Road

Augusta, N.J. 07826

Phone: 973.948.6463, Ext. 213

Fax: 973.948.2916

[cstoner@hpellow.com](mailto:cstoner@hpellow.com)

[www.hpellow.com](http://www.hpellow.com)

On Mon, Sep 16, 2024 at 9:24 AM Business Administrator <[businessadmin@vernontwp.com](mailto:businessadmin@vernontwp.com)> wrote:

Good morning,

**TOWNSHIP OF VERNON**

**RESOLUTION #24-258**

**A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL.**

**WHEREAS**, the Township of Vernon Police Department wishes to apply for funding of approximately \$45,150 with a match of \$142,057.90 in salary and fringe benefits for an approximate project total cost of \$187,207.90 for a project under the State of New Jersey Safe and Secure Grant Program, Subaward Period: 2/7/25-2/6/26, Grant #25-1922; and

**WHEREAS**, the Council of the Township of Vernon has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Vernon Township Police Department for the purpose described in the application.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that

1. As a matter of public policy the Vernon Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The New Jersey Department of Law and Public Safety, Office of the Attorney General shall be responsible for the receipt and review of the applications for said funds.
4. The New Jersey Department of Law and Public Safety, Office of the Attorney General shall initiate allocations to each applicant as authorized.
5. The Subrecipient's Unit of Government/Non-Profit Organization is "authorized to accept" and/or "does accept" the Subaward.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

---

Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

<b>NAME</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE**

**SAFE AND SECURE COMMUNITIES PROGRAM**

**CERTIFICATION OF RECORDING OFFICER**

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Vernon Township Council held on the 16<sup>th</sup> of February 2023, at 7:00 pm, and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

SEAL

\_\_\_\_\_  
Municipal Clerk

Grant #25-1922





**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ADMINISTRATION  
SUBAWARD**

<b>PROJECT TITLE</b> 2025 Safe and Secure Communities Grant Program	<b>SUBAWARD AMOUNT</b>  STATE     \$ 45,150  MATCH     \$ <u>Fringe Benefits</u>  TOTAL     \$ 45,150
<b>IMPLEMENTING AGENCY</b>  Vernon Township Police Department	<b>DATE OF AWARD</b>  August 28, 2024
<b>SUBRECIPIENT</b>  Township of Vernon	<b>STATE ACCOUNT NO.</b> 25-100-066-1020-232 25-495-066-1020-497

In accordance with the provisions of the Safe and Secure Communities Act of 1993, P.L. 1993, c. 220 (N.J.S.A. 52:17B-159, et seq.) and based upon the project application, the Department of Law and Public Safety hereby awards to the above named Subrecipient, a subaward in the amount specified for the purposes set forth in the approved application.

This subaward is subject to all applicable federal and state statutes, as well as the requirements set forth in the application authorization, the approved project budget, required certifications, and any general conditions, assurances, and special conditions attached to the grant program. This subaward is also subject to all applicable statutes of the State of New Jersey and all Federal, State, and Local financial accounting requirements, including the filing of single audits, as required under 2 C.F.R. Part 200, Subpart F, Audit Requirements (2 C.F.R. §200.500, et seq.) and State Circular Letters 15-08-OMB and 07-05-OMB (if applicable).

This subaward incorporates all conditions and representations contained or made in the application and notice of availability of funds (if applicable).

**FOR THE SUBRECIPIENT:**

\_\_\_\_\_  
Signature of Authorizing Official

\_\_\_\_\_  
Typed Name of Authorizing Official and Title

\_\_\_\_\_  
Date

Subaward Number: 25-1922

Subaward Period: 02/07/25 - 02/06/26

Subrecipient Fiscal Year Start Date: January

**FOR THE STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY:**

\_\_\_\_\_  
Attorney General or Designee

\_\_\_\_\_  
Date

**Contact:**

Erin Zippel, Chief Administrative Officer  
Division of Administration  
Department of Law and Public Safety  
(609) 376-2445  
grants@njoag.gov

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ADMINISTRATION

SAFE AND SECURE COMMUNITIES  
GRANT PROGRAM



CONSOLIDATED APPLICATION  
AND  
AWARD DOCUMENTS  
TO BE COMPLETED AND RETURNED

AUGUST 2024

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ADMINISTRATION

SAFE AND SECURE COMMUNITIES GRANT PROGRAM

CONSOLIDATED APPLICATION AND AWARD PACKAGE CHECKLIST

**SUBGRANTEE:** Township of Vernon

**INSTRUCTIONS:** The Consolidated Application and Award Documents Checklist is a guide for filing all required documents, at one time, to streamline processing of a fully-executed subaward. Return 1 copy of the Consolidated Application and Award package via e-mail to [grants@njoag.gov](mailto:grants@njoag.gov).

**APPLICATION:**

**PART I**

- ☒ Applicant Information Form
- ☒ Application Authorization (Signed by Mayor and Project Director)
- ☒ Program Application Narrative (Provided by Applicant)
- ☒ Project Budget Detail Form

**AWARD DOCUMENTS:**

**PART II**

- ☒ Subaward Contract
- ☒ Governing Body Resolution & Certification [see Resolution and Certification Checklist for specific information requirements]
- ☒ General and Special Conditions
- ☒ State Single Audit Requirements & Certification

**NOTE: ALL OF THE ABOVE ITEMS ARE REQUIREMENTS AND PROCESSING WILL NOT OCCUR WITHOUT ALL DOCUMENTATION.**

**Applicant Information Form****Safe and Secure Communities Program**

Requested Project Duration Period (when to when):	Grant No.: 25- 1922
---	---------------------

**Municipality:** Vernon Township

Address: 21 Church Street			
City: Vernon	State: NJ	Zip Code + 4: 07462	County: Sussex

<b>Name and Title of Chief Executive/Mayor:</b> Anthony Rossi, Mayor			
Street Address, City, State, Zip Code + 4: (if different from above):			
Telephone: 973-764-4055	Ext. 2241	Email: arossi@vernontwp.com	Fax: 973-764-4799

<b>Police Department:</b> Vernon Township Police Department			
Address: 21 Church Street			
City: Vernon	State: NJ	Zip Code + 4: 07462	County: Sussex
Agency Website: www.vernontwp.com	Start of Fiscal Year: Jan (i.e., Jan, July, Oct)		Federal ID Number: 22-60022358

<b>Name and Title of Project Director:</b> (co-signer on financial reports) Sergeant Ronald Koumaras III			
Street Address, City, State, Zip Code + 4: (if different from above):			
Telephone: 973-764-6155	Ext. 2457	Email: rkoumaras@vernonpolice.com	Fax: 973-764-7518

<b>Name and Title of Contact Person:</b> (Person directly responsible for project operations) Sergeant Ronald Koumaras III			
Street Address, City, State, Zip Code + 4: (if different from above):			
Telephone: 973-764-6155	Ext. 2457	Email: rkoumaras@vernonpolice.com	Fax: 973-764-7518

<b>Name and Title of Chief Financial Officer:</b> (Person who co-signs financial reports) Donelle B Decouto, CFO			
Street Address, City, State, Zip Code + 4: (if different from above):			
Telephone: 973-764-4055	Ext. 2236	Email: dbright@vernontwp.com	Fax: 973-764-7504

## APPLICATION AUTHORIZATION

Authorization of the municipality to submit an application to and enter into an agreement with the Department of Law and Public Safety, Division of Administration, to participate in the State's Safe and Secure Communities Program at an estimated total project cost of \$ 170,620.21.

On behalf of the unit of government, the undersigned certifies and agrees that:

The Project Director reviewed the contents of the application, it is accurate, and certifies that the factual statements and data set forth in the application and attachments are true to the best of his or her knowledge and belief.

The Project Director has reviewed and is familiar with all statutory and regulatory requirements regarding the use of the funds being provided to undertake grant programs and activities; has sought and obtained legal advice from the Applicant's legal counsel as considered appropriate or necessary, and shall be responsible for undertaking the programs and activities described in the application.

As the duly authorized representative of the Applicant, I ensure that the Applicant, if successful, shall use these grant funds to carry out the project and activities specifically described in the application.

As the duly authorized representative of the Applicant, I am responsible for authorizing expenditures and disbursements of grant funds.

As the duly authorized representative of the Applicant, I ensure that the Applicant, if successful, shall comply with any and all Federal, State, municipal, statute, regulation, circular, policy or code regarding the use of these funds.

All grant funds shall be used exclusively for the purposes specified in the grant award.

The Applicant shall not reduce its baseline regular complement of police officers and other law enforcement personnel during the grant period.

The Applicant shall pay all fringe benefit expenses and all costs in excess of the grant award.

The Applicant shall comply with all conditions applicable to grants awarded pursuant the Safe and Secure Communities Act, N.J.S.A. 52:17B-159 et seq. and regulations, N.J.A.C. 13:79-1 et seq.

