

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
MAY 9, 2022**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on May 9, 2022 via Zoom Webinar and in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Patrick Rizzuto presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 14, 2022 and on May 3, 2022 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 Rizzuto led the assemblage in the salute to the flag.

ROLL CALL

Present were Council Members Natalie Buccieri, Brian Lynch and Council President Patrick Rizzuto. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker, Municipal Clerk Marcy Gianattasio and Township Attorney Josh Zielinski.

PROCLAMATION

Police Week 2022

Council Member Lynch read the proclamation.

Council Member Furrey entered the meeting at 7:03 pm.

DISCUSSION ITEM

Resolution Urging the Swift Passage of S-330/A3804, Which Shall Restore the Energy Tax Receipts to Municipalities

Taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way. When the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments. For years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit. Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities. This resolution urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget.

REVIEW OF BILLS LIST

The Council reviewed the bills list.

Council Member Shortway entered the meeting at 7:10 pm.

MAYOR COMMENTS

For the past several weeks, the State of New Jersey and Sussex County Health Departments have confirmed that the BA.2 strain of the COVID-19 virus has been actively spreading in New Jersey, Sussex County, and Vernon Township.

However, its spread has been at a much lower rate than the Omicron variant surge that we experienced in December and January.

Health Department officials have said that the BA.2 subvariant of the Omicron variant appears to spread more easily but generally does not cause more severe illness.

The impact of the BA.2 subvariant during April can be seen in the rise of our county and town's daily COVID case numbers.

During April, the number of COVID cases in our town increased by 100%, from 2 per day to 4 cases per day; while the number of COVID cases in Sussex County increased by 129%, from 14 per day to 32 cases per day.

While the number of COVID cases in our town and county remain relatively low, the increases in cases during April serves as a reminder to us that this virus continues to be contagious, particularly among the unvaccinated, the under-vaccinated and vulnerable populations.

Let's continue to remain vigilant in doing what we believe to be important and necessary to protect ourselves, our families and our friends from the threat that this virus presents.

Thanks to our team of dedicated municipal employees, Vernon Township continues to get positive recognition from sources outside of our municipal borders.

In a letter from Ms. Lorraine Hentz, Director of the Sussex County Division of Senior Services, she paid tribute to MS. JANE DAMSTRA, the Vernon Township Senior Center Supervisor.

She cited the outstanding results of the inspections that the Vernon Township Senior Center has received under MS. DAMSTRA's leadership. She stated, "There were no deficiencies noted during annual inspections conducted by both the County of Sussex and the State of New Jersey".

Of specific importance to me was Ms. Hentz's statement that even though the State of New Jersey made the unprecedented decision to close all of the state's Congregate Nutrition Sites due to the COVID-19 pandemic, because of the strong partnership that MS. DAMSTRA developed with the Sussex County Division of Senior Services, Vernon was able to ensure that the most vulnerable and nutritionally at-risk seniors never went without food.

Ms. Hentz ended her letter by stating that the County of Sussex recognizes MS. DAMSTRA for the outstanding work that she does on behalf of Vernon's seniors.

I end by thanking and congratulating MS. DAMSTRA and the dynamic and caring team that supports her in the form of her Director, Ms. Mishelle Downtain; and Community Affairs & Recreation Assistant, Ms. Meg Wahnon.

Together, they are an example of what I mean by VERNON STRONG!

We never cease in our efforts to take actions, be they small or large, to make Vernon an even better place to live and raise a family.

One of those small steps is an action that I am asking the Council to take tonight via the approval of Resolution # 22-122.

For the past decade, our town has not made regular use of the Snack Bar facility at our highly used Maple Grange Park.

I want to change that!

Business Administrator Voelker and I have joined with the continuous creative planning efforts of our Director of Recreation and Community Affairs, Ms. Mishelle Downtain, and put together a plan of action that will enable us to put this Snack Bar facility into operation in a way that will:

1. Allow it to serve the park's visitors with much desired food and refreshments;
2. Create a welcoming money earning opportunity for a local business; and ...

3. Allow the Snack Bar facility to be again used, rather than continue to deteriorate from a lack of use and maintenance.

This is one of those small actions that have the potential to make a big, enjoyable difference to those families and individuals who frequent Maple Grange Park for the many sports and other community activities that are hosted at this outstanding facility.

