

**VERNON TOWNSHIP COUNCIL  
MEETING MINUTES  
December 11, 2023 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on December 11, 2023 via Zoom Webinar and in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Buccieri presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting has been provided to the public and the press on January 6, 2023 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.

**SALUTE TO THE FLAG**

Council President Buccieri led the assemblage in the salute to the flag.

**ROLL CALL**

Present were Council Members, Jessica DeBenedetto, Patrick Rizzuto, Bradley Sparta, Joseph Tadrick and Council President Natalie Buccieri. Also, present were Mayor Howard Burrell, CFO Donelle Bright, Municipal Clerk Marcy Gianattasio and Township Attorney Joshua Zielinski

**DISCUSSION ITEM**

2023 Best Practices Survey

The Council discussed with CFO Donelle Bright the 2023 Best Practices Survey

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

President Buccieri asked for a motion to open the meeting to Public Comments.

MOVED: Sparta

SECOND: Rizzuto

All members were in favor.

Seeing no members from the public wishing to come forward, President Buccieri asked for a motion to close the meeting to Public Comments.

MOVED: DeBenedetto

SECOND: Rizzuto

All members were in favor.

**REVIEW OF BILLS LIST**

The Council reviewed the bills list.

**APPROVAL OF MINUTES**

November 27, 2023 – Regular Meeting

President Buccieri asked for a motion to approve the November 27, 2023 regular meeting minutes.

MOVED: Sparta

SECOND: Rizzuto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve the November 27, 2023 regular meeting minutes.

## CONSENT AGENDA

**Resolution #23-257:** Refund Overpayment Due to State Tax Court Judgement (Reeves) Block 9 Lot 16

**Resolution #23-258:** Refund Overpayment Due to State Tax Court Judgement (Reeves) Block 9 Lot 16

**Resolution #23-259:** Refund Overpayment Due to State Tax Court Judgement (Reeves) Block 9 Lot 16

**Resolution #23-260:** Refund Overpayment Due to State Tax Court Judgement (Rt. 94 Development Corp.) Block 607 Lot 43

**Resolution #23-261:** Refund for Totally Disabled Veteran (Block 273 Lot 85 – Sinnett)

**Resolution #23-262:** Cancelling Taxes for Total Disabled Veteran (Block 273 Lot 85 – Sinnett)

**Resolution #23-263:** Refund for Totally Disabled Veteran (Block 540 Lot 4 – Cucuta)

**Resolution #23-264:** Cancelling Taxes for Total Disabled Veteran (Cucuta Block 540 Lot 4)

**Resolution #23-265:** Refund for Totally Disabled Veteran (Block 490 Lot 6 - Canova)

**Resolution #23-266:** Cancelling Taxes for Total Disabled Veteran (Canova Block 490 Lot 6)

**Resolution #23-267:** Cancelling Taxes for Total Disabled Veteran (Canova Block 490 Lot 6)

**Resolution #23-268:** Refund for Totally Disabled Veteran (Block 355 Lot 17 – Lillis)

**Resolution #23-269:** Cancelling Taxes for Total Disabled Veteran (Block 335 Lot 17 - Lillis)

**Resolution #23-270:** Cancelling Taxes for Total Disabled Veteran (Canova Block 490 Lot 6)

**Resolution #23-271:** Cancelling Taxes for Total Disabled Veteran (Block 564 Lot 1 – Castrovillari)

**Resolution #23-272:** Refund for Totally Disabled Veteran (Block 564 Lot 1 – Castrovillari)

**Resolution #23-273:** Refund for Totally Disabled Veteran (Block 462 Lot 24 – Koziel)

**Resolution #23-275:** Resolution Amending Resolution #23-162 To Update an Appointment  
Extending Peter Laemers as Judge of the Vernon Township Municipal Court

**Resolution #23-276:** Resolution Amending Resolution #23-30 to Update an Appointment Extending  
Alicia Ferrante Esq. as Municipal Prosecutor

**Resolution #23-277:** Authorizing Change Order #1 of Contract for Proposed Improvements of Various  
Roads within Vernon Township with Riverview Paving, Inc.

**Resolution #23-278:** Resolution Authorizing the Execution of a Shared Services Agreement Between  
the Township of Vernon and the Township of Hardyston for Animal Control Services

**Resolution #23-281:** Approving Active Volunteer Firefighter for Membership in the New Jersey State  
Firemen's Association (Luke Van Gorder)

**Resolution #23-282:** Approving Active Volunteer Firefighter for Membership in the New Jersey State  
Firemen's Association (Erik Van Gorder)

**Resolution #23-283:** Approving Active Volunteer Firefighter for Membership in the New Jersey State  
Firemen's Association (Drew Van Gorder)

**Resolution #23-284:** Temporary Budget – Debt Service

**Resolution #23-285:** Resolution – Authorizing the Cancellation of Appropriation Reserve Balances

**Resolution #23-288:** Authorizing Change Order #1 of the Contract for Proposed Improvements of Sand Hill Road Within Vernon Township with Road Safety Systems

**Resolution #23-289:** Resolution Authorizing the Execution of a Shared Services Agreement Between the Township of Vernon and the Township of Lafayette for Animal Control Services

President Buccieri asked for a motion to approve the Consent Agenda.

MOVED: DeBenedetto

SECOND: Sparta

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve the Consent Agenda.

**RESOLUTION #23-257**

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT  
(Reeves) Block 9 Lot 16**

**WHEREAS**, a Tax Court Judgment has been favorably awarded for the year 2017: and,  
**WHEREAS**, such Judgment has resulted in an overpayment of 2017 property taxes for Block 9 Lot 16 also known as 14 Telfer Drive, Glenwood, New Jersey.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2017 overpayment in the amount of \$497.99 to Spiotti & Associates, P.C. attorney for Plaintiff.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION #23-258**

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT  
(Reeves) Block 9 Lot 16**

**WHEREAS**, a Tax Court Judgment has been favorably awarded for the year 2018: and,  
**WHEREAS**, such Judgment has resulted in an overpayment of 2018 property taxes for Block 9 Lot 16 also known as 14 Telfer Drive, Glenwood, New Jersey.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2018 overpayment in the amount of \$511.67 to Spiotti & Associates, P.C. attorney for Plaintiff.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION #23-259**

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT  
(Reeves) Block 9 Lot 16**

**WHEREAS**, a Tax Court Judgment has been favorably awarded for the year 2019: and,  
**WHEREAS**, such Judgment has resulted in an overpayment of 2019 property taxes for Block 9 Lot 16 also known as 14 Telfer Drive, Glenwood, New Jersey.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2019 overpayment in the amount of \$535.42 to Spiotti & Associates, P.C. attorney for Plaintiff.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION #23-260**  
**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT**  
**(Rt. 94 Development Corp.) Block 607 Lot 43**

**WHEREAS**, a Tax Court Judgment has been favorably awarded for the year 2020: and,  
**WHEREAS**, such Judgment has resulted in an overpayment of 2020 property taxes for Block 607 Lot 43 also known as 12 Old Rudetown Rd., Vernon, New Jersey.  
**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2020 overpayment in the amount of \$17,884.82 to Archer & Greiner, P.C. as trustee for Rt. 94 Development Corp.  
**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION #23-261**  
**REFUND FOR TOTALLY DISABLED VETERAN**  
**(Block 273 Lot 85 - Sinnett)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Braden Sinnett 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 3<sup>rd</sup> & 4<sup>th</sup> quarter 2023 property tax in the amount of \$1,712.63 to Braden Sinnett.

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

**RESOLUTION #23-262**  
**CANCELLING TAXES FOR TOTAL DISABLED VETERAN**  
**(Block 490 Lot 6- Sinnett)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Braden Sinnett a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2024 in the amount of \$3,588.71.

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

**RESOLUTION #23-263**  
**REFUND FOR TOTALLY DISABLED VETERAN**  
**(Block 540 Lot 4 - Cucuta)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Dionisio Cucuta 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 4<sup>th</sup> quarter 2023 property tax in the amount of \$3,033.15 to Lereta Tax Service.

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

**RESOLUTION #23-264**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Cucuta Block 540 Lot 4)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Dionisio Cucuta a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2024 in the amount of \$5,596.99.

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

**RESOLUTION #23-265**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 490 Lot 6 - Canova)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Kevin Canova 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 4<sup>th</sup> quarter 2023 property tax in the amount of \$3,038.17 to Kevin Canova.

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

**RESOLUTION #23-266**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Canova Block 490 Lot 6)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Kevin Canova a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2023 in the amount of \$3,038.17.