As of the date of this document, the Applicant municipal police department's number of regular, sworn, appointed municipal officers, who have the full power to arrest and who regularly exercise police powers regarding the enforcement of the general criminal and motor vehicle laws of this State, is as follows:

1 Police Officers

0

Other Law Enforcement Personnel (non-police employees who enhance a project's law enforcement capacity)

**This application consists of the following attachments in addition to this form:**

1. Applicant Information Form
2. Application Authorization Form
3. Program Application Narrative
4. Budget Detail Form
5. Subaward Contract
6. Governing Body Resolution and Certifications
7. General and Special Conditions
8. State Single Audit Requirements & Certification

**I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment pursuant to N.J.S.A. 2C:28-3.**

Township of Vernon  
**Applicant Municipality**

**Grant # 25-** 1922

Anthony Rossi, Mayor  
**Printed Name**  
**(Mayor, Chief Executive or Village President)**

\_\_\_\_\_  
**Signature** **Date**  
**(Mayor, Chief Executive or Village President)**

Sgt Ronald Koumaras  
**Printed Name of Project Director**

  
\_\_\_\_\_  
**Signature of Project Director** **Date**

**SAFE AND SECURE COMMUNITIES GRANT PROGRAM  
PROGRAM APPLICATION NARRATIVE**

**SUBRECIPIENT:** Township of Vernon

**GRANT NUMBER:** 25- 1922

**PROJECT DURATION:** 2/7/25 to 2/6/26

Total Number of Sworn Law Enforcement Officers: 33

Number of Officers funded by the grant: 1

Number of Civilians funded by the grant: 0

**GOAL OF THE SAFE AND SECURE COMMUNITIES PROGRAM:**

The Safe and Secure Communities Program is designed to provide municipalities with funding for additional law enforcement personnel to address crime in a focused community-oriented manner.

**1. To what specific target areas and/or specific assignments will the Safe and Secure funded officers be assigned:**

The LEAD program (Law Enforcement Against Drugs) in Vernon Township plays a crucial role in educating youth about the dangers of drug and substance abuse. By fostering awareness of these risks, the program helps instill a sense of responsibility and respect among participants. A dedicated officer leads the Vernon Township Police Junior Police Academy, which enhances community engagement and promotes camaraderie and discipline among local youth. Looking ahead, the officer plans to introduce the Junior Cadet program at Vernon Township High School in winter 2024. This new initiative aims to engage students in constructive activities while instilling valuable life skills and values. Additionally, the officer's assignment to assist with traffic enforcement allows for data-driven studies, enabling targeted and effective enforcement strategies. This multifaceted approach not only addresses safety but also builds a stronger, more informed community.

**2. List SPECIFIC problems and proposed strategies that the Safe and Secure Communities Grant funded officers will employ to reduce crime:**

Focusing on targeted traffic enforcement in residential and commercial areas enhances road safety and helps reduce crime rates. The LEAD program and Junior Police Academy play vital roles in educating the community about substance abuse, aiming to prevent negative outcomes and promote healthier choices. Many past participants have gone on to join the armed forces or pursue careers in law enforcement, demonstrating the programs' positive influence on youth development. Additionally, both initiatives foster trusting relationships between officers and residents, which are essential for deterring and solving crimes. Together, these efforts significantly contribute to improving the overall quality of life in Vernon Township, reinforcing its reputation as a safe and welcoming place to live in New Jersey.

**3. (If applicable) To what specific assignments will the Safe and Secure funded civilian personnel be assigned:**

N/A

<b>Applicant:</b>	Township of Vernon
<b>Grant #:</b>	25-1922

### BUDGET DETAIL FORM

A. Salaries and Wages					
Full Name	Rank/Title	Yearly Salary	State Share	Local Match	Project Total
Stephen Rovetto	Corporal	\$138,649.35	\$45,150	\$93,499.35	\$138,649.35

B. Fringe Benefits					
Full Name	Percentage rate	Yearly Salary	State Share	Local Match	Project Total
Stephen Rovetto		\$48,558.55	\$0	48,558.55	\$48,558.55

<b>TOTALS</b>	(pull down amounts from section A and B)	\$45,150	\$142,057.90	\$187,207.90
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NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY  
OFFICE OF THE ATTORNEY GENERAL

NEW JERSEY SINGLE AUDIT REQUIREMENTS & CERTIFICATION

Applicant/Subrecipient: Township of Vernon

State Vendor Identification Number or EIN: 22-60022358

Total amount of funds expended from all entities (including the Department of Law & Public Safety) during your last fiscal year: Federal Amount: \$ \$ 56,874.10 State Amount: \$ \$ 465,616.46

Applicant/Subrecipient's most recently closed fiscal year end date 2023

The State of New Jersey, Department of Law and Public Safety, Division of Administration, Grant Operations requires that Subrecipients complete this State Single Audit Requirement Certification. Please have your Chief Financial Officer or designee complete this form. Subrecipients must comply with the following State audit requirements outlined in OMB Circular 15-08-OMB (available at [http://www.state.nj.us/infobank/circular/cir1508\\_omb.pdf](http://www.state.nj.us/infobank/circular/cir1508_omb.pdf)):

- A Subrecipient that expends \$750,000 or more in federal financial assistance or \$750,000 or more in state financial assistance during its fiscal year must have a single or program-specific audit conducted for that year.
- A Subrecipient that expends less than \$750,000 in federal or state financial assistance during its fiscal year, but expends \$100,000 or more in state and/or federal financial assistance (combined amount) during its fiscal year, must have either a financial statement audit conducted in accordance with Government Auditing Standards (Yellow Book) or a program-specific audit conducted for that year.

Directions: Please check the applicable box below and sign the certification.

I understand and acknowledge the above state audit requirements and:

- ☒ My organization or jurisdiction was subject to the state audit requirements for my organization or jurisdiction's most recently closed fiscal year<sup>1</sup>;
- ☐ My organization or jurisdiction did not expend \$100,000 or more in state and/or federal awards (combined amount); or
- ☐ My organization is exempt (please provide basis):

Printed Name of CFO or designee: Donelle Bright

Title: CFO

Signature: 

Date: 5/7/24

<sup>1</sup> Audit reports are due nine months after the end of the audit period unless otherwise instructed pursuant to OMB Circular 15-08-OMB.



**TOWNSHIP OF VERNON**

**RESOLUTION #24-259**

**APPOINTMENT OF OFFICE OF EMERGENCY MANAGEMENT DEPUTY  
COORDINATOR (Howard Lazier)**

**WHEREAS**, the Township of Vernon is in need to appoint an Office of Emergency Management Deputy Coordinator and wishes to appointment of Howard Lazier for the position.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY**, that Howard Lazier is hereby appointed as the Township of Vernon Office of Emergency Management Deputy Coordinator for the term effective October 18, 2024 through December 31, 2025.

**BE IT FURTHER RESOLVED THAT**, the Township Clerk shall send a certified copy of this resolution to the County Office of Emergency Management.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

## Marcy Gianattasio

---

**From:** Daniel B Young <dbyoung43@vernonpolice.com>  
**Sent:** Thursday, September 26, 2024 8:43 AM  
**To:** Marcy Gianattasio  
**Cc:** Anthony Rossi; Business Administrator; Donelle Bright; Ken Clark; Ken Kiefer; Howard Lazier; headofdpw  
**Subject:** FW: Deputy OEM Coordinator

Good morning, Marcy,

Can you please add a resolution to the next regular council meeting appointing DPW Supervisor Howard Lazier to the vacant Vernon Township OEM Deputy Coordinator position. Howie will fill this position for the remainder of 2024 and be appointed to an annual term in 2025 along with the rest of us.

Vernon Township OEM made this recommendation to the Mayor and Business Administrator; both are in agreement with our selection.

Please include these emails as supporting documentation for the resolution to the Township Council. If there are any questions, please let me know.

Respectfully,  
Chief

Chief Daniel B. Young #43  
Vernon Township Police Department  
21 Church Street  
Vernon, NJ 07462  
(973) 764-6155

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**From:** Anthony Rossi <arossi@vernontwp.com>  
**Sent:** Wednesday, September 25, 2024 4:02 PM  
**To:** Business Administrator <businessadmin@vernontwp.com>; Daniel B Young <dbyoung43@vernonpolice.com>  
**Cc:** Howard Lazier <hlazier@vernontwp.com>; headofdpw <headofdpw@vernontwp.com>; Donelle Bright <dbright@vernontwp.com>; Ken Clark <kclark@vernontwp.com>; Ken Kiefer <kkiefer@vernontwp.com>  
**Subject:** Re: Deputy OEM Coordinator

Howie would be a great choice .Thanks

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Business Administrator <[businessadmin@vernontwp.com](mailto:businessadmin@vernontwp.com)>  
**Sent:** Wednesday, September 25, 2024 1:30:46 PM  
**To:** [dbyoung43@vernonpolice.com](mailto:dbyoung43@vernonpolice.com) <[dbyoung43@vernonpolice.com](mailto:dbyoung43@vernonpolice.com)>; Anthony Rossi <[arossi@vernontwp.com](mailto:arossi@vernontwp.com)>  
**Cc:** Howard Lazier <[hlazier@vernontwp.com](mailto:hlazier@vernontwp.com)>; headofdpw <[headofdpw@vernontwp.com](mailto:headofdpw@vernontwp.com)>; Donelle Bright <[dbright@vernontwp.com](mailto:dbright@vernontwp.com)>; Ken Clark <[kclark@vernontwp.com](mailto:kclark@vernontwp.com)>; Ken Kiefer <[kkiefer@vernontwp.com](mailto:kkiefer@vernontwp.com)>  
**Subject:** RE: Deputy OEM Coordinator

Good afternoon, Chief,

I agree with your decision and think Howie will be the perfect fit.