Members of the Council, during December of last year, the Council passed resolutions of support for two organizations, GARDEN STATE GREEN GENETICS and SUSSEX CULTIVATION LLC, who expressed their intent to obtain Class 1 Cannabis Cultivator Licenses, and to use those licenses to establish Cannabis Cultivation facilities in our town.

GARDEN STATE GREEN GENETICS has put together a team that appears to have proven expertise in the cannabis business; for example, their team includes the Director of Cultivation and the Master Grower for the Greenleaf Compassion Center, which was one of the first Grow/Dispensary facilities to be awarded a New Jersey medical cannabis cultivation and dispensing license. They also communicated their intent to employ local Vernon residents, and to have a Community Outreach Director who will work close with the town to establish a strong civic-municipal relationship.

The Co-CEO's of SUSSEX CULTIVATION LLC are also owners and operators of a healthcare staffing firm known as Nurses 24/7. This is a highly regulated business that has provided services to almost all acute care facilities in New Jersey for the past 15 plus years. Their healthcare staffing firm is certified by the Joint Commission on Accreditation of Healthcare Organizations, and research reveals that they routinely receive extremely high marks in the area of compliance. In addition, SUSSEX CULTIVATION's Chief Financial Officer also owns and operates a well-managed and highly respected cannabis cultivation facility in Grants Pass, Oregon.

On April 11, 2022, both GARDEN STATE GREEN GENETICS and SUSSEX CULTIVATION were successful in earning a Class 1 Cannabis Cultivator License from the State of New Jersey, and they are ready and eager to move forward with steps to construct the greenhouse like facilities and install the other equipment necessary to meet the stringent New Jersey requirements to operate a legal Class 1 Cannabis Cultivator facility.

As our Zoning Official has taken a more detailed look at our ordinance that permits Class 1 Cannabis Cultivator Licenses to be used in our town, she has discovered some minor, but consequential, wording that would require these two state license holders to seek costly and time sensitive exemptions in order to use the land that they have already purchased specifically to use for their Vernon cannabis cultivation operations - - land that we previously told them was fully acceptable for this use.

We need to amend our ordinance that authorizes cannabis cultivation by making this minor, but consequential, correction in wording.

Doing so would enable our town to keep its word to these two organizations who have spent over a million dollars to purchase land, and to get a State Class 1 Cannabis Cultivator License, for use in Vernon Township.

Ordinance # 22-11 is on tonight's agenda to accomplish that purpose.

The sooner that these two Class 1 Cannabis Cultivator Licenses holders can move forward with applying their licenses in Vernon Township, the sooner we can take advantage of the opportunity to not only reap the benefit of the additional tax revenue that will come from the improvements that they will make to the property that they own, but also the additional state mandated tax dollars that they are required to pay our town - - these are significant tax dollars, because they will equal a minimum of 2% of these two organizations' gross sales!

Cannabis Cultivators are required to make this additional 2% of their gross sales in the form of tax payments directly to the municipality; and, they have the same obligation to pay this additional cannabis tax as they do their property taxes.

These additional commercial tax dollars will be welcome additions to our efforts to provide a cost effective and efficient municipal government, while at the same time helping in our efforts to stabilize the municipal taxes that our homeowners are asked to contribute.

These additional commercial tax dollars will be welcome additions to our efforts to provide a cost effective and efficient municipal government, while at the same time stabilizing the municipal taxes that our homeowners are asked to contribute.

It is for these reasons that I strongly urge the Council to pass the introduction of Ordinance # 22-11 which would make the needed minor wording change.

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

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

MOVED: Brian Lynch

SECOND: Michael Furrey

A roll call vote was taken to open the meeting to the public

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to open the meeting to the public.

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

MOVED: Brian Lynch

SECOND: Natalie Buccieri

A roll call vote was taken to closed the meeting to the public

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to close the meeting to the public.

CONSENT AGENDA

Resolution #22-92: Resolution Authorizing an Agreement Between Township of Vernon and AFSCME Local 3181 (Rank and File Unit) For 2022-2024

Council President Rizzuto asked for a motion to place resolution #22-92 on the floor for consideration.