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

**RESOLUTION #23-267**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Canova Block 490 Lot 6)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Kevin Canova a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2024 in the amount of \$5,896.48.

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

**RESOLUTION #23-268**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 335 Lot 17 - Lillis)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Richard Lillis 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 4<sup>th</sup> quarter 2023 property tax in the amount of \$1,891.36 to Richard Lillis.

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

**RESOLUTION #23-269**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Block 335 Lot 17- Lillis)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Richard Lillis a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2024 in the amount of \$4,965.06.

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

**RESOLUTION #23-270**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Canova Block 490 Lot 6)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Kevin Canova a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2023 in the amount of \$3,038.17.

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

**RESOLUTION #23-271**

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN  
(Block 564 Lot 1- Castrovillari)**

**WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS** on awarded Daniel Castrovillari a 100% permanent and total disabled veteran; and

**WHEREAS**, as of said date the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2024 in the amount of \$4,156.58.

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

**RESOLUTION #23-272**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 564 Lot 1 - Castrovillari)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Daniel Castrovillari 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 3<sup>rd</sup> & 4<sup>th</sup> quarter 2023 property tax in the amount of \$4,305.95 to Daniel Castrovillari.

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

**RESOLUTION #23-273**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 462 Lot 24 - Koziel)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Darrin Koziel 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 3<sup>rd</sup> & 4<sup>th</sup> quarter 2023 property tax in the amount of \$4,108.05 to Darrin Koziel.

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

**RESOLUTION #23-275**

**RESOLUTION AMENDING RESOLUTION #23-162 TO UPDATE AN APPOINTMENT  
EXTENDING PETER LAEMERS AS JUDGE OF THE VERNON TOWNSHIP MUNICIPAL  
COURT**

**WHEREAS**, Judge James Devine resigned from his position as Judge of the Vernon Township Municipal Court effective December 31, 2022; and

**WHEREAS**, the resignation was prior to the expiration of his appointment; and

**WHEREAS**, on November 10, 2022, the Vernon Township Council passed Resolution No. 22-259 which confirmed the appointment of James Sloan to the vacant position from January 1, 2023 to December 31, 2023; and

**WHEREAS**, another vacancy has occurred in the position of Judge of the Vernon Township Municipal Court and there was a need to appoint a replacement for the remainder of the unexpired term; and

**WHEREAS**, in accordance with N.J.S.A. 2B:12-4, the Mayor has appointed Peter Laemers to serve in the capacity of Judge of the Vernon Township Municipal Court to fill the remainder of the unexpired term.

**WHEREAS**, on or about July 20, 2023, P.L. 2023, c. 124 was enacted which moved the reorganization date from January 1<sup>st</sup> to January 15<sup>th</sup> for municipalities that hold non-partisan elections in November; and

**WHEREAS**, a determination has been made that Resolution No. 23-162 needs to be amended to reflect a new expiration date for Peter Laemers as Municipal Court Judge.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon that:

1. Resolution No. 23-162 is hereby amended to reflect that Peter Laemers appointment as a Municipal Court Judge shall now run until January 15, 2023.
2. This Resolution shall take effect immediately upon adoption according to law.

**Resolution #23-276**

**RESOLUTION AMENDING RESOLUTION #23-30 TO UPDATE AN APPOINTMENT  
EXTENDING ALICIA FERRANTE, ESQ. AS MUNICIPAL PROSECUTOR**

**WHEREAS**, the Township of Vernon (" Township") has a need for a Municipal Prosecutor; and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-27, a municipality may employ an attorney-at-law as the Municipal Prosecutor under the supervision of the County Prosecutor and that attorney may represent the municipality in any matter within the jurisdiction of the central municipal court and any other municipal court; and

**WHEREAS**, on January 1, 2023 the Vernon Township Council approved resolution #23-30 appointing Alicia Ferrante, Esq. as the Municipal Prosecutor for a one-year term ending on December 31, 2023; and

**WHEREAS**, on or about July 20, 2023, P.L. 2023, c. 124 was enacted which moved the reorganization date from January 1<sup>st</sup> to January 15<sup>th</sup> for municipalities that hold non-partisan elections in November; and

**WHEREAS**, a determination has been made that Resolution #23-30 needs to be amended to reflect a new expiration date for Alicia Ferrante, Esq.; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon that:

1. Resolution #23-30 is hereby amended to reflect that Alicia Ferrante's appointment as Municipal Prosecutor shall now run until January 15, 2023.
2. This Resolution shall take effect immediately upon adoption according to law.



**RESOLUTION #23-277**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR PROPOSED IMPROVEMENTS OF VARIOUS ROADS WITHIN VERNON TOWNSHIP WITH RIVERVIEW PAVING, INC.**

**WHEREAS**, on August 14, 2023, by way of adoption of Resolution #23-216, the Council of the Township of Vernon awarded a contract to Riverview Paving, Inc. for Milling & Paving on Various Roads which contract provided for an expenditure of \$721,890.00 and

**WHEREAS**, in a memo dated December 4, 2023, the Township Engineer states that the contract requires a Change Order #1 by the reduction of 2(two) items in amount of \$14,553.20 and the addition of 3(three) extra items in amount of \$14,553.20; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 resulting in no change to final contract amount of \$721,890.00.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project resulting in the final contract amount of \$721,890.00 for said project; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Riverview Paving, Inc. and the Township Engineer.

**RESOLUTION #23-278**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND THE TOWNSHIP OF HARDYSTON FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, the Township of Hardyston has requested that the Township of Vernon ("Township") provide animal control services whenever there is a need for an animal control officer in the Township of Hardyston; and

**WHEREAS**, the request has been reviewed and approved by the appropriate Township officials; and

**WHEREAS**, the Township is willing to provide animal control services to the Township of Hardyston and this is deemed in the best interest of the Township; and

**WHEREAS**, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. seq.; and

**WHEREAS**, a shared services agreement has been negotiated by and between the parties and that establishes the terms and conditions thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon as follows:

1. The Mayor and Township Clerk are authorized to execute the attached shared services agreement between the Township of Vernon and the Township of Hardyston for animal control services.
2. A copy of said agreement will be attached to this resolution and held on file in the Office of the Township Clerk.
3. A certified copy this resolution shall be forwarded to the Mayor and Clerk of the Township of Hardyston.

**RESOLUTION #23-281**

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

**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**, Luke T Van Gorder an active firefighter and member of the Highland Lakes 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 Luke T Van Gorder for membership in the New Jersey State Firemen’s Association.

**RESOLUTION #23-282**

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

**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**, Erik J Van Gorder an active firefighter and member of the Highland Lakes 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 Erik J Van Gorder for membership in the New Jersey State Firemen’s Association.

**RESOLUTION #23-283**

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

**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**, Drew P Van Gorder an active firefighter and member of the Highland Lakes 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 Drew P Van Gorder for membership in the New Jersey State Firemen’s Association.

**RESOLUTION #23-284**

**Temporary Budget- Debt Service**

**WHEREAS**, N.J.S.40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year, and

**WHEREAS**, the date of this resolution is subsequent to that date, and

**WHEREAS**, principal and interest will be due on various dates from January 1, 2024 to January 31, 2024, inclusive, on bonds and notes issued and outstanding,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon, in the County of Sussex, New Jersey, that the following appropriations be made to cover the period from January 1, 2023 to January 31, 2023 inclusive:

Payment of Bonds	\$1,260,000.00
Interest on Bonds	<u>81,464.80</u>
 Total	 <u>\$1,341,464.80</u>

**RESOLUTION #23-285**

**RESOLUTION – AUTHORIZING THE CANCELLATION  
OF APPROPRIATION RESERVE BALANCES**

**WHEREAS**, certain 2022 Appropriation Reserve Balances remain that are no longer needed; and

**WHEREAS**, a STORM RECOVERY/SNOW REMOVAL TRUST was established by Resolution #07-68 and approved by the Division of Local Government Services on April 05, 2002; and

**WHEREAS**, it is necessary to formally cancel said balances from appropriation reserves and fund the Storm Recovery/Snow Removal Trust Fund,

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon that the following unexpended balances of the Appropriations Reserves be cancelled:

2-01-25-240-01 – (2022) Police Department – S&W	\$ 135,000.00
2-01-26-290-01 – (2022) Road Repairs & Maintenance – S&W	\$ 95,000.00
2-01-26-290-20 – (2022) Road Repairs & Maintenance – O/E	\$ 30,000.00
<u>2-01-26-316-20 – (2022) Fleet Maintenance – O/E</u>	<u>\$ 15,000.00</u>

TOTAL	<u>\$275,000.00</u>
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**RESOLUTION #23-288**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR PROPOSED IMPROVEMENTS  
OF SAND HILL ROAD WITHIN VERNON TOWNSHIP  
WITH ROAD SAFETY SYSTEMS**

**WHEREAS**, on August 28, 2023, by way of adoption of Resolution #23-227, the Council of the Township of Vernon awarded a contract to Road Safety Systems for Guide Rails on Sand Hill Road which contract provided for an expenditure of \$89,292.00 and

**WHEREAS**, in a memo dated November 20, 2023, the Township Engineer states that the contract requires a Change Order #1 by the addition of two (2) extra items in amount of \$1,208.00 and three (3) supplemental items in amount of \$9,040.00 and the reduction of two (2) items in amount of \$22,720.00; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 resulting in the adjusted decreased final contract amount of \$76,820.00.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer’s recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project resulting in the adjusted decreased final contract amount of \$76,820.00 for said project; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to road Safety Systems and the Township Engineer.