Thank you,

Tina Kraus  
Business Administrator  
Vernon Township  
21 Church Street  
Vernon, NJ 07462  
973-764-4055, ext 2275

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**From:** Daniel B Young <[dbyoung43@vernonpolice.com](mailto:dbyoung43@vernonpolice.com)>  
**Sent:** Wednesday, September 25, 2024 1:18 PM  
**To:** Business Administrator <[businessadmin@vernontwp.com](mailto:businessadmin@vernontwp.com)>; Anthony Rossi <[arossi@vernontwp.com](mailto:arossi@vernontwp.com)>  
**Cc:** Howard Lazier <[hlazier@vernontwp.com](mailto:hlazier@vernontwp.com)>; headofdpw <[headofdpw@vernontwp.com](mailto:headofdpw@vernontwp.com)>; Donelle Bright <[dbright@vernontwp.com](mailto:dbright@vernontwp.com)>; Ken Clark <[kclark@vernontwp.com](mailto:kclark@vernontwp.com)>; Ken Kiefer <[kkiefer@vernontwp.com](mailto:kkiefer@vernontwp.com)>  
**Subject:** Deputy OEM Coordinator

Good afternoon, Mayor Rossi and Business Administrator Kraus,

This morning Vernon Township OEM held our quarterly meeting; in attendance was OEM Coordinator Ken Clark, Deputy OEM Coordinator Ken Keifer, and myself. Amongst our other OEM work, we have been actively working to determine the best fit to fill the vacant Deputy OEM Coordinator position since Mark Vogel resigned last year due to a job opportunity.

Typically, members of OEM are in one of our emergency services. As we worked to narrow down possible candidates, we determined one of the best fits would be DPW Supervisor Howard Lazier. Howie has an excellent working knowledge of township resources, landmarks, possible problem areas, and as a supervisor in DPW is fully aware of deployment of equipment and staffing during weather related emergencies. All of these areas become critical when working to get FEMA reimbursements along with resources deployed in an emergency.

At the conclusion of the OEM meeting, Ken Clark asked if I could meet with Howie and see if he is interested in the position.

I had an opportunity to speak with Howie after our Department Head meeting this morning and he advised me that he was interested in the position, and would accept if appointed.

Ken Clark, Ken Keifer, and I are all in agreement and recommend Howie Lazier fill the vacant Deputy OEM Coordinator position as soon as possible. This position was included in our 2024 budget cycle.

If you are in agreement with our selection, would you please forward this email to the Township Clerk, so this appointment can be added via resolution to the next regular council meeting.

Respectfully,

Chief

Chief Daniel B. Young #43  
Vernon Township Police Department  
21 Church Street  
Vernon, NJ 07462  
(973) 764-6155

**\*\*CONFIDENTIALITY NOTICE\*\***

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this message in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

## **Marcy Gianattasio**

---

**From:** Business Administrator  
**Sent:** Wednesday, September 25, 2024 1:33 PM  
**To:** Marcy Gianattasio  
**Subject:** FW: Deputy OEM Coordinator

Just waiting on the Mayor to respond, but here is the information for the Deputy OEM Coordinator.

Tina Kraus  
Business Administrator  
Vernon Township  
21 Church Street  
Vernon, NJ 07462  
973-764-4055, ext 2275

**\*CONFIDENTIALITY WARNING\*:** The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachment(s). If you are not the intended recipient, you are hereby notified that any use, dissemination, copying or storage of this message or it's attachments is strictly prohibited.

**From:** Daniel B Young <dbyoung43@vernonpolice.com>  
**Sent:** Wednesday, September 25, 2024 1:18 PM  
**To:** Business Administrator <businessadmin@vernontwp.com>; Anthony Rossi <arossi@vernontwp.com>  
**Cc:** Howard Lazier <hlazier@vernontwp.com>; headofdpw <headofdpw@vernontwp.com>; Donelle Bright <dbright@vernontwp.com>; Ken Clark <kclark@vernontwp.com>; Ken Kiefer <kkiefer@vernontwp.com>  
**Subject:** Deputy OEM Coordinator

Good afternoon, Mayor Rossi and Business Administrator Kraus,

This morning Vernon Township OEM held our quarterly meeting; in attendance was OEM Coordinator Ken Clark, Deputy OEM Coordinator Ken Keifer, and myself. Amongst our other OEM work, we have been actively working to determine the best fit to fill the vacant Deputy OEM Coordinator position since Mark Vogel resigned last year due to a job opportunity.

Typically, members of OEM are in one of our emergency services. As we worked to narrow down possible candidates, we determined one of the best fits would be DPW Supervisor Howard Lazier. Howie has an excellent working knowledge of township resources, landmarks, possible problem areas, and as a supervisor in DPW is fully aware of deployment of equipment and staffing during weather related emergencies. All of these areas become critical when working to get FEMA reimbursements along with resources deployed in an emergency.

At the conclusion of the OEM meeting, Ken Clark asked if I could meet with Howie and see if he is interested in the position.

I had an opportunity to speak with Howie after our Department Head meeting this morning and he advised me that he was interested in the position, and would accept if appointed.

Ken Clark, Ken Keifer, and I are all in agreement and recommend Howie Lazier fill the vacant Deputy OEM Coordinator position as soon as possible. This position was included in our 2024 budget cycle.

If you are in agreement with our selection, would you please forward this email to the Township Clerk, so this appointment can be added via resolution to the next regular council meeting.

Respectfully,

Chief

Chief Daniel B. Young #43  
Vernon Township Police Department  
21 Church Street  
Vernon, NJ 07462  
(973) 764-6155

**\*\*CONFIDENTIALITY NOTICE\*\***

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**TOWNSHIP OF VERNON**

**RESOLUTION #24-260**

**APPROVING ACTIVE VOLUNTEER FIREFIGHTER FOR MEMBERSHIP IN THE  
NEW JERSEY STATE FIREMEN'S ASSOCIATION (Speight)**

**WHEREAS**, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

**WHEREAS**, Jack T Speight, an active firefighter and member of the McAfee Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen's Association.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Jack T Speight for membership in the New Jersey State Firemen's Association.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						



ASSOCIATION #	COMPANY #	LINE #
FOR STATE OFFICE USE ONLY		

New Jersey State  
Firefighter's Association  
Application for Membership

Form 100 - REV 9/23

Date 7/15/24

VERNON TOWNSHIP 416 VERNON SUSSEX  
Relief Association Name Assoc. Number Municipality County

CO. 2 McAFEE  
Fire Company Name Fire Department Name

Jack T Speight  
Applicant Name First Middle Initial Last Suffix

[REDACTED] Vernon 07462  
Home Address Street Municipality Zip Code # of years

[REDACTED] Ridgewood NJ [REDACTED]  
Date of Birth Birth Place SS # (REQUIRED)

[REDACTED] jack [REDACTED]  
Applicant Phone Number Applicant Email Address

Have you ever applied to be a member of the NJSFA? ☐ Yes ☒ No If yes, when \_\_\_\_\_ where \_\_\_\_\_

If you have a line number with another Relief Association: ☐ Stay with previous Association ☐ Move records to new Association

\* It is the Applicant's responsibility to notify their Local Relief Secretary of any address change throughout their career/membership. \*

[Signature]  
Signature of Applicant (witnessed by a Notary Public):

State of New Jersey, County of SUSSEX

On 7/24, 2024 before me, ANTHONY WALLACE, Notary Public in and for said county, personally appeared

JACK SPEIGHT, (signer) who has satisfactorily identified himself/herself as the signer to the above referenced document.

My Commission Expires: 11/24/24 [Signature]  
Notary Public Signature

\_\_\_\_\_

Signature of Relief Association Secretary [Signature] Signature of Chief of Department

Type of Firefighter the Applicant will be: ☐ Career (full time paid) ☒ Volunteer

Municipal/Fire District Approval: I hereby certify that this applicant was admitted to active membership in the Department and has been

approved by the governing body of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Municipal Clerk/Board of Fire Commissioners: \_\_\_\_\_

A. Application portion should be completed by Applicant - Typed or Printed ONLY

B. Application must have the Physical Test Record completed by a New Jersey Licensed Physician, Nurse Practitioner or Physician's Assistant

C. The completed Application and Physical Test Record must be returned to the Local Relief Secretary

D. The Local Relief Secretary shall review the application for completeness, attain the proper signatures, and forward to the NJSFA State office.