MOVED: Brian Lynch

SECOND: Natalie Buccieri

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to approve resolution #22-92

RESOLUTION #22-92

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
TOWNSHIP OF VERNON AND AFSCME LOCAL 3181
(RANK AND FILE UNIT) FOR 2022-2024**

WHEREAS, the Township of Vernon and AFSCME Local 3181 (Rank and File Unit) ("Union") are parties to a collective negotiations agreement covering the period January 1, 2019 to December 31, 2021; and

WHEREAS, the parties have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement, and have reached an understanding on terms and conditions for a new agreement subject to ratification by the Union and the Township; and

WHEREAS, the negotiating committee for the Township has recommended the terms of the attached Memorandum of Understanding dated April 1, 2022 (MOU) for ratification and approval and for incorporation into a full collective negotiations agreement for the period from January 1, 2022 through December 31, 2024.

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

1. The Township Council hereby approves the terms of the attached Memorandum of Understanding between the Township of Vernon and AFSCME Local 3181 for the period covering from January 1, 2022 through December 31, 2024, as ratified by the AFSCME Local 3181 membership on April 1, 2022
2. The Mayor is authorized to execute the MOU and to execute a fully conformed collective negotiations agreement incorporating the terms of the MOU.
3. This resolution shall take effect immediately.

A copy of this Resolution will be placed on file with the Clerk of the Township.

Resolution #22-113: Refund Overpayments (Various Block and Lots CORELOGIC)

Resolution #22-114: Refund Overpayment (Block 462 Lot 16-Erin Mershon)

Resolution #22-115: Refund Overpayment (Block 327 Lot 15 Wells Fargo Real Estate Tax Services)

Resolution #22-116: Refund Overpayment (Block 267 Lot 99-Kingsbridge Title Agency)

Resolution #22-117: Refund Overpayment (Block 362 Lot 2 Q Farm – Vernon Valley Reserve LLC)

Resolution #22-118: Refund for Totally Disabled Veteran (Block 126 Lot 11 – Canova)

Resolution #22-119: Authorizing Change order #1 of Contract for Replacement of Fire Alarm System in Municipal Building

Resolution #22-122: Resolution Authorizing the Hiring of a Refreshment Vendor Concession

Resolution #22-123: Resolution Supporting the Vernon Township High School Senior Sign Project for the Class of 2022

Resolution #22-124: Resolution Authorizing Purchase of Gasoline/Diesel Fuel Through Morris County Cooperative Pricing Council Contract #1 Through Griffith-Allied Trucking LLC, dba Allied Oil

Resolution #22-129: Approving a Solicitor's Permit – Pristine Management

Council President Rizzuto asked for a motion to place resolutions #22-113 #22-114, #22-115, #22-116 #22-117, #22-118, #22-119, #22-122, #22-123, #22-124, #22-129 on the floor for consideration.

MOVED: Michael Furrey

SECOND: Brian Lynch

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to approve resolutions #22-113 #22-114, #22-115, #22-116 #22-117, #22-118, #22-119, #22-122, #22-123, #22-124, #22-129.

RESOLUTION #22-113

**REFUND OVERPAYMENTS
(Various Block and Lots CORELOGIC)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$3,881.62 representing refund for overpayment for the following properties:

OWNER	BLOCK	LOT	REFUND AMOUNT
Ahearn	342	5	\$2,226.82
Gardenier	527	242	\$829.76
Winstock	527	516	\$825.04
		TOTAL:	\$3,881.62

Ahearn- refund for overpayment totaling \$2,226.82 of 1st qtr. 2022 property taxes for Block 342 Lot 5 also known as [REDACTED]

Gardenier- refund for overpayment totaling \$829.76 of the 1st qtr. 2022 property taxes for Block 527 Lot 242 also known as [REDACTED]

Winstock- refund for overpayment totaling \$825.04 of the 1st qtr. 2022 property taxes for Block 527 Lot 516 also known as [REDACTED]

RESOLUTION #22-114

**REFUND OVERPAYMENT
(Block 463 Lot 16- Erin Mershon)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Erin Mershon in the amount of \$1,226.93 representing refund for overpayment of 2nd qtr. 2020 property taxes for Block 463 Lot 16 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Mershon	463	16	\$1,226.93
		TOTAL:	\$1,226.93

