

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
AUGUST 22, 2022 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on August 22, 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 July 29, 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, Michael Furrey, Brian Lynch, Harry Shortway and Council President Patrick Rizzuto. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker, Municipal Clerk Marcy Gianattasio and Township Attorney Marlin Townes.

PRESENTATION

Indoveda LLC – Retail Cannabis License Application (Resolution #22-208)

Mr. Ryan Magee, Attorney for Indoveda LLC and Mr. Yoginder Virk, owner of Indoveda gave a presentation to the Council asking for their support of an adult-use cannabis retail license. Indoveda LLC has indicated a desire to operate as a cannabis retailer at the property identified as 218 Route 94, Block 385, Lot 12. Indoveda LLC has requested proof of local support in accordance with the New Jersey Cannabis Laws and the CRC's Notice of Application Acceptance for Personal Use Cannabis Licenses.

REVIEW OF BILLS LIST

The Council Reviewed the Bills List

MAYOR COMMENTS

I have often spoken about the care and attention that we in Vernon Township give our senior citizens. And, I have frequently spoke about the high quality of the many recreational and sports programs that our town offers its tweens and teens. If fact, our recreational and sports programs are the envy of many towns.

On tonight, I want to note the fact that consistent with my vision of making Vernon Township an even better place to live and raise a family of all ages, we have not forgotten the little ones in our families. In fact, we have a growing list of programs that we are developing and implementing for Vernon families with little ones.

Already this year, we have provided families with little ones the opportunity to participate in and view a Sidewalk Art Festival; the opportunity to participate in an Easter Egg Hunt; the opportunity to participate in a Nature Walk with the Mayor; and we are currently in the process of planning an Art in the Park Series just for those ages 5 and under.

Earlier this month, I had the enjoyment of observing one of the other programs that our town provides for families with little ones - - this event was the graduation ceremony of the 2022 Class of the Safety Town program.

The Safety Town program is a national program for young children that was founded by Officer Fred Boals of Mansfield, Ohio in 1937.

Officer Boals developed this program after he had to respond to an incident in which a child on his way to school was struck and killed by a car. His program eventually led to the founding of the National Safety Town Center in 1964, and to the development of Safety Town programs in towns throughout our nation.

This year, Vernon's Safety Town program focused specifically to those little ones who would be entering kindergarten in 2022. It offered fun fill, appropriate safety lessons on a host of pertinent topics.

Vernon's Safety Town program is planned, organized, directed, coordinated and controlled by the Vernon PAL organization under a contractual agreement between the PAL and the town. This is a contractual agreement in which the PAL plans, organizes, directs, coordinates and administers a large number of programs on behalf of the town.

Rest assured, as we MOVE VERNON FORWARD, we are not forgetting our little ones!

In April of this year, the town's longtime, high quality fuel service provider, Bob Baldwin Transportation, ceased operation.

While the owner, Bob Baldwin, had given the town a years-plus notification of his plans to cease operation, due to COVID related issues, supply chain problems, and materials shortages, we have just recently been able to get the new municipal owned fueling station up and fully operating.

Our new fueling station is a state-of-the art, cost effective and efficient operation, that conveniently enables our Police Department, Fire Fighting Companies, EMS Organizations, Department of Public Works, and other municipal organizations that use municipal vehicles, to obtain needed fuel on a 24/7 basis.

Now that we have a municipal owned and operated fueling station, we are working with the Vernon Township School District to determine if the municipality and the school district can save the taxpayers some money by having the municipality to supply the school district's vehicle fuel needs through a shared services agreement.

I want to thank the team of Business Administrator Voelker, Municipal Engineer Stoner, Department of Public Works Head Babcock, and Fleet Maintenance Head Ribello for their successful planning, organizing, directing, coordinating and controlling efforts that enabled our town to make this needed fueling station possible.

I understand that some of my governing body colleagues do not share the same degree of excitement as I do about the soon to be opened Town Center Pump Track special amenity; and, over the past several months of one-on-one discussions with some of them, I have grown to better understand and respect their points of views on this issue.

As I have previously said, while the Town Center Pump Track will, without a doubt, be one more amenity that will:

1. Make Vernon a more enjoyable and recreational healthy town in which to live; and ...
2. Enhance Vernon's status as the premier four seasons municipality in northwest New Jersey in which individuals can enjoy a host of outdoor activities . . .

While all of these things are true, my strong support for the Town Center Pump Track is based on the fact that I view it as an investment in our Town Center area; and, I view it as an investment that I believe will serve as a magnet to attract a host of individuals to our Town Center.

In addition, I believe that capitalistic minded, smart, and enterprising individuals will view these host of new visitors to our Town Center as potential new customers in need of goods and services, which will then be a significant motivation for these capitalistic minded, smart, and enterprising individuals to develop new commercial ventures in our Town Center.

That is my belief, and that is my hope.

The current strong, and continuous growing, enthusiasm for the Town Center Pump Track has only strengthened my hope and belief that this special amenity will in fact serve as the people magnet that I have always believed that it would.

The latest example of this growing enthusiasm was reflected in the volunteer help that the town received this past Saturday at the Pump Track site.

Because of the opening of schools in some regions of our country, and the near term opening of other schools throughout the nation, suppliers of the playground grade mulch that we will use at the Town Center Pump Track, were not able to provide the town a reliable long term availability delivery date for this product.

And, when they gave us three days' notice that they would be delivering the playground grade mulch that we needed for the Pump Track, we contacted some of the key individuals who have repeatedly told us that they wanted to play the same type of supportive role for the Pump Track that the Vernon Youth Baseball organization, and the Vernon Horseshoe League, play in maintaining certain facilities at Veterans Memorial Park; and the Vernon Youth Football and Cheering organizations play in maintaining certain facilities at Maple Grange Park.