The Applicant is not a member of the NJSFA until the completed ORIGINAL hard-copy application is received AND approved at the NJSFA State office. Do NOT scan & email. Original hard-copy only will be processed.

**TOWNSHIP OF VERNON**

**RESOLUTION #24-261**

**APPROVING ACTIVE VOLUNTEER FIREFIGHTER FOR MEMBERSHIP IN THE  
NEW JERSEY STATE FIREMEN’S ASSOCIATION (Pallis)**

**WHEREAS**, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

**WHEREAS**, Artemios (Timmy) J Pallis, an active firefighter and member of the McAfee Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen’s Association.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Artemios (Timmy) J Pallis for membership in the New Jersey State Firemen’s Association.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

ASSOCIATION #	COMPANY #	LINE #
FOR STATE OFFICE USE ONLY		

**New Jersey State  
Firefighter's Association  
Application for Membership**

Form 100 - REV 9/23

Date 6/15/24

VERNON TOWNSHIP 416 VERNON SUSSEX  
Relief Association Name Assoc. Number Municipality County

CD. 2 MC AFEE  
Fire Company Name Fire Department Name

Applicant Name Artemios (Timmy) J Pallis  
First Middle Initial Last Suffix

Home Address [REDACTED] vernon 07462 14  
Street Municipality Zip Code # of years

Date of Birth [REDACTED] Birth Place Ukraine SS # [REDACTED]  
(REQUIRED)

Applicant Phone Number [REDACTED] Applicant Email Address [REDACTED]

Have you ever applied to be a member of the NJSFA? ☐ Yes ☒ No If yes, when \_\_\_\_\_ where \_\_\_\_\_

If you have a line number with another Relief Association: ☐ Stay with previous Association ☐ Move records to new Association

**\* It is the Applicant's responsibility to notify their Local Relief Secretary of any address change throughout their career/membership. \***

Signature of Applicant (witnessed by a Notary Public): Artemios Pallis

State of New Jersey, County of SUSSEX

On JUNE 15, 2024 before me, ANTHONY WALLACE, Notary Public in and for said county, personally appeared ARTEMIOS PALLIS, (signer) who has satisfactorily identified himself/herself as the signer to the above referenced document.

My Commission Expires: 11/24/24 Anthony Wallace  
Notary Public Signature

Signature of Relief Association Secretary \_\_\_\_\_ Signature of Chief of Department \_\_\_\_\_

Type of Firefighter the Applicant will be: ☐ Career (full time paid) ☒ Volunteer

**Municipal/Fire District Approval:** I hereby certify that this applicant was admitted to active membership in the Department and has been approved by the governing body of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Municipal Clerk/Board of Fire Commissioners: \_\_\_\_\_

- A. Application portion should be completed by Applicant - Typed or Printed ONLY
- B. Application must have the Physical Test Record completed by a New Jersey Licensed Physician, Nurse Practitioner or Physician's Assistant
- C. The completed Application and Physical Test Record must be returned to the Local Relief Secretary
- D. The Local Relief Secretary shall review the application for completeness, attain the proper signatures, and forward to the NJSFA State office.
- The Applicant is not a member of the NJSFA until the completed ORIGINAL hard-copy application is received AND approved at the NJSFA State office. Do NOT scan & email. Original hard-copy only will be processed.**

**TOWNSHIP OF VERNON**

**RESOLUTION #24-262**

**APPROVING ACTIVE VOLUNTEER FIREFIGHTER FOR MEMBERSHIP IN THE  
NEW JERSEY STATE FIREMEN’S ASSOCIATION (O’Connor)**

**WHEREAS**, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

**WHEREAS**, Niamh M O’Connor, an active firefighter and member of the Pochuck Valley Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen’s Association.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Niamh M O’Connor for membership in the New Jersey State Firemen’s Association.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

ASSOCIATION #	COMPANY #	LINE #
FOR STATE OFFICE USE ONLY		

New Jersey State  
Firefighter's Association  
Application for Membership

Form 100 - REV 9/23

Date 9/25/24

Vernon Township 416 Vernon Sussex  
Relief Association Name Assoc. Number Municipality County

Pochuck Valley Pochuck Valley  
Fire Company Name Fire Department Name

Applicant Name NIAMH M O'CONNOR  
First Middle Initial Last Suffix

Home Address [REDACTED] HAMBURG NJ 07419 2.5  
Street Municipality Zip Code # of years

Date of Birth [REDACTED] Birth Place RIDGEWOOD NJ SS # [REDACTED]  
(REQUIRED)

Applicant Phone Number [REDACTED] Applicant Email Address [REDACTED]

Have you ever applied to be a member of the NJSFA? ☐ Yes ☒ No If yes, when \_\_\_\_\_ where \_\_\_\_\_

If you have a line number with another Relief Association: ☐ Stay with previous Association ☐ Move records to new Association  
\* It is the Applicant's responsibility to notify their Local Relief Secretary of any address change throughout their career/membership. \*

Signature of Applicant (witnessed by a Notary Public): [Signature]

State of New Jersey, County of Sussex Jessica Fiess  
On Sept 10, 2024, before me, [Signature] Notary Public in and for said county, personally appeared

Niamh M. O'Connor (signer) who has satisfactorily identified himself/herself as the signer to the above referenced document.

My Commission Expires: 7/28/25 [Signature]  
Notary Public Signature

JESSICA L. FIESS  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 7/28/2025

Signature of Relief Association Secretary \_\_\_\_\_ Signature of Chief of Department \_\_\_\_\_

Type of Firefighter the Applicant will be: ☐ Career (full time paid) ☒ Volunteer

Municipal/Fire District Approval: I hereby certify that this applicant was admitted to active membership in the Department and has been approved by the governing body of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Municipal Clerk/Board of Fire Commissioners: \_\_\_\_\_

- A. Application portion should be completed by Applicant - Typed or Printed ONLY  
B. Application must have the Physical Test Record completed by a New Jersey Licensed Physician, Nurse Practitioner or Physician's Assistant  
C. The completed Application and Physical Test Record must be returned to the Local Relief Secretary  
D. The Local Relief Secretary shall review the application for completeness, attain the proper signatures, and forward to the NJSFA State office.
- The Applicant is not a member of the NJSFA until the completed ORIGINAL hard-copy application is received AND approved at the NJSFA State office. Do NOT scan & email. Original hard-copy only will be processed.

**TOWNSHIP OF VERNON**

**RESOLUTION #24-263**

**APPROVING ACTIVE VOLUNTEER FIREFIGHTER FOR MEMBERSHIP IN THE  
NEW JERSEY STATE FIREMEN'S ASSOCIATION (Enering)**

**WHEREAS**, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

**WHEREAS**, Tyler N Enering, an active firefighter and member of the Pochuck Valley Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen's Association.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Tyler N Enering for membership in the New Jersey State Firemen's Association.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

ASSOCIATION #	COMPANY #	LINE #
FOR STATE OFFICE USE ONLY		

New Jersey State  
Firefighter's Association  
Application for Membership

Form 100 - REV 9/23

Date 9/23/24

Vernon Township 416 Vernon Sussex  
Relief Association Name Assoc. Number Municipality County

Pochnuck Valley Pochnuck Valley  
Fire Company Name Fire Department Name

Tyler N Enering  
Applicant Name First Middle Initial Last Suffix

[REDACTED] 07461 5  
Home Address Street Municipality Zip Code # of years

[REDACTED] Ridgewood NJ [REDACTED]  
Date of Birth Birth Place SS # (REQUIRED)

[REDACTED] [REDACTED]  
Applicant Phone Number Applicant Email Address

Have you ever applied to be a member of the NJSFA? ☐ Yes ☒ No If yes, when \_\_\_\_\_ where \_\_\_\_\_

If you have a line number with another Relief Association: ☐ Stay with previous Association ☐ Move records to new Association  
\* It is the Applicant's responsibility to notify their Local Relief Secretary of any address change throughout their career/membership. \*

Signature of Applicant (witnessed by a Notary Public): [Signature]

State of New Jersey, County of Sussex  
On September 24 2024 before me, Sabina Rivera, Notary Public in and for said county, personally appeared  
Tyler N. Enering (signer) who has satisfactorily identified himself/herself as the signer to the above referenced document.  
My Commission Expires: 4/11/28 Sabina Rivera Notary Public, State of New Jersey  
My Commission Expires Apr 11, 2028

Signature of Relief Association Secretary: \_\_\_\_\_ Signature of Chief of Department: [Signature]

Type of Firefighter the Applicant will be: ☐ Career (full time paid) ☒ Volunteer

Municipal/Fire District Approval: I hereby certify that this applicant was admitted to active membership in the Department and has been approved by the governing body of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Municipal Clerk/Board of Fire Commissioners: \_\_\_\_\_

- A. Application portion should be completed by Applicant - Typed or Printed ONLY
  - B. Application must have the Physical Test Record completed by a New Jersey Licensed Physician, Nurse Practitioner or Physician's Assistant
  - C. The completed Application and Physical Test Record must be returned to the Local Relief Secretary
  - D. The Local Relief Secretary shall review the application for completeness, attain the proper signatures, and forward to the NJSFA State office.
- The Applicant is not a member of the NJSFA until the completed ORIGINAL hard-copy application is received AND approved at the NJSFA State office. Do NOT scan & email. Original hard-copy only will be processed.