RESOLUTION #22-115

**REFUND OVERPAYMENT
(Block 327 and Lot 15 Wells Fargo Real Estate Tax Services)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Wells Fargo in the amount of \$1,562.67 representing refund for overpayment of the following property taxes:

OWNER	BLOCK	LOT	REFUND AMOUNT
Maher	327	15	\$1,562.67
		TOTAL:	\$1,562.67

Maher- refund for overpayment totaling \$1562.67 of 3rd qtr. 2018 property taxes for Block 327 Lot 15 also known as [REDACTED]

RESOLUTION #22-116

**REFUND OVERPAYMENT
(Block 267 Lot 99- Kingsbridge Title Agency)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kingsbridge Title Agency in the amount of \$1,412.16 representing refund for overpayment of 2nd qtr. 2021 property taxes for Block 267 Lot 99 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Wells	267	99	\$1,412.16
		TOTAL:	\$1,412.16

RESOLUTION #22-117

**REFUND OVERPAYMENT
(Block 362 Lot 2 Q Farm- Vernon Valley Reserve LLC)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Vernon Valley Reserve, LLC in the amount of \$1631.81 representing refund for overpayment of 1st & 2nd qtrs. 2020 property taxes for Block 362 Lot 2 (QFarm) also known as [REDACTED] due to assessment change.

OWNER	BLOCK	LOT	REFUND AMOUNT
Vernon Valley Reserve, LLC	362	2 QFarm	\$1,631.81
		TOTAL:	\$1,631.81

RESOLUTION #22-118

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 126 Lot 11 – 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 2nd quarter 2022 property tax in the amount of \$1,867.73 to Kevin Canova.

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

RESOLUTION #22-119

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR REPLACEMENT OF
FIRE ALARM SYSTEM IN MUNICIPAL BUILDING**

WHEREAS, on June 28, 2021, by way of adoption of Resolution #21-162, the Council of the Township of Vernon awarded a contract to LJ Security, LLC Vernon NJ, for Installation of Fire Alarm System at

the Township of Vernon Municipal Building which contract provided for an expenditure of \$47,804.80; and

WHEREAS, the contractor has encountered unforeseen circumstances requiring the change order as proposed (N.J.A.C. 5:34-11-8(c)(1)); and

WHEREAS, in an invoice dated April 28, 2022, the Contractor stated during installation it was found that 15 additional items were needed requiring Change Order #1 in amount of \$1,980.00; and

WHEREAS the amount of change order requested is a net increase of \$1,980.00, which represents in the aggregate, an increase of 4.14%, less than the aggregate maximum increase of 20% change order as required at N.J.A.C 5:34-11-3(a)(9); and

WHEREAS, the Fire Official, in concurrence with the Mayor and Business Administrator, recommends approving Change Order No. 1; and

WHEREAS, the new total price for the Fire Alarm System project in the aggregate of base bid award and change orders is now \$49,784.80.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves the Fire Official's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project resulting in the new contract amount of base bid and aggregate change orders to be \$49,784.80 for the project known as Fire Alarm System Vernon Municipal Building; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to LJ Security for their records.

RESOLUTION #22-122

RESOLUTION AUTHORIZING THE HIRING OF A REFRESHMENTS VENDOR CONCESSION

WHEREAS, the Township has a need to provide for refreshments vendor at the Maple Grange Park snack stand as a concession; and

WHEREAS such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.1(j); and

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

WHEREAS the Township desires to conduct the concession procurement in accord with N.J.A.C. 5:34-9.4(g); and

WHEREAS the Township desires to enter into a contract for one (1) year that will satisfy the needs of the Township; and

WHEREAS, as per statute the concession has been approved in writing as a legal matter by the Township Attorney (N.J.A.C. 5:34-9.4(d)); and

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

WHEREAS, the anticipated profit of the successful vendor is not expected to exceed \$5,000.00; and

WHEREAS the Township has considered the benefits and risks of the process to include the lack of public expenditures and costs in providing a service of the public; and

WHEREAS, the Township will not expend or incur costs in conducting this concession.