**RESOLUTION #23-289**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND THE TOWNSHIP OF LAFAYETTE FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, the Township of Lafayette has requested that the Township of Vernon (“Township”) provide animal control services whenever there is a need for an animal control officer in the Township of Lafayette; and

**WHEREAS**, the request has been reviewed and approved by the appropriate Township officials; and

**WHEREAS**, the Township is willing to provide animal control services to the Township of Lafayette and this is deemed in the best interest of the Township; and

**WHEREAS**, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. seq.; and

**WHEREAS**, a shared services agreement has been negotiated by and between the parties and that establishes the terms and conditions thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon as follows:

1. The Mayor and Township Clerk are authorized to execute the attached shared services agreement between the Township of Vernon and the Township of Lafayette for animal control services.
2. A copy of said agreement will be attached to this resolution and held on file in the Office of the Township Clerk.
3. A certified copy this resolution shall be forwarded to the Mayor and Clerk of the Township of Lafayette.

**RESOLUTIONS**

**Resolution #23-274:** Authorize the Award of a RFQ 10-2023 Door Access Systems in a Fair and Open Manner to Integrated Systems & Services Inc.

President Buccieri asked for a motion to approve resolution #23-274.

MOVED: Rizzuto

SECOND: Sparta

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve resolution #23-274.

**RESOLUTION #23-274**

**AUTHORIZE THE AWARD OF A RFQ 10-2023 DOOR ACCESS SYSTEMS IN A FAIR AND OPEN MANNER TO INTEGRATED SYSTEMS & SERVICES INC.**

**WHEREAS**, the Township of Vernon has a need for door access system upgrade and installation as a public works request for quote in a fair and open manner, consistent with N.J.S.A.19:44A-20.5 and

**WHEREAS**, the Township publicly noticed vendors in a fair and open manner and received four quotes in accord with N.J.S.A.40A:11-6.1 to wit:

NAME OF BIDDER	COMMERCIAL TECHNOLOGY CONTRACTORS INC	Integrated Security & Communications	Advantage Security Systems	INTEGRATED SYSTEMS & SVCS INC
<b>PROPOSAL</b>	\$49,549.77	\$6,830.19	\$36,915.92	\$23,236.00
		\$12,456.00		
<b>TOTAL</b>	<b>\$49,549.77</b>	<b>\$19,286.19</b>	<b>\$36,915.92</b>	<b>\$23,236.00</b>

**WHEREAS** Integrated Systems & Services Inc. have provided the proposal that is most advantageous to the Township, Price and Other factors considered in accord with N.J.S.A.40:11-6.1; and

**WHEREAS**, this contract for services is a public works contractor registration project, of which Integrated Systems and Services Inc. is the lowest responding vendor who complies with applicable New Jersey Department of Labor Laws (N.J.S.A. 34:11-56.48 et seq.); and

**WHEREAS**, it is the recommendation of the Business Administrator to award project RFQ# 10- 2023, Door Access Systems”, to Integrated Systems and Services Inc. 541 Industrial Way, Eatontown, N.J. 07724, in the amount of \$23,236.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Vernon authorizes the Mayor to enter into a contract with Integrated Systems and Services Inc. 541 Industrial Way, Eatontown, N.J. 07724, in the amount of \$23,236.00, for the project RFQ# 10- 2023, Door Access Systems”

**Resolution #23-279:** Resolution Awarding Bid for Proposed Athletic Field Lighting Installation at Veteran’s Memorial Park

President Buccieri asked for a motion to approve resolution #23-279.

MOVED: Sparta  
 SECOND: DeBenedetto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri  
 NAYES:  
 ABSTAIN:  
 ABSENT:

Motion carries to approve resolution #23-279.

**RESOLUTION #23-279**

**RESOLUTION AWARDING BID FOR PROPOSED ATHLETIC FIELD LIGHTING INSTALLATION AT VETERAN’S MEMORIAL PARK**

**WHEREAS**, there is a need for Improvements for Proposed Athletic Field Lighting at Veteran’s Memorial Park in the Township of Vernon, duly publicly advertised; and

**WHEREAS**, the procurement was conducted according to the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-4a); and

**WHEREAS**, the Township duly advertised for public bids in a fair and open manner, consistent with N.J.S.A.19:44A-20.5 et. Seq., and

**WHEREAS**, the Township of Vernon received three (3) bids for the project known as Athletic Field Lighting Installation at Veterans Memorial Park on December 6, 2023, at 10:00 am.; and

**WHEREAS**, John J. Faccas, Inc., T/A Quality Electrical Construction has provided the lowest base bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document in the amount of \$258,400.00; and

**WHEREAS**, the Townships design engineer and qualified purchasing agent have recommended award to the lowest responsible bidder in accord with N.J.S.A.40A:11-4A; and

**WHEREAS**, the Chief Financial Officer hereby certifies that funds not to exceed \$258,400.00 are available as follows; Line Item: C-04-23-015.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that:

1. The contract for Proposed Athletic Field Lighting at Veteran’s Memorial Park is hereby awarded to John J. Faccas, Inc., T/A Quality Electrical Construction of 9 Plum Lane, Holmdel, New Jersey 07733.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with John J. Faccas, Inc., T/A Quality Electrical Construction of 9 Plum Lane, Holmdel, New Jersey 07733, not to exceed \$258,400.00 in accord with the tenets of contract found within Bid.

**Resolution #23-280:** A Resolution Reappointing Donelle Bright as Chief Financial Officer for Vernon Township

President Buccieri asked for a motion to approve resolution #23-280.

MOVED: Sparta  
SECOND: Rizzuto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri  
NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to approve resolution #23-280.

**RESOLUTION #23-280**

**A RESOLUTION REAPPOINTING DONELLE BRIGHT AS CHIEF FINANCIAL OFFICER FOR VERNON TOWNSHIP**

**WHEREAS**, N.J.S.A. 40A:9-140.10 requires that “in every municipality there shall be a chief financial officer appointed by the governing body of the municipality”; and

**WHEREAS**, Donelle Bright was previously appointed to a four-year term of office as Chief Financial Officer which is set to expire on December 31, 2023; and

**WHEREAS**, Donelle Bright has admirably performed her job responsibilities as the Township of Vernon’s Chief Financial Officer during her first term of office; and

**WHEREAS**, it is deemed in the best interests of the Township of Vernon to reappoint Donelle Bright as the Township of Vernon’s Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that, in accordance with N.J.S.A. 40A:9-140.10 et seq., Donelle Bright is hereby reappointed to the position of Chief Financial Officer of the Township of Vernon effective January 1, 2024.

**BE IT FURTHER RESOLVED** that Township officials are hereby authorized to take whatever ministerial actions may be required to effectuate the intent of this Resolution.

**Resolution #23-286:** Resolution Authorizing Procurement of Sports Lighting Through Sourcewell National Cooperative #041123-MSL Through Musco Sports Lighting LLC

President Buccieri asked for a motion to approve resolution #23-286.

MOVED: Sparta

SECOND: DeBenedetto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve resolution #23-286.