# **TOWNSHIP OF VERNON**

## **RESOLUTION #24-264**

### **AUTHORIZING THE USE OF MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR PROPOSED IMPROVEMENTS TO GLENWOOD MOUNTAIN ROAD – SECTION II**

**WHEREAS**, the Township of Vernon has a need for contracting services for Proposed Improvements to Glenwood Mountain Road – Section II; and

**WHEREAS**, the Morris County Cooperative Pricing Council advertised and received bids for Milling & Paving, Line Striping, Guide Rails, and Drainage Inlet Accessories; and

**WHEREAS**, the bids received allowed for vendors to extend their pricing to municipalities who are a member of the Morris County Cooperative Pricing Council, a State regulated County Contract Purchasing System; and

**WHEREAS**, the Vernon Township Engineer recommends the Township Council award contracts for Milling & Paving, Line Striping, Guide Rails, and Drainage Inlet Accessories, (subject to final approvals from the New Jersey Department of Transportation) through the use of the Morris County Cooperative Pricing Council to the following contractors:

- 1) Milling & Paving: Riverview Paving, Inc. (Contract # 6) in an amount of **\$208,283.60**;
- 2) Line Striping: Denville Line Painting, Inc. (Contract #36) in an amount of **\$8,311.80**;
- 3) Guide Rails: Road Safety Systems, LLC (Contract #26) in an amount of **\$109,769.00**;
- 4) Drainage Inlet Access.: Campbell Foundry Co. (Contract#14) in an amount of **\$2,415.00**

**WHEREAS**, the Certified Municipal Finance Officer of the Township of Vernon has certified that the funds for these contracts are available in Account #C-04-24-010-01 Road Improvements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Vernon that the vendors Riverview Paving, Inc. Denville Line Painting, Inc., Road Safety Systems, and Campbell Foundry Co. be utilized for the Improvements to Glenwood Mountain Road – Section II through the respective Morris County Cooperative Pricing Council contracts at the amounts not to exceed listed herewith, subject to the final approval from the New Jersey Department of Transportation.

This Resolution shall take effect immediately according to law.

#### **Certification of Funds**

Account#: C-04-24-010-01-Road Improvements

Amount: not to exceed \$208,286.60 Riverview Paving, Inc.

Amount: not to exceed \$8,311.80 Denville Line Painting, Inc.

Amount: not to exceed \$109,769.00 Road Safety Systems, LLC

Amount: not to exceed \$2,415.00 Campbell Foundry Co.

CMFO Signature: \_\_\_\_\_





## CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

### VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**

**RECOMMENDATION OF AWARD  
STATE AID PROJECT**

**BE IT RESOLVED**

that the Vernon Township Council hereby recommends to the New Jersey Department of Transportation that the contract for Proposed Improvements to Glenwood Mountain Road – Section II – Milling and Paving in the Township of Vernon, County of Sussex, be awarded to Riverview Paving, Inc., 859 Willow Grove Street, Hackettstown, New Jersey 07840 in the amount of \$208,283.60 subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**Approved by the** \_\_\_\_\_ **on** \_\_\_\_\_  
(Name of Local Government) (Date of Award)

\_\_\_\_\_  
(Presiding Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

(Affix Seal)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**

**RECOMMENDATION OF AWARD  
STATE AID PROJECT**

**BE IT RESOLVED**

that the Vernon Township Council hereby recommends to the New Jersey Department of Transportation that the contract for Proposed Improvements to Glenwood Mountain Road – Section II – Line Striping in the Township of Vernon, County of Sussex, be awarded to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, New Jersey 07866 in the amount of \$8,311.80 subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**Approved by the** \_\_\_\_\_ **on** \_\_\_\_\_  
(Name of Local Government) (Date of Award)

\_\_\_\_\_  
(Presiding Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

(Affix Seal)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**

**RECOMMENDATION OF AWARD  
STATE AID PROJECT**

**BE IT RESOLVED**

that the Vernon Township Council hereby recommends to the New Jersey Department of Transportation that the contract for Proposed Improvements to Glenwood Mountain Road – Section I – Guide Rail in the Township of Vernon, County of Sussex, be awarded to Road Safety Systems, LLC, 12 Park Drive, Shamong, New Jersey 08088 in the amount of \$109,769.00 subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**Approved by the** \_\_\_\_\_ **on** \_\_\_\_\_  
(Name of Local Government) (Date of Award)

\_\_\_\_\_  
(Presiding Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

(Affix Seal)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**

**RECOMMENDATION OF AWARD  
STATE AID PROJECT**

**BE IT RESOLVED**

that the Vernon Township Council hereby recommends to the New Jersey Department of Transportation that the contract for Proposed Improvements to Glenwood Mountain Road – Section II – Drainage Inlet Accessories in the Township of Vernon, County of Sussex, be awarded to Campbell Foundry Company, 800 Bergen Street, Harrison, New Jersey 07029 in the amount of \$2,415.00 subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**Approved by the** \_\_\_\_\_ **on** \_\_\_\_\_.  
(Name of Local Government) (Date of Award)

\_\_\_\_\_  
(Presiding Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

(Affix Seal)



# HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

ESTABLISHED 1969

**HAROLD E. PELLOW, PRESIDENT**  
2022 Distinguished Engineering Service Award  
from the NJ Society of Professional Engineers  
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.

**ANN PELLOW WAGNER**  
NJ - C.L.A., VA - C.L.A., PA - C.L.A.  
(5/26/84 - 7/27/89)

**DAVID B. SIMMONS, JR., VICE PRESIDENT**  
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.  
NY - P.E. & L.S., PA - P.E. & L.S.

**CORY L. STONER, EXEC. VICE PRESIDENT**  
NJ - P.E., NJ - P.P., NJ - C.M.E.

**MATTHEW J. MORRIS**  
NJ - L.L.A., NJ - P.P.

**THOMAS G. KNUTELSKY, ASSOCIATE**  
NJ - P.E., NJ - P.P.

October 7, 2024

VIA E-MAIL

**MEMORANDUM TO:** Mr. Anthony Rossi, Vernon Township Mayor

**FROM:** Cory L. Stoner, P.E., C.M.E., Township Engineer

**SUBJECT:** **RECOMMENDATION OF AWARD OF CONTRACTS**  
Proposed Improvements to Glenwood Mountain Road – Section II  
Milling and Paving, Line Striping, Guide Rail, & Drainage Inlet Accessories  
As Per the Morris County Co-op  
HPA No. 23-278

Dear Mayor Rossi:

As you and I have discussed, we are planning to utilize the Morris County Co-op contractors to complete milling and paving, line striping, guide rail, and drainage inlet accessories for the above-referenced project in Vernon Township in 2024. I am recommending the following work be completed with the Morris County Co-op, subject to NJDOT final approval of the project plans and specifications:

1. **Riverview Paving, Inc. (Milling and Paving Per the MCCPC Contract No. 6 for District No. 2)**

STD. ITEM NO.	NJDOT STD. ITEM NO.	ESTIMATE OF QUANTITIES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<b>MCCPC ITEMS (MILLING &amp; PAVING)</b>						
1	401009P	HMA MILLING, 2" THICK	16,185	SQ. YD.	\$2.81	\$45,479.85
2	401042M	HOT MIX ASPHALT 9.5M84 SURFACE COURSE, 2" THICK	2,055	TON	\$78.25	\$160,803.75
3	160004M	FUEL PRICE ADJUSTMENT	100%	L.S.	\$1,000.00	\$1,000.00
4	160007M	ASPHALT PRICE ADJUSTMENT	100%	L.S.	\$1,000.00	\$1,000.00
<b>Total Estimated Cost of Construction (Milling &amp; Paving - MCCPC):</b>						<b>\$208,283.60</b>

**Total Award Amount for Riverview Paving, Inc. = \$208,283.60**

2. **Denville Line Painting, Inc. (Line Striping Per the MCCPC Contract No. 36)**

STD. ITEM NO.	NJDOT STD. ITEM NO.	ESTIMATE OF QUANTITIES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<b>MCCPC ITEMS (LINE STRIPING)</b>						
5	610003M	TRAFFIC STRIPES, LONG LIFE EPOXY RESIN, 4" WIDE	21,920	LIN. FT.	\$0.35	\$7,672.00
6	610017M	TRAFFIC MARKINGS, LONG LIFE THERMOPLASTIC, 6" WIDE	140	LIN. FT.	\$1.37	\$191.80
7	610008M	TRAFFIC MARKINGS, LONG LIFE THERMOPLASTIC	64	SQ. FT.	\$7.00	\$448.00
<b>Total Estimated Cost of Construction (Line Striping - MCCPC):</b>						<b>\$8,311.80</b>