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

The Qualified Purchasing Agent is hereby authorized to commence the procurement as allowable under the New Jersey Local Publics Contract Law for refreshments vendor concession, in accord with the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-1 et. Seq.,

RESOLUTION #22-123

RESOLUTION SUPPORTING THE VERNON TOWNSHIP HIGH SCHOOL SENIOR SIGN PROJECT FOR THE CLASS OF 2022

WHEREAS, the Vernon Township High School Senior Class of 2022 has worked hard, honed their many talents, and made sacrifices to finish their academic careers in the Township of Vernon; and

WHEREAS, the Township of Vernon would like to encourage these young people and recognize the great milestone of graduating from high school and beginning their adult and professional lives.

WHEREAS, this is the ending of one chapter and the beginning of another for the Class of 2022. This is a time for the Township of Vernon to come together in solidarity to support our future leaders; and

WHEREAS, the Township of Vernon commends the Vernon Township High School Senior Class of 2021 and wishes them well in their future endeavors.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby honors the Vernon Township High School Senior Class of 2021 and authorizes the following:

1. The Student Life Committee of the Vernon Township Board of Education as well as parent volunteers, from approximately May 29, 2022 to June 18, 2022, will place signs honoring the Vernon Township Senior Class of 2022. The signs will begin on Guthrie Road and continue on both sides of Main Street.
2. The Student Life Committee and parent volunteers will have a day-to-day schedule to make sure signs are not down, obstructing views of the roadway, need replacement and/or adjustment.
3. At the conclusion of the signs being on Main Street, the signs will be moved to the Vernon Township High School driveway for graduation day.

RESOLUTION #22-124

RESOLUTION AUTHORIZING PURCHASE OF GASOLINE/DIESEL FUEL THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #1 THROUGH GRIFFITH-ALLIED TRUCKING LLC, dba Allied Oil

WHEREAS the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-11) authorizes Township of Vernon by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the Morris County Cooperative Pricing Council (MCCPC); and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing the Morris County Cooperative Pricing Council, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7.11 et. Seq.; and

WHEREAS the Township intends to enter into contract for procurement of gasoline/ diesel fuel, from Griffith-Allied Trucking, LLC, dba Allied Oil, 25 Old Camplain Road, Hillsborough, New Jersey 08844 authorized under Morris County Cooperative Pricing Council Contract Item #1 from January 1, 2020 – December 31, 2022; and

WHEREAS the Chief Financial Officer certifies funding is available in the amount of \$160,000.00 through Line Item #2-01-31-430-20.

RESOLUTION #22-129

APPROVING A SOLICITOR'S PERMIT - PRISTINE MANAGEMENT

WHEREAS, Pristine Management, 363 US-46, Fairfield, NJ 07004, has made application for a Solicitor's Permit for the purposes of providing clean energy through utility; and

WHEREAS, upon receipt of the application for a Solicitors Permit, by Pristine Management and applicant: Antoine S. Maree, the Vernon Township Police Department investigated the applicant's moral character and found it to be satisfactory and in good order for the protection of the public good; and the necessary application has been filed and all documentation is in order;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon that approval be granted for a Solicitor's Permit for Pristine Management, applicant: Antoine S. Maree.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue a Solicitor's Permit to the aforesaid applicant in accordance with Chapter 428 of the Code of the Township of Vernon.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Vernon, authorizes the Mayor to enter into a contract with Griffith-Allied Trucking, LLC, dba Allied Oil, 25 Old Camplain Road, Hillsborough, New Jersey 08844 authorized under Morris County Cooperative Pricing Council Contract Item #1 from January 1, 2020 – December 31, 2022, pursuant to all conditions of the individual cooperative contracts

Resolution #22-120: Authorizing the Execution of an Agreement Between the Township of Vernon, New Jersey and County of Orange, New York for Use of the Orange County Fire Training Center

Resolution #22-121: Resolution Authorizing Fireworks to be Displayed on July 2, 2022 with Rain Date of July 3, 2022 within the Township of Vernon

Council President Rizzuto asked for a motion to place resolutions #22-120 and #22-121 on the floor for consideration

MOVED: Natalie Buccieri
SECOND: Harry Shortway

A roll call vote was taken:
AYES: Buccieri, Furrey, Shortway, Rizzuto
NAYES:
ABSTAIN: Lynch
ABSENT:

Motion passed to approve resolutions #22-120 and #22-121.