#### **RESOLUTION #23-286**

### **RESOLUTION AUTHORIZING PROCUREMENT OF SPORTS LIGHTING THROUGH SOURCEWELL NATIONAL COOPERATIVE #041123-MSL THROUGH MUSCO SPORTS LIGHTING LLC.**

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

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

**WHEREAS**, the Township of Vernon has the need to procure sports lighting supply for the Township in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

**WHEREAS**, the Township of Vernon has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative, and;

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #041123-MSL for Musco Sports Lighting LLC.; and

**WHEREAS**, the quoted cost under the Sourcewell Cooperative contract is \$290,115.00 for lighting of Bell Field, Snack Bar Field & Batting Cages, reflecting a 5% discount; and

**WHEREAS**, the Chief Financial Officer has determined, and certified available funds are available in the amount of \$290,115.00 from Accounts C-04-20-011; C-04-21-012; and C-04-22-010;

**NOW THEREFORE BE IT RESOLVED THAT**, the Mayor is authorized to effectuate the contract with Musco Sports Lighting LLC under Sourcewell contract #041123-MSL for field lighting supply in

the amount of \$290,115.00, in accord with the provisions of the tenets as established within 40A:11-1 et. Seq.,

**Resolution #23-287:** Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Awarding Bid #12-2023 Snow Removal Bid

President Buccieri asked for a motion to approve resolution #23-287.

MOVED: Rizzuto  
 SECOND: Sparta

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri  
 NAYES:  
 ABSTAIN:  
 ABSENT:

Motion carries to approve resolution #23-287.

**RESOLUTION #23-287**

**RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AWARING BID# 12-2023 SNOW REMOVAL BID**

**WHEREAS**, the Township public advertised and sought bids for Bid 12-2023 Snow Removal Bid” in a fair and open manner, consistent with N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Township received and opened bids on November 21, 2023, wherein the Township received four (4) bids at rates per hour, to wit:

<b>Highland Lakes</b>	Notchwood Landscape	Raybross Construction Inc.	Richard J. Cross Excavating Inc.	Speidel and Sons Contracting, Inc.
Class B Truck and Driver		\$225.00		
Class B Truck/Sander and Driver		\$225.00		
Class C Truck and Driver		\$225.00		
Class C Truck/Sander and Driver				
Loader/Skidsteer		\$150.00		
Tandem <i>(hauling-additional bid response)</i>		\$150.00		
Wing Plow Tractor <i>(additional bid response)</i>		\$150.00		

<b>Lake Panorama</b>	Notchwood Landscape	Raybross Construction Inc.	Richard J. Cosh Excavating Inc.	Speidel and Sons Contracting, Inc.
Class B Truck and Driver			\$225.00	
Class B Truck/Sander and Driver			\$225.00	
Class C Truck and Driver				\$100.00



Class C Truck/Sander and Driver				\$110.00
Loader/Skidsteer			\$150.00	\$150.00
<b>Lake Walkill</b>	Notchwood Landscape	Raybross Construction Inc.	Richard J. Cosh Excavating Inc.	Speidel and Sons Contracting, Inc.
Class B Truck and Driver				
Class B Truck/Sander and Driver				
Class C Truck and Driver				\$100.00
Class C Truck/Sander and Driver				\$110.00
Loader/Skidsteer				\$150.00

<b>Lake Glenwood</b>	Notchwood Landscape	Raybross Construction Inc.	Richard J. Cosh Excavating Inc.	Speidel and Sons Contracting, Inc.
Class B Truck and Driver				
Class B Truck/Sander and Driver				
Class C Truck and Driver				\$100.00
Class C Truck/Sander and Driver				\$110.00
Loader/Skidsteer				\$150.00

<b>Barry Lakes</b>	Notchwood Landscape	Raybross Construction Inc.	Richard J. Cosh Excavating Inc.	Speidel and Sons Contracting, Inc.
Class B Truck and Driver	\$225.00			
Class B Truck/Sander and Driver	\$225.00			
Class C Truck and Driver	\$130.00 (Hauling per hour not during storm)			
Class C Truck/Sander and Driver				
Loader/Skidsteer	\$150.00			

;and

**WHEREAS** it was determined the lowest responsible bidders were as follows:

Highland Lakes	Raybross Construction Inc. P.O Box 183, 794 Canistear Road Highland Lakes, New Jersey, 07422
Panorama Lake	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461
Lake Walkill	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461

Lake Glenwood	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461
Barry Lakes	Notchwood Landscape PO Box 412 Glenwood, New Jersey, 07418

**NOW, THEREFORE BE IT RESOLVED**, by the Vernon Township Council, that:

**The Township hereby awards Bid 12-2023 Snow Removal Bid, to the following vendors at the rates per hours as bid:**

Highland Lakes	Raybross Construction Inc. P.O Box 183, 794 Canistear Road Highland Lakes, New Jersey, 07422	Class B Truck and Driver Class B Truck/Sander and Driver Class C Truck and Driver Class C Truck/Sander and Driver Loader/Skidsteer	\$225.00 \$225.00 \$225.00 \$225.00 \$150.00
Panorama Lake	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461	Class B Truck and Driver Class B Truck/Sander and Driver Class C Truck and Driver Class C Truck/Sander and Driver Loader/Skidsteer	\$100.00 \$110.00 \$150.00
Lake Walkill	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461	Class B Truck and Driver Class B Truck/Sander and Driver Class C Truck and Driver Class C Truck/Sander and Driver Loader/Skidsteer	\$100.00 \$110.00 \$150.00
Lake Glenwood	Speidel & Sons Contracting Inc. 8 Lounsberry Hollow Rd Sussex, New Jersey, 07461	Class B Truck and Driver Class B Truck/Sander and Driver Class C Truck and Driver Class C Truck/Sander and Driver Loader/Skidsteer	\$100.00 \$110.00 \$150.00
Barry Lakes	Notchwood Landscape PO Box 412 Glenwood, New Jersey, 07418	Class B Truck and Driver Class B Truck/Sander and Driver Class C Truck and Driver Class C Truck/Sander and Driver Loader/Skidsteer	\$225.00 \$225.00 \$130.00 hauling \$150.00

**The Mayor is hereby authorized to execute all contracts and agreements in furtherance of Bid #12-2023 “Snow Plowing and Removal.”**

**PUBLIC HEARING/2<sup>ND</sup> READING OF ORDINANCE**

**Ordinance #23-21:** An Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Adding Chapter 13, “Cannabis Establishment Licensing and Regulation,” to the Township Code, Establishing Local Annual Cannabis Licenses for all Cannabis Establishments to Operate in the Township, Pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act

President Buccieri asked for a motion to open the floor for public hearing on ordinance #23-21.

MOVED: Rizzuto  
SECOND: Sparta

All members were in favor.

Seeing no one from the public wishing to come forward, President Buccieri asked for a motion to close the public hearing on ordinance #23-21.

MOVED: DeBenedetto

SECOND: Sparta

All members were in favor.

President Buccieri asked for a motion to adopt ordinance #23-21.

MOVED: Sparta

SECOND: Rizzuto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to adopt ordinance #23-21.

### **ORDINANCE #23-21**

**AN ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADDING CHAPTER 13, "CANNABIS ESTABLISHMENT LICENSING AND REGULATION," TO THE TOWNSHIP CODE, ESTABLISHING LOCAL ANNUAL CANNABIS LICENSES FOR ALL CANNABIS ESTABLISHMENTS TO OPERATE IN THE TOWNSHIP, PURSUANT TO THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE, AND MARKETPLACE MODERNIZATION ACT**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, cannabis use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would

include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

**WHEREAS**, sections 3la-c of the Act, N.J.S.A. 24:6I-45a-c, authorizes municipalities to adopt ordinances and regulations prohibiting outright and/or limiting the number of any class of licensed "cannabis establishment" (defined in section 33 of the Act, N.J.S.A. 24:6I-33, as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributor and cannabis delivery service allowed to operate within its municipal boundaries; and the location, manner and times of operation of such cannabis establishment, cannabis distributor and cannabis delivery service, except that the transportation and time of operations for cannabis delivery services, shall only be subject to the regulation by the Cannabis Regulatory Commission (the "Commission" or "CRC"); and

**WHEREAS**, pursuant to N.J.A.C. 17:30-5.1(b) of the CRC's Rules, any municipality that has timely adopted an ordinance prohibiting outright the operation of any cannabis establishment, distributor or the principal location of any cannabis delivery service business within a municipality in accordance with N.J.S.A. 24:6I-45b, may thereafter amend its ordinances to allow for, zone, license and regulate such cannabis establishments, distributors and the principal locations of cannabis delivery service businesses; and

**WHEREAS**, the Township Council recognizes the importance of fostering economic opportunities that provide jobs and ratables to the community, while ensuring that such uses can safely and seamlessly fit into the fabric of the community; and

**WHEREAS**, the Township Council has determined that the six (6) legal classes of cannabis under the Act can be permitted in the Township in such a way so as to safely and seamlessly fit into the fabric of the community while providing significant economic opportunities; and

**WHEREAS**, the Township Council has determined that such businesses engaged in a business with one of the six classes of legal cannabis licenses should be permitted as delineated in Chapter 330 Land Development Ordinances in the Township subject to the appropriate Township Licensure as delineated herein.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Vernon that the Code of the Township of Vernon shall be amended as follows:

**SECTION 1.**

**§ 13-1 Purpose and Application.**

- a. Purpose. This Section has been adopted by the Township Council of the Township of Vernon for the following purposes:
  1. To protect the public health, safety, and general welfare of the residents of the Township of Vernon by establishing strict licensing limits and regulations on the lawful sale and use of legal cannabis to persons age 21 years or older only, and at all times in conformity with the laws of the State of New Jersey, including without limitation, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), the rules and regulations of the New Jersey Cannabis Regulatory Commission (the "Commission" or "CRC"), and the Township Code, as may be amended from time-to-time hereafter.
  2. To regulate the local licensing and operation of licensed Cannabis Establishments, each as defined in N.J.S.A. 24:6I-33 of the Act, to protect against the unlawful operation, sale, and use of cannabis and marijuana.
  3. To establish certain conditions and limitations on the number of cannabis licenses

authorized to be issued within the municipal boundaries of the Township through the local licensing process.