**Total Award Amount for Denville Line Painting, Inc. = \$8,311.80**

Mr. Anthony Rossi

Page 2

RE: RECOMMENDATION OF AWARDS

Proposed Improvements to Glenwood Mountain Road – Section II

Milling, Paving, Line Striping, Guide Rail, & Drainage Inlet Accessories per MCCPC

October 7, 2024

3. Road Safety Systems, LLC (Guide Rail Per the MCCPC Contract No. 26)

STD. ITEM NO.	NJDOT STD. ITEM NO.	ESTIMATE OF QUANTITIES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
8	609075M	REMOVAL OF BEAM GUIDE RAIL	2,065	LIN. FT.	\$7.00	\$14,455.00
9	609003M	BEAM GUIDE RAIL	1,684	LIN. FT.	\$36.00	\$60,624.00
10	609027M	TANGENT GUIDE RAIL TERMINAL, 50' LONG	8	UNIT	\$3,500.00	\$28,000.00
11	NS	BUTTERFLY REFLECTORS	69	UNIT	\$10.00	\$690.00
12	609042M	GUIDE RAIL POST, 6' LONG (FOR OBSTRUCTION)	40	UNIT	\$150.00	\$6,000.00
Total Estimated Cost of Construction (Guide Rail - MCCPC):						\$109,769.00

**Total Award Amount for Road Safety Systems, LLC = \$109,769.00**

4. Campbell Foundry Company (Drainage Inlet Accessories Per the MCCPC Contract No. 14)

STD. ITEM NO.	NJDOT STD. ITEM NO.	ESTIMATE OF QUANTITIES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
MCCPC ITEMS (DRAINAGE)						
13	602210M	BICYCLE SAFE GRATE	1	UNIT	\$280.00	\$280.00
14	NS	TYPE "N" INLET HEAD, 6"	3	UNIT	\$206.00	\$618.00
15	NS	TYPE "N" INLET HEAD, 8"	7	UNIT	\$206.00	\$1,442.00
16	NS	CURB BACK BOLT SETS	10	UNIT	\$7.50	\$75.00
Total Estimated Cost of Construction (Drainage - MCCPC):						\$2,415.00

**Total Award Amount for Road Safety Systems, LLC = \$2,415.00**

Enclosed please find copies of NJDOT Form SA-22 – *Recommendation of Award State Aid Project* for the four contractors referenced above. Please have these forms executed and returned to my office.

Please note that I am recommending that we use the Morris County Co-op pricing again this year based on our firm's observation of asphalt construction prices on similar projects that we have bid recently. The construction work, if completed by the Morris County Co-op pricing contractors, in my opinion will result in lower costs for the Township. Traffic signs and construction signs will be provided by the Township DPW. Uniform Traffic Directors will need to be provided by the Vernon Township Police outside of these contracts.

If you have any questions regarding my recommendations or would like to discuss this project in further detail, please do not hesitate to contact me.

Very truly yours,



Cory L. Stoner, P.E., C.M.E.

**HAROLD E. PELLOW & ASSOCIATES, INC.**

Vernon Township Engineer

CLS:mac

K:\PROJECTS\MUNICIPAL\VERNON\COUNCIL\23-278 - GLENWOOD MOUNTAIN ROAD SECTION II\ROSSI1.DOCX

Enclosures – Form SA-22 – *Recommendation of Award State Aid Project* (4 Copies)

cc: VIA E-MAIL

James Mazzella – Riverview Paving, Inc.

Bob Romano – Denville Line Painting, Inc.

John Flemming – Road Safety Systems, LLC

Rocco Tancredi – Campbell Foundry Co.

**HAROLD E. PELLOW & ASSOCIATES, INC.**

*Established 1969*

17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916  
CERTIFICATE OF AUTHORIZATION NO. 24GA27959300

**TOWNSHIP OF VERNON**

**RESOLUTION #24-265**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 302 Lot 3 (Muniz))**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Paul Muniz a 100% permanent and totally disabled veteran: and,

**WHEREAS,** the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Township of Vernon hereby authorizes the Tax Collector to refund 2024 property tax in the amount of \$2,085.01 to Paul Muniz.

**FINALLY, BE IT RESOLVED,** that a certified copy of this Resolution be forwarded to the Township Tax Collector.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC



**TOWNSHIP OF VERNON**

**RESOLUTION #24-266**

**REFUND FOR TOTALLY DISABLED VETERAN  
Block 436 Lot 14 (Cialkowski) – Amended**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS**  
awarded Paul Cialkowski a 100% permanent and totally disabled veteran: and,

**WHEREAS,** the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Township of  
Vernon hereby authorizes the Tax Collector to refund 2024 property tax in the amount of  
\$2,308.43 to Paul Cialkowski.

**FINALLY, BE IT RESOLVED,** that a certified copy of this Resolution be  
forwarded to the Township Tax Collector.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township  
of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon  
Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-267**

**REFUND OVERPAYMENT  
Block 233 Lot 1 Qfarm (Stephens)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kirk Stephens in the amount of \$1,102.63 representing refund for overpayment of 2024 property taxes for Block 233 Lot 1 Qfarm.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-268**

**REFUND OVERPAYMENT  
Block 263 Lot 2 Qfarm (Stephens)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kirk Stephens in the amount of \$654.50 representing refund for overpayment of 2024 property taxes for Block 263 Lot 2 Qfarm.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-269**

**REFUND OVERPAYMENT  
Block 40 Lot 4 Qfarm (Stephens)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kirk Stephens in the amount of \$993.42 representing refund for overpayment of 2024 property taxes for Block 40 Lot 4 Qfarm.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

<b>NAME</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-270**

**REFUND OVERPAYMENT  
(Block 387 Lot 9 – Corelogic)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$2610.82 representing refund for overpayment of 3rd qtr. 2024 property taxes for Block 527 Lot 338.

OWNER	BLOCK	LOT	REFUND AMOUNT
Pidoto	387	9	\$2610.82
		<b>TOTAL:</b>	<b>\$2610.82</b>

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-271**

**REFUND OVERPAYMENT  
(Block 529 Lot 248 – Clark)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kyle Clark in the amount of \$1170.80 representing refund for overpayment of 3rd qtr. 2023 property taxes for Block 529 Lot 248.

OWNER	BLOCK	LOT	REFUND AMOUNT
Clark	529	248	\$1170.80
		<b>TOTAL:</b>	<b>\$1170.80</b>

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #24-272**

**RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF  
NEW JERSEY, AUTHORIZING THE PROCURING OF FINANCIAL ADVISORY AND  
MANAGEMENT SERVICES LOSAP PROGRAM  
COMPETITIVE CONTRACT**

**WHEREAS**, the Township of Vernon has a requirement of Financial Advisory and Management Services for the LOSAP program; and

**WHEREAS** such services are authorized under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1(m)); and

**WHEREAS** the Township desires to evaluate such service offerings from vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

**WHEREAS** the Township desires to enter into a contract for up to a five (5) year contract that will satisfy the needs of the Township; and

**WHEREAS**, as per statute the process will be administered by the Qualified Purchasing Agent (N.J.S.A 40A:11-4.5(d)).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, as follows:

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/ procurement as allowable under the New Jersey Local Publics Contract Law for Financial Advisory and Management Services for the LOSAP program for the operations of the Township of Vernon, allowing for a minimum of 20 days' notice after advertisement to receive responses, per Local Publics Contract Law.

**CERTIFICATION**

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on October 17, 2024 at 7:00 pm in the Vernon Municipal Center.

---

Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

<b>NAME</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						



**VERNON TOWNSHIP**

**ORDINANCE #24-22**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF VERNON, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY AMENDING CERTAIN  
PORTIONS OF CHAPTER 99 ENTITLED “VEHICLES AND  
TRAFFIC”**

**WHEREAS**, by the Township Council of the Township of Vernon in the County of Sussex and State of New Jersey that Chapter 99 Entitled “Vehicles and Traffic” of the Township Code are hereby amended as follows:

**Article I. General Provisions**

**§99-5. Violations and penalties.**

Unless another penalty is expressly provided by New Jersey statute or otherwise provided for in the Township Code or unless the penalty is expressly set forth in the Local Supplemental Violations Bureau Schedule of the Township of Vernon, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty of ~~not more than \$100 or imprisonment for a term not exceeding 15 days,~~ or both not to exceed \$500.00.

**NOW, THEREFORE BE IT RESOLVED** that this Ordinance shall take effect immediately upon final passage and publication according to law.