RESOLUTION #22-120

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF VERNON, NEW JERSEY AND COUNTY OF ORANGE, NEW YORK FOR USE OF THE ORANGE COUNTY FIRE TRAINING CENTER

WHEREAS, the Township of Vernon, State of New Jersey and County of Orange, State of New York, Department of Emergency Services wish to enter into an agreement for the use of the Orange County Fire Training Center; and

WHEREAS, the County of Orange, New York is the fee owner of the County Fire Training Center located at 9 Fire Training Lane, New Hampton, New York; and

WHEREAS, the Vernon Township Fire Department, Pochuck Valley Fire Department, McAfee Fire Department and Highland Lakes Fire Department (hereafter “Fire Departments”) desire to utilize these facilities and will cover all costs associated with the use of these facilities; and

WHEREAS, the Chiefs of the various Fire Departments have requested that the Township of Vernon contract for the use of these facilities on their behalf so they may use the various fire training and classroom facilities with fees paid by the prospective Fire Departments.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey that the Mayor and Clerk are authorized to execute an agreement, which is attached hereto and made part hereof, between the Township of Vernon, New Jersey and County of Orange, New York for the use of the Orange County Fire Training Center for the Township’s Fire Departments, commencing June 1, 2022 through May 31, 2024.

RESOLUTION #22-121

RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JULY 2, 2022 WITH RAIN DATE OF JULY 3, 2022 WITHIN THE TOWNSHIP OF VERNON

WHEREAS, N.J.S.A.21:3-1et seq. Explosive and Fireworks, provides that a Municipal Governing Body must authorize the display of fireworks within its boundaries as a pre-condition to such display in accordance with the New Jersey Fire Prevention Code; and

WHEREAS, the Highland Lakes and Vernon Fire Departments have submitted an application to Vernon Township to conduct fireworks display on Saturday July 2, 2022 with rain date of Sunday July 3, 2022; and

WHEREAS, the proposed fireworks display will take place on the Lounsberry Hollow School grounds on property owned and approved by the Vernon Township Board of Education and further requests closure of Sammis Road for the event; and

WHEREAS, the Highland Lakes and Vernon Fire Departments have engaged in a contract with Garden State Fireworks, Inc., to perform the public fireworks and special effects display and has provided the required certificate of liability insurance.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display with special effects, performed by Garden State Fireworks, Inc. and sponsored by the Highland Lakes and Vernon Fire Departments on Saturday July 2, 2022 with rain date of Sunday July 3, 2022 upon satisfaction of all statutory and departmental requirements.

Resolution #22-125: Resolution Recognizing and Authorizing the Appointment of Patrick Murphy as an Inspector for Electrical, Fire and Building

Resolution #22-126: Resolution Recognizing and Authorizing the Appointments of Paul Black as an Inspector for Building, Mechanical and Plumbing

Resolution #22-127: Resolution Recognizing Authorizing the Appointment of Robert Westenberger as the Construction Official for the Township of Vernon

Council President Rizzuto asked for a motion to place resolutions #22-125 #22-126, #22-127 on the floor for consideration

MOVED: Brian Lynch
SECOND: Natalie Buccieri

A roll call vote was taken:
AYES: Buccieri, Lynch, Rizzuto
NAYES:
ABSTAIN: Furrey, Shortway
ABSENT:

Motion passed to approve resolutions #22-125 #22-126, #22-127.

Resolution #22-125

RESOLUTION RECOGNIZING AND AUTHORIZING THE APPOINTMENT OF PATRICK MURPHY AS AN INSPECTOR FOR ELECTRICAL, FIRE AND BUILDING

WHEREAS, the Township of Vernon had a need for inspectors in the Building Department and hired Patrick Murphy as an Inspector for mechanical and building; and

WHEREAS, Mr. Murphy was deemed to have the requisite experience to perform the functions of Subcode Official for electric and fire;

WHEREAS, Mr. Murphy was deemed to have the requisite experience to perform the functions required of an Inspector.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, recognizes and authorizes the appointment of Patrick Murphy as an Inspector for electrical, fire, mechanical and building.