4. To establish local regulations on the time, location and manner of licensed Cannabis Establishments and activities in accordance with State law.
  5. To establish limitations on the number and types of Cannabis Establishment licenses and cannabis marketplace activities.
- b. **Applicability.** The provisions herein shall apply to all licensees, persons, organizations and businesses operating and/or seeking to operate within the Township as any class of licensed Cannabis Establishment pursuant to the Act.
- c.

**§ 13-2 Definitions.**

The terms used herein shall be as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," P.L. 2021, c. 16, N.J.S.A. 24:61-31, et seq. (the Act) as may be amended from time-to-time in accordance with State law. Should any of the definitions in this Section conflict with definitions located elsewhere in the Vernon Township Municipal Code, the definitions contained in the Act as noted herein shall control for purposes of this Section. If a word, term, or phrase is defined neither in the Act nor elsewhere in the Vernon Township Municipal Code, the most common dictionary definition is presumed to be correct.

**§ 13-3 Prohibitions on Cannabis Consumption Areas.**

- a. Pursuant to section 32 of the Act, N.J.S.A. 24:61-21, all Cannabis Consumption Areas are prohibited from being located or otherwise operated within the geographic boundaries of the Township of Vernon.

**§ 13-4 Numerical Limit on Local Cannabis Licenses and Class Types of Cannabis Establishments Permitted.**

- a. The following number and type of Township Establishment licenses, otherwise known as "local annual cannabis license" is/are authorized to be available for issuance by the Township on an annual basis pursuant to the Act and the regulations of the Commission and the Township Code:
1. **Two (2) Class 1 Cultivators, two (2) Class 2 Manufacturers, two (2) Class 3 Wholesalers, two (2) Class 4 Distributors, two (2) Class 5 Retailers; and two (2) Class 6 Deliveries** ~~in each respective Zoning District where such license class is permitted~~ **and** where the operator is holding the requisite current valid & active permits issued by the Commission in accordance with the Act, which authorizes the entities to cultivate & process, manufacture, wholesale, distribute, and sell to retail consumers cannabis, respectively, in accordance with the Township Code, and the Act and the regulations of the Commission, as may hereafter be amended. At no time shall such local annual license be transferrable from the initial licensee to another entity without prior formal licensing approval from the Commission and the Township.
- b. Except as provided in al above, no additional licenses or license class types shall be issued or otherwise made available by the Township except by formal adoption of an ordinance amending the provisions of the Township Code herein.
- c. Any person, organization and/or business, including a licensed Cannabis Establishment or operation of limited class type operating outside the scope of a license, found to engaged in the cultivation, manufacturing, wholesale, distribution, and/or retail sale of cannabis or cannabis items without first possessing a valid local annual cannabis license issued by the Township shall be subject to a civil fine and penalty as set forth herein below.

- d. Resolutions of support. Resolutions of support obtained by a potential licensee from the Township Council shall be valid for the period of one (1) year, unless an extension is granted by the Township Council. Resolutions of support shall not be deemed as an agreement to hold a license available for the potential licensee.

### § 13-5 Municipal Licensure Requirements.

- a. Prior to commencing and engaging in any cannabis business activities and uses within the Township permitted by the Commission pursuant to a State-issued Class 1, 2, 3, 4, 5 or 6 license validly issued in accordance with the Act, any person, business, and/or organization shall first apply for and secure from the Township a local annual cannabis license. Except that nothing herein shall be read or construed to conflict with the statutory provisions as to Cannabis Delivery Services licensed by the Cannabis Regulatory Commission.
- b. The Township **Administration** shall begin accepting applications for Class 1, 2, 3, 4, 5 or 6 local annual cannabis licenses 15 days following final passage of this ordinance.
- c. The initial local annual cannabis license shall be valid until December 31, 2024. Thereafter the period of each annual local Cannabis Establishment license shall commence on January 1 and expire on December 31 of the calendar year.
- d. By no later than December 1 of any existing license year, the licensee shall be required to file an application for the renewal of a local annual cannabis license to be authorized to continue operation as a Class 1, 2, 3, 4, 5 or 6 Cannabis Establishment within the Township.
- e. All local annual cannabis licenses shall be conditional, and shall remain subject to all State and local laws and regulations. Failure of any licensee to comply with such applicable laws shall be grounds for revocation and/or nonrenewal of the local annual cannabis license by the Township **Administration**.
- f. The initial application fee for each local annual cannabis license, of each class-type, shall be **\$10,000 for all classes** and the renewal application fee shall be **\$10,000 for all classes**. **The application fee is non-refundable.**
- g. **A new licensee must file an application with the Township Land Use Board seeking site plan and associated approvals for a specific site within six (6) months of receiving a Township license. If application is not made within six (6) months, the Township license will be revoked.**
- h. Unless the Township issues a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products/items from the premises of any Cannabis Establishment after the expiration date recorded on the face of the license.
- i. All local annual cannabis licenses shall be non-transferrable. All local annual cannabis licenses shall be specific to the property location authorized and approved by the Township and shall not otherwise be considered a "pocket license."
- j. The licensed premises of all licensees shall be subject to unannounced inspections by a designated representative of the Township. Access shall be permitted by the designated representative on demand by the Township's authorized representative.

### § 13-6 Application for Local License and Annual Local License Fee

- a. Application Fee. The applicant shall submit an application to the Office of the Municipal

Clerk, under oath on a form furnished by the Township of Vernon, **with an application fee as enumerated herein**, which fee shall be nonrefundable. The initial application fee for each local annual cannabis license, of each class-type, shall be **\$10,000 for all classes**.

- b. Annual License Renewal Fee. The annual license renewal fee for successful applicants operating cannabis establishments in the Township of Vernon shall be implemented as required in accordance with the following fee schedule, **renewal fees are non-refundable**:

Class I Cannabis Cultivator license: **ten thousand dollars (\$10,000.00)**.

Class 2 Cannabis Manufacturer license: **ten thousand dollars (\$10,000.00)**. Class 3

Cannabis Wholesaler license: **ten thousand dollars (\$10,000.00)**.

Class 4 Cannabis Distributor license: **ten thousand dollars (\$10,000.00)**.

Class 5 Cannabis Retail license: **ten thousand dollars (\$10,000.00)**.

Class 6 Cannabis Delivery license: **ten thousand dollars (\$10,000.00)**

- c. Upon the receipt of an application, the Office of the Municipal Clerk shall transmit the application to the Office of Police Chief for the Township Police Department or the Chiefs designee, the Mayor, the Business Administrator, and the Council President for review of the application. These departments shall review the application and forward their comments to the Clerk's Office fifteen (15) business days from transmission of the application.

- d. The Clerk shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete and shall not be processed by the Clerk and transmitted for review until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- 1. The name and home address of the Applicant. If the Applicant is not a natural person, the Applicant shall submit a statement setting forth the names and home addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class or of all individual partners in the partnership who own a 10% or greater interest therein, as the case may be. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed with its home address. The disclosure shall be continued until names and home addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria has been listed.

- 2. The name of any other business entities in which any of the individuals identified pursuant to subsection (b)(1) of this provision have or have had an ownership interest which: (i) cultivates, manufactures, wholesales or dispenses cannabis or cannabis products; (ii) invests or finances in any such entity; or (iii) is regulated by any governmental entity.