## Chapter 99. Vehicles and Traffic

### Article I. General Provisions

#### § 99-1. Title.

These regulations may be known and cited as "Chapter **99** of the Code of the Township of Vernon," or as the "Traffic Ordinance."

#### § 99-2. Definitions.

Whenever any words and phrases are used in this chapter, the meanings respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases used herein.

#### § 99-3. Repeal.

All former traffic ordinances of the Township of Vernon are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this chapter.

#### § 99-4. Severability.

If any part or parts of this chapter for any reason are held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.

#### § 99-5. Violations and penalties.

[Amended 4-27-2015 by Ord. No. 2015-09]

Unless another penalty is expressly provided by New Jersey statute or otherwise provided for in the Township Code or unless the penalty is expressly set forth in the Local Supplemental Violations Bureau Schedule of the Township of Vernon, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty of not more than \$100 or imprisonment for a term not exceeding 15 days, or both.

**TOWNSHIP OF VERNON**  
**SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE #24-21**

**AN ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY AMENDING CHAPTER 275 OF THE TOWNSHIP  
CODE TO REPEAL CHAPTER 275 AND REPLACE SAME; TO ADOPT FLOOD  
HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND  
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Township of Vernon and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

**WHEREAS**, the Township of Vernon was accepted for participation in the National Flood Insurance Program on February 15, 1984 and the Council of the Township of Vernon desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

**WHEREAS**, the Township of Vernon is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

**WHEREAS**, the Township of Vernon is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

**WHEREAS**, the Township of Vernon is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Township of Vernon that the following floodplain management regulations are hereby adopted.

**SECTION 1. Chapter 275, titled “Flood Damage Prevention” is hereby repealed and replaced with the following:**

**Chapter 275 Flood Damage Prevention**

**§ 275-1 GENERAL.**

**§ 275-1.1 Title.**

These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter “Uniform Construction Code,” consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter “FHACA”), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the Township of Vernon (hereinafter “these regulations”).

**§ 275-1.2 Scope.**

These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in § 275-2.

**§ 275-1.3 Purposes and objectives.** The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set

forth in Title 44 Code of Federal Regulations, Section 59.22.

**§ 275-1.4 Coordination with Building Codes.** Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Township of Vernon administer and enforce the State building codes, the Township Council of the Township of Vernon does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

**§ 275-1.5 Ordinary Building Maintenance and Minor Work.** Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with § 275.3.16, Substantial Damage and Substantial Improvement.

**§ 275-1.6 Warning.** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

**§ 275-1.7 Other laws.** The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

**§ 275-1.8 Violations and Penalties for Noncompliance.** No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed

for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

**§ 275-1.9 Solid Waste Disposal in a Flood Hazard Area.** Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

**§ 275-1.10 Abrogation and greater restrictions.** These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

## **§ 275-2 APPLICABILITY**

**§ 275-2.1 General.** These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

**§ 275-2.2 Establishment of Flood Hazard Areas.** The Township of Vernon was accepted for participation in the National Flood Insurance Program on February 15, 1984.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Vernon Township Building Department, 21 Church Street, Vernon, NJ 07462.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled “Flood Insurance Study, Sussex County, New Jersey (all jurisdictions)” dated September 29, 2011 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 2.2-1 whose top-level document (appendix map) effective date is September 29, 2011 are hereby adopted by reference.

Table 2.2-1

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
34037C0066	9/29/2011	E	34037C0187	9/29/2011	E
34037C0067	9/29/2011	E	34037C0195	9/29/2011	E
34037C0068	9/29/2011	E	34037C0205	9/29/2011	E
34037C0069	9/29/2011	E	34037C0210	9/29/2011	E
34037C0090	9/29/2011	E	34037C0215	9/29/2011	E
34037C0177	9/29/2011	E	34037C0220	9/29/2011	E
34037C0179	9/29/2011	E	34037C0228	9/29/2011	E
34037C0181	9/29/2011	E	34037C0335	9/29/2011	E
34037C0183	9/29/2011	E	34037C0355	9/29/2011	E
34037C0185	9/29/2011	E			

- 2) **Federal Best Available Information.** The Township of Vernon shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA’s Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 2.2-2

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
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None as of the date of this ordinance			

- 3) **Other Best Available Data.** The Township of Vernon shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Township of Vernon. Other “best available information” may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 275-2.2(1) and (2), above. This information shall be used for floodplain regulation purposes only.

- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the “Flood Hazard Area Control Act Design Flood Elevation”, as defined in § 275-9, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 2.2-3 List of State Studied Waters

Name of Studied Water	File Name	Map Number
None as of the date of this ordinance		



**§ 275-2.3 Establishing the Local Design Flood Elevation (LDFE).** The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined § 275.2.2, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined § 275.2.2, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any un-delineated watercourse (where mapping or studies described in § 275-2.2(1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
  - a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
  - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to this § 275-5.2 and 275-5.3.
- 3) AO Zones – For Zone AO areas on the municipality’s FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- 5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

**§ 275-3.1 Floodplain Administrator Designation.** The Township Construction Official is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

**§ 275-3.2 General.** The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to § 275-7.

**§ 275-3.3 Coordination.** The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

**§ 275-3.4 Duties.** The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in § 275-2.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to § 275-3.16.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant § 275-7.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent

jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).

- (11) Inspect development in accordance with § 275-6 and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- (12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with § 275-7.
- (13) Cite violations in accordance with § 275-8.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of the Township of Vernon have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in § 275-2.2.

**§ 275-3.5 Use of changed technical data.** The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

**§ 275-3.6 Other permits.** It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

**§ 275-3.7 Determination of Local Design Flood Elevations.** If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in § 275-2.2 and § 275-2.3. This information shall be provided to the Construction Official and documented according to the requirements of §

275-3.17.

**§ 275-3.8 Requirement to submit new technical data.** Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

**§ 275-3.9 Activities in riverine flood hazard areas.** In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

**§ 275-3.10 Floodway encroachment.** Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

**§ 275-3.11 Floodway revisions.** A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

**§ 275-3.12 Watercourse alteration.** Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

**§ 275-3.13 Engineering analysis.** The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

**§ 275-3.14 Alterations in coastal areas.** The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal

A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

**§ 275-3.15 Development in riparian zones** All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

**§ 275-3.16 Substantial improvement and substantial damage determinations.** When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in § 275-1.5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage. This determination shall also include the evaluation of flood related damages over a 10-year period to determine if the costs of repairs at the times of each flood constitutes a repetitive loss as defined by this ordinance.
- (5) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial

damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

**§ 275-3.17 Department records.** In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

**§ 275-3.18 Liability.** The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

#### **§ 275-4 PERMITS.**

**§ 275-4.1 Permits Required.** Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

**§ 275-4.2 Application for permit.** The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and

definitively locate the site.

- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in § 275-5, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- (6) Be signed by the applicant or the applicant's authorized agent.

**§ 275-4.3 Validity of permit.** The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

**§ 275-4.4 Expiration.** A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

**§ 275-4.5 Suspension or revocation.** The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

## **§ 275-5 SITE PLANS AND CONSTRUCTION DOCUMENTS.**

**§ 275-5.1 Information for development in flood hazard areas.** The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with this § 275-5.2.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with § 275-5.2(3).
- (4) Location of the proposed activity and proposed structures, and locations of existing

buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.

- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

**§ 275-5.2 Information in flood hazard areas without base flood elevations (approximate Zone A).** Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

**§ 275-5.3 Analyses and certifications by a Licensed Professional Engineer.** As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this § 275-5.4, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed



development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in § 275-5.4 and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in § 275-5.4. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

**§ 275-5.4 Submission of additional data.** When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

## **§ 275-6 INSPECTIONS.**

**§ 275-6.1 General.** Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

**§ 275-6.2 Inspections of development.** The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if

development is undertaken without issuance of a permit.

**§ 275-6.3 Buildings and structures.** The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- (1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in § 275-15.2 shall be submitted to the Construction Official on an Elevation Certificate.
- (2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in § 275-15.2 shall be submitted to the Construction Official on an Elevation Certificate.
- (3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in this § 275-15.2.
- (4) **Final inspection.** Prior to the final inspection, certification of the elevation required in this § 275-15.2 shall be submitted to the Construction Official on an Elevation Certificate.

**§ 275-6.4 Manufactured homes.** The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

## **§ 275-7 VARIANCES.**

**§ 275-7.1 General.** The Vernon Township Land Use Board (“Land Use Board”) shall hear and decide requests for variances. The Land Use Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in this Section 275-7.5, the conditions of issuance set forth in this Section 275-7.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Land Use Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

**§ 275-7.2 Historic structures.** A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

**§ 275-7.3 Functionally dependent uses.** A variance is authorized to be issued for the

construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

**§ 275-7.4 Restrictions in floodways.** A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in this § 275-5.3(1).

**§ 275-7.5 Considerations.** In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

**§ 275-7.6 Conditions for issuance.** Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

## **§ 275-8 VIOLATIONS.**

**§ 275-8.1 Violations.** Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

**§ 275-8.2 Authority.** The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

**§ 275-8.3 Unlawful continuance.** Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

**§ 275-8.4 Review Period to Correct Violations.** A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

## **§ 275-9 DEFINITIONS.**

**§ 275-9.1 General.** The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

### **§ 275-9.2 Definitions**

**30 DAY PERIOD** – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation

pertaining to this ordinance has been issued.