Resolution #22-126

RESOLUTION RECOGNIZING AND AUTHORIZING THE APPOINTMENT OF PAUL BLACK AS AN INSPECTOR FOR BUILDING, MECHANICAL AND PLUMBING

WHEREAS, the Township of Vernon had a need for inspectors in the Building Department and hired Paul Black as an Inspector for building, mechanical, and plumbing, notably he has been performing plumbing inspection since May 1, 2020; and

WHEREAS, Mr. Black was deemed to have the requisite experience to perform the functions required of the Building Subcode Official;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, recognizes and authorizes the appointment of Paul Black as an Inspector for building, mechanical, fire and plumbing and the Building Subcode Official.

Resolution #22-127

RESOLUTION RECOGNIZING AND AUTHORIZING THE APPOINTMENT OF ROBERT WESTENBERGER AS THE CONSTRUCTION OFFICIAL FOR THE TOWNSHIP OF VERNON

WHEREAS, Robert Westenberger has served as the Township of Vernon's Construction Official since 2020; and

WHEREAS, Mr. Westenberger holds plumbing, electrical, fire, building, and mechanical licenses and was deemed to have the requisite experience to perform the functions required of the position of Construction Official.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, recognizes and authorizes the appointment of Robert Westenberger as the Township of Vernon's Construction Official and Plumbing Sub-code Official. In addition to supervising the Building Department, it is further recognized that he will perform duties in the various sub-codes for which he holds licenses if the appointed officials are not available.

Resolution #22-128: Resolution Appointment to the Vernon Township Municipal Utility Authority

Council President asked for a motion to move Edward DeYoung from Alternate 2 to Alternate 1.

MOVED: Brian Lynch

SECOND: Patrick Rizzuto

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to approve moving Edward DeYoung from Alternate 2 to Alternate 1.

Council President asked for a motion to appoint Mark R. Bower to Alternate 2.

MOVED: Brian Lynch

SECOND: Michael Furrey

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to approve appointing Mark R. Bower to Alternate 2.

RESOLUTION #22-128

RESOLUTION APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY

WHEREAS, the Vernon Township Municipal Utilities Authority (“VTMUA”) is a duly established utilities authority pursuant to the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1, et seq.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individuals are hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 5/9/2022, for a term specified as follows:

Edward DeYoung **Alternate #1**
Unexpired Term Expiring 2/1/2026

Mark R. Bower **Alternate #2**
Unexpired Term Expiring 2/1/2025

BE IT FURTHER RESOLVED THAT, the Township Clerk shall send a certified copy of this resolution to the following:

Vernon Township Municipal Utilities Authority

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #22-09: Capital Ordinance Providing for Various Improvements by the Township of Vernon, in the County of Sussex, New Jersey, Appropriating Therefore the Sum of \$323,000.00 and Providing that Sum so Appropriated Shall be Raised from the Capital Improvement Fund of the Township

Council President Rizzuto asked for a motion to introduce ordinance #22-09

MOVED: Brian Lynch

SECOND: Natalie Buccieri

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to introduce ordinance #22-09.

Ordinance #22-10: Bond Ordinance Appropriating \$1,955,000, and Authorizing the Issuance of \$1,365,000 Bonds or Notes of the Township, for Various Improvements of Purposes Authorized to be Undertaken by the Township of Vernon, in the County of Sussex, New Jersey

Council President Rizzuto asked for a motion to introduce ordinance #22-10

MOVED: Michael Furrey

SECOND: Harry Shortway

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to introduce ordinance #22-10.

Ordinance #22-11: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending Section 330-160 Entitled "Schedule of Permitted, Conditional and Accessory Uses and Structures" to Prohibit Farmland Assessment on Properties Where Legal Cannabis is Cultivated

Council President Rizzuto asked for a motion to introduce ordinance #22-11

MOVED: Brian Lynch

SECOND: Michael Furrey

Council Member Furrey asked if the limit to three cultivation sites could be changed to unlimited cultivation sites.

Council Member made a motion to amend ordinance #22-11 to have the number of cannabis cultivation sites be unlimited. Seconded by Council Member Lynch

A roll call vote was taken:

AYES: Furrey, Lynch, Shortway

NAYES: Buccieri, Rizzuto

ABSTAIN:

ABSENT:

Motion passed to amend ordinance #22-11 to have the number of cannabis cultivation sites be unlimited.