- 3. A copy of the license issued by the Cannabis Regulatory Commission authorizing the Applicant to operate as a Licensed Cannabis Establishment with a copy of all application materials and documents submitted to the Commission for a license.

4. An affidavit from the Applicant attesting to and accompanied by documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
  5. Plans prepared by a duly licensed architect, engineer, or planner which shall depict the layout and design for the proposed location of the Licensed Cannabis Entity within the Township.
    - (a) The required plans shall depict the proposed security measures for the location. The plans shall be deemed confidential consistent with state law.
    - (b) The Applicant shall also provide either a lease agreement or agreement of sale for the property where the Applicant intends to operate the Licensed Cannabis Entity. The lease agreement or agreement of sale may be contingent upon the Applicant's ability to successfully: (i) obtain a Local License; and (ii) if applicable, obtain approval from the Vernon Township Planning Board and/or the Vernon Township Land Use Board.
  6. Acknowledgment and agreement authorizing the Vernon Police Department to perform background checks and/or investigations regarding any individuals disclosed pursuant to subsection (b)(1) of this provision and any employees of the Applicant.
- e. The Office of Police Chief for the Vernon Police Department or the Chiefs designee, the Mayor or Mayor's designee, the Business Administrator, and the Council President, who may seek additional review from the Township Attorney, Engineer and/or Planner, shall evaluate any and all applicants and issue a notification of award after consideration and evaluation of the following criteria:
1. **Qualifications and Experience**  
Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principal, submission of formal business plan for the proposed Licensed Cannabis Entity including pro forma is required.
  2. **Security Plan**  
Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement, and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance and digital storage, security personnel and their qualifications, and visitor and employee security management.
  3. **Environmental Plan**  
Summary of the applicant's environmental impact and sustainability plan; whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for



innovation in sustainability; and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system.

4. New Jersey Minority-Owned

Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.

- f. Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall allow the recipient applicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended in the Township Committee's discretion for an additional 6 months for good cause. No license to operate shall be issued until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Municipal Clerk shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

**§ 13-7 Additional Requirements,**

- a. Cannabis Establishments shall meet all of the requirements for licensure pursuant to the Act, the regulations of the Commission and all other applicable State and local laws.
- b. Cannabis Establishments shall at all times hold a valid current license or permit issued by the State of New Jersey, along with a local annual cannabis license issued by the Township to undertake cannabis activities at the permitted property. Both the Township and State-issued licenses are valid only for the location identified on the licenses and until the expiration date printed on the license. Both the Township- and State-issued licenses shall be prominently displayed inside the permitted Cannabis Establishment in a location where they can be easily viewed by State and local law enforcement and administrative authorities.
- c. Cannabis Establishments shall be conducted solely within the confines of the licensed location of the licensed premises on the permitted property. No Cannabis Establishment shall be permitted to operate from a movable, mobile or transitory location, except for the permitted transportation of cannabis products to and from the facility pursuant to State law by a licensed Class 6 Delivery Service.
- d. Cannabis Establishments shall comply with the Act, the regulations of the Commission, and the Township Code, including without limitation the Zoning Code, the Building Code, and the Housing and Property Maintenance Code, at all times.
- e. With the exception of loading activities incidental to the operation of the Cannabis Establishment, all operations shall occur indoors, within the enclosed licensed building, except as otherwise authorized for licensed Class 6 Delivery Services only.
- f. All Cannabis Establishments shall at all times adhere to the safety and security standards and plan established and approved by the Commission, including the requirements for the maintenance of a security system that meets State law requirements. In addition, all Cannabis Establishments shall also comply with the below provisions. The Vernon Township Chief of Police shall make the determination as to whether Cannabis Establishments are in compliance with the following provisions:

1. Cannabis Establishments shall have security systems in place, along with a continuous recording system that records for a minimum 30-day archive. This system shall be shared with the Vernon Township Police Department via web browser providing direct access to real-time and archived video.
2. Cannabis Establishments shall provide the Vernon Township Police Department with the name and telephone number of one staff person to notify during operating hours, and the name and cellphone number of at least two staff persons to notify after operating hours regarding suspicious activity.
3. Outside areas of the premises shall be well-illuminated for safety and security, but not in a way that is counter to Township Code requirements for outdoor lighting and screening, or in a way that is obtrusive to pedestrians, drivers or other users of the public right-of-way.
4. All cannabis in whatever form stored at the permitted premises shall be kept in a secure manner and shall not be visible from outside the permitted premises, nor shall it be processed, exchanged, displayed or dispensed outside the confines of the licensed structure of the premises. No cannabis products shall be visible from a public sidewalk, public street or right-of-way, or any other public place.
5. Cannabis Establishments shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with local and State laws, including the rules and regulations of the Commission.
6. Cannabis Establishments shall be equipped with ventilation systems sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by the ordinary senses. The ventilation system shall be inspected and approved by the Township Construction Official.
7. The hours of operation for all Cannabis Establishments shall be limited to 9:00 a.m. to 10:00 p.m. Eastern Standard Time.
8. Cannabis Establishments shall post conspicuous signage inside and outside the building that consumption of cannabis is prohibited anywhere on the premises, including the parking area and inside vehicles in the parking area.
9. Prohibition on Mobile Structures. Each Cannabis Establishment shall at all times conduct business within the confines of a licensed premises. No Cannabis Establishment shall be housed or operated in a vehicle or any movable or mobile structure. Nothing herein shall be deemed to apply to or otherwise conflict with the statutory and regulatory provisions applicable to Cannabis Delivery Service holding a valid and current license issued by the New Jersey Cannabis Regulatory Commission

**§ 13-8 Local Cannabis Transfer and User Taxes.**

- a. Establishment of Transfer and User Tax. Pursuant to section 40 of the Act, N.J.S.A. 40:481-1a(1), the following user and transfer taxes are hereby established on all Cannabis Establishments operating within the Township, at the maximum amount as permitted by the laws of the State of New Jersey or the amounts set forth below, whichever is greater:
  1. A transfer tax of 2% shall be imposed on the gross receipts from each sale of all cannabis and cannabis items by any cannabis cultivator, manufacturer, or retailer; a transfer tax of 1% shall be imposed on the gross receipts from each sale of all cannabis and cannabis items by any cannabis wholesaler.
  2. The transfer tax shall be stated, charged and shown separately on any sales slip,

invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value of the transfer for the cannabis or cannabis item.

3. The transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.
  4. In addition, there shall be a 2% user tax imposed on any concurrent license holder operating more than one Cannabis Establishment.
  5. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed on the license holder's business that is located in the Township to any other of the license holder's businesses, whether located in this municipality or any other municipality.
  6. The user tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity with regard to cannabis.
  7. Any transaction for which the user or transfer tax hereinabove is imposed, is exempt from the tax imposed under the Sales and Use Tax Act, except for those which generate receipts from the retail sales by cannabis retailers in the case that the retail sale of cannabis should become legal in the Township.
  8. A total of 15% of the funds received from the user taxes in this section will be designated for training and equipment for the Vernon Township Police Officers, Drug Recognition Experts and associated costs, and substance abuse programs.
  9. A total of 10% of the funds received from the user taxes in this section will be designated to the Municipal Planning and Zoning Department for administration and enforcement purposes.
- b. Remittance of Cannabis Taxes; Delinquencies.
1. All transfer and user taxes collected by any Cannabis Establishment pursuant to this Chapter shall be remitted to the Township's Chief Financial Officer on a monthly basis.
  2. Delinquent taxes. If the transfer tax or user tax is not paid when due, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the Cannabis Establishment's premises.
  3. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.
  4. The Township shall file in the office of its Tax Collector a statement showing the amount and due date of the unpaid balance of cannabis taxes and identifying the lot and block number of the parcel of real property that comprises the delinquent Cannabis Establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.
  5. Failure of the Cannabis Establishment to make full payment of the user and transfer taxes hereinabove imposed shall be grounds for the immediate revocation and/or termination of any local annual cannabis license and/or any local annual cannabis license shall not be renewed unless until all outstanding user and transfer taxes are paid in full. All user and transfer taxes shall also be paid should the licensee make application to the Vernon Township Planning Board and/or the Vernon Township Land Use Board.

**§ 13-9 Corporate Designee Contact.**

All Cannabis Establishments operating within the Township shall be required to designate a corporate representative of the business who shall be available 24 hours daily to serve as the primary person of contact for the business, and shall have full authority to make decisions on behalf of the business in the event of an emergency. The Cannabis Establishment shall provide the up-to-date direct telephone and email contact information for the corporate representative to the Township Police Department and the Township Administrator and shall assure that such contact information remains current at all times. At a minimum, the corporate representative shall be responsible to respond to the Township in the event of a report of criminal activity, adverse odor event, or any suspected violation of applicable State and/or local laws.