**100 YEAR FLOOD ELEVATION** – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

**500 YEAR FLOOD ELEVATION** – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

**A ZONES** – Areas of ‘Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

**AH ZONES**– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

**AO ZONES** – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

**ACCESSORY STRUCTURE** – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

**AGRICULTURAL STRUCTURE** - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

**AREA OF SHALLOW FLOODING** – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community’s Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding

is characterized by ponding or sheet flow. AREA OF SPECIAL FLOOD HAZARD – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of

practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

**BUILDING** – Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

**CONDITIONAL LETTER OF MAP REVISION** - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CONDITIONAL LETTER OF MAP REVISION - FILL** -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CRITICAL BUILDING** – Per the FHACA, “Critical Building” means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

**DEVELOPMENT** – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

**DRY FLOODPROOFING** – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being

watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

**ELEVATED BUILDING** – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

**ELEVATION CERTIFICATE** – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

**ENCROACHMENT** – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

**FEMA PUBLICATIONS** – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

## **FLOOD OR FLOODING**

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  1. The overflow of inland or tidal waters.
  2. The unusual and rapid accumulation or runoff of surface waters from any source.
  3. Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**FLOOD HAZARD AREA DESIGN FLOOD ELEVATION** – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA’s base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.



**FLOOD INSURANCE RATE MAP (FIRM)** – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

**FLOODPLAIN OR FLOOD PRONE AREA** – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

**FLOODPLAIN MANAGEMENT REGULATIONS** – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING** – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODPROOFING CERTIFICATE** – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

**FLOODWAY** – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

**FREEBOARD** – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT USE** – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

**HABITABLE BUILDING**– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and

trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

**HARDSHIP** – As related to § 275-7 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Land Use Board requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

**HISTORIC STRUCTURE** – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  1. By an approved State program as determined by the Secretary of the Interior; or
  2. Directly by the Secretary of the Interior in States without approved programs.

**LAWFULLY EXISTING** – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

**LETTER OF MAP AMENDMENT** - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is

requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

**LETTER OF MAP CHANGE** – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

**LETTER OF MAP REVISION** - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

**LETTER OF MAP REVISION – FILL** -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

**LICENSED DESIGN PROFESSIONAL** – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

**LICENSED PROFESSIONAL ENGINEER** - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

**LOCAL DESIGN FLOOD ELEVATION (LD FE)** – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LD FE be lower than a permit-specified Flood Hazard Area Design

Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

**LOWEST ADJACENT GRADE** – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

**LOWEST FLOOR** – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

**MANUFACTURED HOME** – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

**MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MARKET VALUE** – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

**NEW CONSTRUCTION** – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

**NON-RESIDENTIAL** – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

**ORDINARY MAINTENANCE AND MINOR WORK** – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances,

electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

**RECREATIONAL VEHICLE** – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

**REPETITIVE LOSS** – any flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

**RESIDENTIAL** – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

**SOLID WASTE DISPOSAL** – “Solid Waste Disposal” shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

**SPECIAL FLOOD HAZARD AREA** – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

## START OF CONSTRUCTION – The **Start of Construction** is as follows:

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA)**, this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

**STRUCTURE** – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed.

This term also includes structures which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

**UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES** – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

**VARIANCE** – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

**VIOLATION** – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

**WATERCOURSE.** A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

**WET FLOODPROOFING** – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

## **§ 275-10 SUBDIVISIONS AND OTHER DEVELOPMENTS.**

**§ 275-10.1 General.** Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away

from structures.

**§ 275-10.2 Subdivision requirements.** Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

## **§ 275-11 SITE IMPROVEMENT.**

**§ 275-11.1 Encroachment in floodways.** Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with this § 275-5.3(1), that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If the requirements of § 275-5.3(1) are satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with § 275-15(2) and the floodway requirements of N.J.A.C. 7:13.

**§ 275-11.2 Prohibited in floodways.** The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

**§ 275-11.3 Sewer facilities.** All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

**§ 275-11.4 Water facilities.** All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

**§ 275-11.5 Storm drainage.** Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

**§ 275-11.6 Streets and sidewalks.** Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

**§ 275-11.7 Limitations on placement of fill.** Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown



of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

**§ 275-11.8 Hazardous Materials.** The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

## **§ 275-12 MANUFACTURED HOMES.**

**§ 275-12.1 General.** All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

**§ 275-12.2 Elevation.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in § 275-15.2.

**§ 275-12.3 Foundations.** All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

**§ 275-12.4 Anchoring.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

**§ 275-12.5 Enclosures.** Fully enclosed areas below elevated manufactured homes shall comply with the requirements of § 275-15.2.

**§ 275-12.6 Protection of mechanical equipment and outside appliances.** Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in this § 275-15.2.

**Exception.** Where such equipment and appliances are designed and installed to prevent

water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by this § 275-15.2, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

## **§ 275-13 RECREATIONAL VEHICLES.**

**§ 275-13.1 Placement prohibited.** The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

**§ 275-13.2 Temporary placement.** Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

**§ 275-13.3 Permanent placement.** Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of § 275-15.2 for habitable buildings and § 275-12.3.

## **§ 275-14 TANKS.**

**§ 275-14.1 Tanks.** Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

## **§ 275-15 OTHER DEVELOPMENT AND BUILDING WORK.**

**§ 275-15.1 General requirements for other development and building work.** All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of § 275-5.3(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to this § 275-2.3;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to § 275-2.3 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
  - i. Specifically allowed below the Local Design Flood Elevation; and
  - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.

- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

**§ 275-15.2 Requirements for Habitable Buildings and Structures.**

**(1) Construction and Elevation in A Zones not including Coastal A Zones.**

- a. No portion of a building is located within a V Zone.
- b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
- c. All new construction and substantial improvement of any habitable building (as defined in Section 275-9) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in this § 275-2.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
- d. All new construction and substantial improvements of non-residential structures shall:
  - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in § 275-2.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
  - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
    - 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
    - 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
- e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
  - i. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
  - ii. Be designed to automatically equalize hydrostatic flood forces on exterior walls by

allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of Section 275-15.2(1)(d)(ii) are met;

- iii. Be constructed to meet the requirements of ASCE 24 Chapter 2;
- iv. Have openings documented on an Elevation Certificate; and
- v. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
  - 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
  - 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
  - 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

**§ 275-15.3 Garages and accessory storage structures.** Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

**§ 275-15.4 Fences.** Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of § 275-5.3(1). Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in § 275-7.

**§ 275-15.5 Retaining walls, sidewalks, and driveways.** Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of § 275-5.3(1) and N.J.A.C. 7:13.

**§ 275-15.6 Swimming pools.** Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of § 275-5.3(1). Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

#### **§ 275-15.7 Roads and watercourse crossings.**

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of § 275-5.3.

#### **§ 275-16 TEMPORARY STRUCTURES AND TEMPORARY STORAGE.**

**§ 275-16.1 Temporary structures.** Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

**§ 275-16.2 Temporary storage.** Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

**§ 275-16.3 Floodway encroachment.** Temporary structures and temporary storage in floodways shall meet the requirements of § 275-5.3(1).

#### **§ 275-17 UTILITY AND MISCELLANEOUS GROUP U.**

**§ 275-17.1 Utility and Miscellaneous Group U.** In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

**§ 275-17.2 Flood loads.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in § 275-2.3.

**§ 275-17.3 Elevation.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in § 275-2.3 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

**§ 275-17.4 Enclosures below base flood elevation.** Fully enclosed areas below the design flood elevation shall be constructed in accordance with § 275-15.2 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

**§ 275-17.5 Flood-damage resistant materials.** Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in § 275-2.3.

**§ 275-17.6 Protection of mechanical, plumbing, and electrical systems.** Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in § 275-2.3.

**Exception:** Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

## **SECTION 2. Severability.**

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

## **SECTION 3. Repealer.**

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

## **SECTION 4. Effective Date.**

This ordinance shall take effect upon final adoption and publication in accordance with law.

### **CERTIFICATION**

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on September 23, 2024, and the same came up for final passage and was adopted at the Meeting of the Township Council held on October 17, 2024 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

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Marcy Gianattasio, Clerk  
Township of Vernon

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Anthony Rossi, Mayor

### **Township of Vernon**

#### **INTRODUCED: September 23, 2024**

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.		<b>X</b>	<b>X</b>			
DeBenedetto, J.			<b>X</b>			
Higgins, W.			<b>X</b>			
Sparta, B.	<b>X</b>		<b>X</b>			
Rizzuto, P.			<b>X</b>			

#### **ADOPTED:**

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						