Motion was made by Council Member Lynch to introduce ordinance #22-11 as amended. Seconded by Council Member Furrey

A roll call vote was taken:

AYES: Furrey, Lynch, Shortway

NAYES: Buccieri, Rizzuto

ABSTAIN:

ABSENT:

Motion passed to introduce ordinance #22-11 as amended.

PUBLIC COMMENTS

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

MOVED: Brian Lynch

SECOND: Michael Furrey

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion passed to open the floor for public comment.

Council Member Lynch asked if the Township Commissioner of the Fire Department could explain Resolution #22-120 Authorizing the Execution of an Agreement Between the Township of Vernon, New Jersey and County of Orange, New York for use of the Orange County Fire Training Center

Dan Gross – Chief of MacAfee Fire Department and Township Fire Commissioner, explained that the advantage of using Orange County Fire Training versus Sussex County Fire Academy, is Orange County, New York has live fire training and gives the ability to recognize what thermal layering is. It also gives the ability to read smoke to identify dangerous conditions such as backdrafts and flashovers. Going through Sussex County which is a gas burn building with simulated smoke, you cannot get this type of training. This training is for every member of the fire department.

Carl Contino- Vernon Township, brought a petition that was signed by about 350 people to the Council to request that the Pride Flag be flown at the municipal building for the month of June and for June to be recognized as Pride Month in Vernon Township.

Mark Bower – Vernon Township, thanked the Council for his appointment to the Vernon Township Municipal Utilities Authority.

Simon Kraus – Vernon Township, is in support of having the Pride Flag flown at the municipal building for the month of June.

Bridget Esposito – Vernon Township, is in support of having the Pride Flag flown at the municipal building for the month of June.

Pastor Peggy Ludlow – Holy Councilor Lutheran Church, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Dee McAree – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Zoe Heath – Hamburg, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Steve Dunlop – Williamsville Estates, does not feel any flag should fly at the municipal building other than the American Flag.

Robert Kencht – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Ms. Rush – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Peg Distasi – Glenwood, feels that a study needs to be done before the cannabis ordinance should be amended to have an unlimited amount of cultivation licenses.

Ms. Distasi is not in favor of flying the Pride Flag at Vernon Township.

Mark Hefler – Highland Lakes, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Ann Larson – Vernon Township, feels that cannabis ordinance should not be amended to an unlimited number of cultivator licenses.

Ms. Larson is not in favor of flying the Pride Flag at Vernon Township.

Camilla Diresta – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

LeAnn McMann - Highland Lakes, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Nancy Kencht – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Ravin Slockbower – Vernon Township, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

Thomas McClachrie – Vernon Township, feels that the best thing coming out of the cannabis ordinance is the 2% the town gets back.

Damaris Lira – Sussex, is in support of having the Pride Flag flown at the Municipal Building for the month of June.

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

MOTION: Brian Lynch

SECOND: Natalie Buccieri

All members were in favor.

COUNCIL COMMENTS

Council Member Shortway had no comment.

Council Member Furrey would like to have a discussion about Vernon Township's road plan.

Council Member Furrey commended everyone who had the courage to come up and speak tonight. He encourages the Council to have a resolution at the next meeting to recognize June as Pride Month and also raise the Pride Flag.

Council Member Furrey asked if there was an update on the pump track and the trail.

Mayor Burrell said he was trying to get a comprehensive update for the next meeting.

Council Member Lynch thanked everyone who spoke so passionately about the Pride Flag.

Council Member Lynch asked if we have a social media policy in the employee handbook can it please be sent to him. He would like to make it known that Vernon Township is a great to live. We cannot control what employees write on social media unless they are on the clock and we have to police our policies.

Council Vice President Buccieri is sorry that she could not attend the meeting in person.

COUNCIL PRESIDENT COMMENTS

Council President Rizzuto commented that he asked the Mayor previously does the Township own Black Creek Drive. He feels that this is a simple question because if we do not own the road, we then have two projects that are land locked. Council President Rizzuto commented that if we do own the road, he would like to know where the proof of that ownership is. He asked the Mayor for an answer as to who owns Black Creek Drive.

Mayor Burrell will give a more extensive update in the future.

ADJOURNMENT

At 9:48pm Council Member Furrey made a motion to adjourn the meeting. Seconded by Council Member Lynch.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Patrick Rizzuto,
Council President

Minutes approved: June 13, 2022