**§ 13-10 Civil Fines and Penalties.**

- a. Any person(s), firm(s), business(es), corporation(s) and/or other organization(s), including any licensed Cannabis Establishment, found in violation of any provision(s) of the Township Code shall be subject to a civil fine and penalty not exceeding \$2,000, in accordance with the Township Code.
- b. Any violation of the Township Code by a licensed Cannabis Establishment may be grounds for revocation and/or nonrenewal of any issued local annual cannabis license. Upon reasonable notice to the licensee by the Township Administration, a hearing shall be conducted before the Township Council to decide whether sufficient grounds exist to revoke any and all classes of local annual cannabis licenses issued to the licensee. The licensee may be permitted to be represented by legal counsel during the hearing, to present evidence, testimony and witnesses.
- c. Each and every day any person(s), firm(s), business(es), corporation(s) and/or other organization(s), including any licensed Cannabis Establishment, remains in violation of the provisions of the Township Code after the deadline for compliance set forth in any notice of violation issued by the enforcing officer(s) of the Township, shall be considered a continuing violation punishable as a separate and distinct offense and subject to a separate civil fine and penalty for each and every day the violation continues.
- d. The Municipal Court or Superior Court shall have jurisdiction to hear and decide any action(s) brought to enforce the provisions of the Township Code, the hearing for which shall be conducted in a summary manner pursuant to N.J.S.A. 2B12-16a, and any final order imposing fines and penalties for a violation of this code shall be enforceable in the Municipal Court or Superior Court and collectible as a lien against the property of the violator in accordance with the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq.

**SECTION 2.**

**SEVERABILITY AND REPEALER**

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part held invalid.

**SECTION 3.**

**NOTICE**

The Township Clerk is directed to give notice at least ten (10) calendar days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**SECTION 4.**

EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

**Ordinance #23-23:** Bond Ordinance Providing for the Improvement of the Water Supply and Distribution System In and By the Township of Vernon, In the County of Sussex, New Jersey, Appropriating \$2,000,000 Therefor and Authorizing the Issuance of \$1,448,445 Bonds or Notes of the Township for Financing Such Appropriation

President Buccieri asked for a motion to open the floor for public hearing on ordinance #23-23.

MOVED: Rizzuto

SECOND: Sparta

All members were in favor.

Seeing no one from the public wishing to come forward, President Buccieri asked for a motion to close the public hearing on ordinance #23-23.

MOVED: DeBenedetto

SECOND: Sparta

All members were in favor.

President Buccieri asked for a motion to adopt ordinance #23-23.

MOVED: Sparta

SECOND: DeBenedetto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to adopt ordinance #23-23.

**ORDINANCE #23-23**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,448,445 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Vernon, in the County of Sussex, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$2,000,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$551,555 as the down payment for said improvement or purpose required by law and now available therefor from funds received by the Township from the American Rescue Plan Act grant.

For the financing of said improvement or purpose, including for the purpose of applicable United States Treasury regulations the reimbursement of expenditures heretofore or hereafter made therefor, and to meet the part of said \$2,000,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,448,445 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$1,448,445 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

- The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Township by the extension and expansion thereof at the Town Center, including all pipes, water mains, structures, facilities, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,448,445.

The estimated cost of said purpose is \$2,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$551,555 down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,448,445, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer of the Township (the "Chief Financial Officer") provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par

and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

**Ordinance #23-24:** An Ordinance to Amend Chapter No. 148 Animal Control; Dog Licensing of the Revised Ordinances of the Township of Vernon by Amending Article III Animal Control; Dog Licensing, Section 148-26 Regulation of Dogs

President Buccieri asked for a motion to open the floor for public hearing on ordinance #23-24.

MOVED: DeBenedetto  
SECOND: Sparta

All members were in favor.

Seeing no one from the public wishing to come forward, President Buccieri asked for a motion to close the public hearing on ordinance #23-24.

MOVED: DeBenedetto  
SECOND: Sparta

All members were in favor.

President Buccieri asked for a motion to adopt ordinance #23-24.

MOVED: Sparta  
SECOND: DeBenedetto

A roll call vote was taken:

AYES: DeBenedetto, Rizzuto, Sparta, Tadrick, Buccieri  
NAYES:



ABSTAIN:  
ABSENT:

Motion carries to adopt ordinance #23-24.

#### **ORDINANCE #23-24**

### **AN ORDINANCE TO AMEND CHAPTER NO. 148 ANIMAL CONTROL; DOG LICENSING OF THE REVISED ORDINANCES OF THE TOWNSHIP OF VERNON BY AMENDING ARTICLE III ANIMAL CONTROL; DOG LICENSING, SECTION 148-26 REGULATION OF DOGS.**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Township of Vernon, County of Sussex, and State of New Jersey, that Chapter 148 is amended and supplemented as follows:

#### **SECTION 1**

##### **§ 148-26. Regulation of Dogs.**

**G.** Vernon Township shall require a Kennel, Pet Shop or pound license to be issued for any property within Vernon Township in which ten (10) or more dogs are maintained, kept, or live. This section shall not, however, be applicable to a litter of puppies maintained in or upon any such property within six calendar months of birth. Any owner or occupant of such property not licensed with Vernon Township as a Kennel, Pet Shop or Pound wherein ten (10) or more dogs are kept shall be deemed to have violated this section. Violators of this subsection shall be subject to a mandatory minimum penalty of \$100.00 per day, per dog exceeding the ten (10) dog or more threshold. The maximum penalty set forth in Chapter 1, Article II, § 1-19, Violations and penalties.

#### **SECTION 2**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

#### ***SECTION 3***

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

#### **SECTION 4**

This Ordinance shall take effect immediately as provided by law.

#### **PUBLIC COMMENTS (Limited to 5 Minutes Per Person)**

President Buccieri asked for a motion to open the meeting for public comment.

MOVED: Sparta  
SECOND: Rizzuto

All members were in favor.

Steven Dunlop – questioned the date of the reorganization meeting. Mr. Dunlop expressed concerns regarding the Business Administer and the CFO.

Stephanie Scilingo – President of the Vernon Chamber of Commerce, expressed gratitude and thanked Mayor Burrell for his service to the Township.

Harry Shortway – showed appreciation to Attorney Zelinski and Mayor Burrell.

Cindy Weber – presented a gift to Mayor Burrell.

Scott Fudger – presented a gift to Mayor Burrell.

Martin O'Donnell – thanked Mayor Burrell for all of his support and putting Vernon first.

Seeing no other members of the public wishing to speak, President Buccieri asked for a motion to close the meeting for Public Comments.

MOVED: Sparta

SECOND: Rizzuto

All members were in favor.

Council President Buccieri congratulated Mayor Burrell on winning Mayor of the Year by the Economic Development Partnership. She also thanked him for representing Vernon well.

#### **MAYOR COMMENTS**

Today is a bitter-sweet day for me; for it marks the last time that I will have the honor of formally speaking to you at a Council meeting as your Mayor. While serving as your Mayor during these past four years has for sure at times been very challenging; however, it has also at times being very rewarding. Even during those times when those who disagreed with me expressed that disagreement in words and tones that were less than polite, and were sometimes outright brutal and hurtful - - even during those times, I never felt alone or forsaken; for I always knew that I had the love and support of my wonderful wife Reba, plus the support of a large and growing number of the good, kind and caring people that populate this great township. So, when the political rivers were deep, I did not falter; when the political mountains were high, I still believed; and when the political valleys were low they did not stop me, because I knew that I was doing the right thing for you and our town, and I knew that so many of you were there for me. While I have not solved every issue that has come my way, nor have I solved every issue to my 100% satisfaction, it is my hope that the majority of Vernon residents can look at my four years of service, and say that at no time were they embarrassed that I was representing them as their Mayor; if fact, it is my hope that the great majority of Vernon residents were very proud that I was representing them as their Mayor. As is the case with all political and civic leaders who serve for a four-year period, my four years have been filled with its highs and lows; let me share with you just ten of the notable things that I am very proud to have been a part of as Mayor: 1. The positive, non-combative, civil, and professional way that the Council and I led our town during the years of 2020 through 2021. I am especially proud of how we joined together with our outstanding municipal staff, and other members of the Vernon Family, to keep our spirits and optimism high, to keep our hope alive, to keep our mental and emotional “heads above water”, and to minimize the overall negative impact of the dreadful COVID-19 virus on our daily lives during those dark, uncertain and fearful years that characterized the early period of the COVID-19 pandemic; 2. Working close with the Council and the Vernon MUA to implement a plan to use the 2.2 M\$ in Local Fiscal Recovery Funds to invest in improving and developing the critically needed water infrastructure in our Town Center. 3. Working close with the Council to bring into existence a new municipal park to serve the residents of Vernon Township - - that being the new Town Center Municipal Park which is anchored by two highly used amenities - - one a Walking Trail, a portion of which has Americans with Disabilities Act approval; and the other a state-of-the-art Bicycle Pump Track. This was a notable achievement in part, because the new Town Center Municipal Park is only the third municipal park in the 231-year history of our 70 square miles town, that's home to over 23K plus residents; 4. Working close with our Congressman Josh Gottheimer to obtain 3.5M\$ in federal funds for the specific purpose of enabling Vernon to make additional sewer system connections within our town's current Sewer Service Area. These additional sewer connections will aid in the development of commercial establishments that will (a) help to stabilize taxes for the entire township, (b) provide the local availability of many of the goods and services that Vernon's residents want and need, and (c) help to create a functional Town Center. 5. Working close with our

State Senator Steve Oroho to obtain a 100K\$ grant from the New Jersey Department of Community Affairs for the purpose of conducting the deep bore testing at the Wallace illegal landfill. This testing is necessary for us to understand the extent of the problem that Mr. Wallace has created on this property, and to formulate a plan to remediate any found levels of toxicity to acceptable residential levels. 6. The initiation of our town's first ever annual 9/11 Remembrance Ceremony. When I became Mayor in 2020, I was shocked to learn that Vernon did not host its own 9/11 Remembrance Ceremony. The shock was intensified by the knowledge that included in the nearly 3,000 lives that were taken so cruelly on the 11th day of September were three Vernon residents. It pleases me greatly that I was a part of starting this new tradition of an annual 9/11 Remembrance Ceremony in our town; and, that I was able to successfully work with others to obtain a seedling from the 9/11 Survivor Tree, that we used to establish the foundation for a permanent Vernon Township 9/11 Remembrance Memorial! 7. The first official public hosting and lighting of a Menorah in the 231-year history of our town, to celebrate the nine-day Hanukkah holiday. I was humbled by being given the honor of lighting the first candle of the Menorah at this positive, historic event; 8. Vernon Township being selected as the 24th Safest Municipality in the US in 2020. This was a very creditable selection that was based of FBI crime statistics that were weighted for individual states and municipalities; 9. After six years of working hard to meet the rigorous standards of the New Jersey Health Care Quality Institute, in 2022, Vernon became one of only 14 towns in the entire State of New Jersey to earn the prestigious honor of being recognized as a 2022 New Jersey HEALTHY TOWN! This award was important to me because it contributed to my four-year efforts to make Vernon an even better town in which to live and raise a family; and ... 10. As Vernon and our nation began to emerge from the fearful, negative, dark, and uncertain period of the COVID year of 2020, I believed that it would be beneficial to our vast township that covers 70 square miles, and is divided into several different communities with 8 different zip codes - - I believed that it would be beneficial to our vast township if we had one clear unifying municipal symbol that bonded and identified us all as residents of Vernon. With the advice, help and guidance of our Director of Community Affairs, Ms. Mishelle Downtain; Municipal Economic Development Advisory Committee Chair, Ms. Jennifer Lubliner; and Economic Development Advisory Committee Member, Dr. Nicholas J. Pirro, I selected a municipal symbol that was commissioned and designed, at no cost to the taxpayers, by a Vernon Township graphic designer. This municipal symbol is the blue and gold "V" Town Logo, that builds on the successes and legacy of the "V" design that our school district has used so well as a community unifying tool. This municipal symbol also embodies the blue and gold colors that our town already identifies with, from our town's schools and recreational teams' colors, to the colors used on our town's police cars. This unifying symbol has become a part of our municipal signs; it is used on all new municipal literature and publications; it is featured in the center of the municipality's 230-year Anniversary Flag that's displayed on the wall in the entry of the Municipal Center; and it is proudly posted on the wall of the Municipal Courtroom where we host some of our most important events. Over these past four years, you have heard me repeatedly say: that our many volunteers are the heart and soul of some of our most important "Quality of Life" community organizations; that our many volunteers are the backbone of much of what our town does in the way of making Vernon a better place to live and raise a family; and ... that the key to Vernon's widely recognized ability to provide a high volume and a high quality of community services in a cost effective and efficient manner, is due directly our large number of community volunteers and civic organizations. While to some these statements may have seemed like simple clichés, but they were not - - I made these statements because they are based on facts! So, I take one more opportunity to thank our Volunteer Fire Fighters; to thank our Volunteer EMS Service members; to thank our volunteers on the Board of Recreation, the Beautification Committee, the Senior Citizen Committee, the Land Use Board, the Economic Development Advisory Committee, the MUA, the Environmental Commission, the Town Center Pump Track Committee, and all of the other volunteers that serve our town in so many ways. It is said that the heart of a volunteer is never measured in size, but by the depth of the volunteer's commitment to make a difference in the lives of others. As to Vernon's volunteers, I have found this to be a statement that's absolutely true. To Mayor-elect Rossi, I want you to know that you are about to inherit a small, but mostly outstanding, group of dedicated, hard-working and talented employees. I have little doubt that you, as did I, will quickly find that they are highly credentialed and trained, very professional, and extremely proud of the work that they do for the municipality. Just as they have been for me and all previous Mayors, they will be the underpinnings and the structural support of any success that you have in serving the residents of Vernon. These past four years have not only been a wonderful civic, but also a wonderful family period in my life. Before my mother passed from this life in December of 2021, at the age of 95, she told me several times how proud she was to see one of her sons respected enough by the people of his town to elect him as their Mayor. You see, my mother was a single mother, with just an eight-grade education, who lived in, and raised three boys in, the deep-south state of Mississippi at a time when that state had the well-earned reputation of being the most difficult and the most dangerous place in America for people of African descent to live. These conditions under which she lived and raised me and my brothers gave her no reason to even

dream that one of her off-springs would have such an opportunity and honor that I have had. So, I thank the people of Vernon Township for enabling me to provide this sense of pride and joy to my mother. During the over 43 years that Reba and I have lived in beautiful Vernon Township, I have also had the honor and privilege of being able to serve constituents as a member of our town's Board of Education; as a member of our Town's Council; as a member of our County's Board of Commissioners; and as an Assistant Director in our State's Department of Labor & Workforce Development. However, the voter's decision to select me as one of only four individuals in the 231-year history of our town, who have been directly elected by the people of Vernon to serve as their Mayor, has been one of my most cherished honors. So, on today, I say as Mayor, goodbye, and thank you Vernon Township!

## **COUNCIL COMMENTS**

Council Member DeBenedetto congratulated Mayor Burrell and thanked him for the service to the town.

Council Member Sparta wished Mayor Burrell joy and piece as he and his wife move on and he hopes they enjoy their children and their grandchildren. Council Member Sparta wished everyone a nice Christmas.

Council Member Tadrick commented that this is his last meeting on the Council and he has also been on the Land Use Board for a long time. He wished Mayor Burrell best of luck in the future. Council Member Tadrick is proud that Vernon has a Christmas Tree lighting and a Menorah lighting. He thanked the Council and the people of Vernon and wished them a Merry Christmas, Happy Chanukah and Happy New Year.

Council Member Rizzuto feels that the Mayor has always done what is best for the community and he wishes him blessings and good luck. He feels that Mayor Burrell's future presence will be beneficial to the town if an issue arises. Council Member Rizzuto wished best wishes to the community for the Christmas season and the New Year. Christmas and Chanukah are a time for family. Council Member Rizzuto welcomed Mayor-Elect Rossi and thanked Council Member Tadrick for his service.

## **COUNCIL PRESIDENT COMMENTS**

Council President Buccieri feels that her and the Mayor have always been respectful to each other and she enjoyed working with him and she appreciates his presence and commitment to the town. Council President Buccieri thanked Council Member Tadrick for his commitment to the Land Use Board and Town Council. Council President Buccieri thanked all of the volunteers who helped with the Christmas Tree lighting and the Menorah lighting. These were great events that were very nice for the community. She wished everyone a happy and safe Christmas and New Year.

## **ADJOURNMENT**

At 8:41 pm Council Member Rizzuto made a motion to adjourn the meeting. Seconded by Council Member Sparta.  
All were in favor.

Respectfully submitted,

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

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Council President

Minutes approved: January 15, 2024