With just a three days' notice, on this Saturday, a total of 41 volunteers showed up at the Pump Track site to support the work project of spreading playground grade mulch in certain interior portions of the Pump Track.

The group of volunteers consisted of 34 Vernon residents and 7 out of town supporters; consisted of fathers, mothers and children; and ranged in ages from 3-years to 77-years.

While I was very pleased at this volunteer effort, I was not at all surprised, for these kinds of volunteer efforts seem to be a built-in part of the pride that Vernon residents have for our town.

For example:

It was volunteers that responded to the town's need to have the wooden fences at Maple Grange Park stained;

It was Vernon Youth Football & Cheer parents and students who volunteered to repaint and apply outstanding looking Viking logos to the Announcer's Booth at the Maple Grange Park Football Field;

It was a Vernon artist who volunteered to paint a beautiful mural on an interior wall of our Senior Center; and ...

A Vernon resident has volunteered to design and build an irrigation system for the Vernon Community Garden.

These efforts by our volunteers not only contribute to Vernon being an even better place to live and raise a family, they also save the town taxpayers' dollars.

We are already VERNON STRONG, and our new Town Center Pump Track will make us even VERNON STRONGER TOGETHER!

APPROVAL OF MINUTES

July 12, 2022 – Special Executive Session

July 25, 2022 – Regular Meeting

August 8, 2022 – Regular Meeting

August 8, 2022 – Executive Session

July 12, 2022 – Special Executive Session

Council President Rizzuto asked for a motion to place the July 12, 2022 special executive session meeting minutes on the floor.

MOVED: Furrey

SECOND: Buccieri

Motion made to be rescind the motion due to Council Member Furrey not being present at the July 12, 2022 special executive session meeting.

MOVED: Furrey

SECOND: Buccieri

All were in favor to rescind the motion.

Council President Rizzuto asked for a motion to approve the July 12, 2022 special executive session meeting minutes.

MOVED: Buccieri
SECOND: Lynch

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

Motion carried to approve the July 12, 2022 special executive meeting minutes.

July 25, 2022 – Regular Meeting

Council President Rizzuto asked for a motion to place the July 25, 2022 regular meeting minutes on the floor.

MOVED: Furrey
SECOND: Shortway

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

Motion carried to approve the July 25, 2022 regular meeting minutes.

August 8, 2022 – Regular Meeting

Council President Rizzuto asked for a motion to place the August 8, 2022 regular meeting minutes on the floor.

MOVED: Lynch
SECOND: Shortway

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

Motion carried to approve August 8, 2022 regular meeting minutes.

August 8, 2022 – Executive Session

Council President Rizzuto asked for a motion to place the August 8, 2022 executive session meeting minutes on the floor.

MOVED: Buccieri
SECOND: Shortway

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

Motion carried to approve the August 8, 2022 executive session meeting minutes.

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: Lynch

SECOND: Furrey

All members were in favor.

Bill Diresta – Vernon Township, is in favor of resolution #22-208.

Doreen Edwards – Vernon Township, questioned ordinance #22-16 because she feels that Optimum cable service is not good. Ms. Edwards asked if Planet Networks has been considered.

Council President Rizzuto explained that ordinance #22-16 has been pulled from the agenda. He also does not know if the township has been approached by any other companies.

Jessica Paladini – Vernon Township, asked if the township has an insurance policy for the pump track and what would be the cost for this. Ms. Paladini would like to see a more detailed bills list and she questioned an expenditure of \$695 for recreation. Ms. Paladini does not understand why we need to spend more money on another study for trails.

Council President Rizzuto explained that resolution #22-216 is a Chapter 159 resolution. This is not an expenditure but a receipt of a potential grant.

Rob Anzilotti – part of Indoveda LLC, asked if anyone had questions about the security aspects of the application.

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

MOVED: Lynch

SECOND: Shortway

All members were in favor.

CONSENT AGENDA

Resolution #22-210: Resolution Authorizing Fireworks to be Displayed on October 28, 2022 within the Township of Vernon

Resolution #22-211: Refund Overpayment (Block 526 Lot 183 – Malcolm Rogowski)

Resolution #22-212: Refund Overpayment (Block 197 Lot 30 – Town Title Agency, LLC)

Resolution #22-213: Refund Overpayment (Various Blocks and Lots-Mark & Annmarie Zaremba)

Resolution #22-214: Refund Overpayment (Block 234 Lot 62 – Lereta)

Resolution #22-215: Authorizing the Collective Bargaining Agreement with American Federation of State, County, and Municipal Employees and Vernon Township

Resolution #22-217: Authorizing the Award of a Required Disclosure Contract with Granicus for Compliance Software

Resolution #22-218: Resolution Opposing the Proposed Increases to the State Health Benefits Program

Council President Rizzuto asked to place resolutions #22-210 #22-211, #22-212, #22-213, #22-214, #22-215, #22-217, #22-218 on the floor.

MOVED: Furrey

SECOND: Buccieri

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto
 NAYES:
 ABSTAIN:
 ABSENT:

Motion carries to pass resolutions #22-210 #22-211, #22-212, #22-213, #22-214, #22-215, #22-217, #22-218.

RESOLUTION #22-210

RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON OCTOBER 28, 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, Samantha McKinley, has submitted an application to Vernon Township to conduct fireworks display on October 28, 2022 for private wedding ceremony to be held at Mountain Creek Resort, 200 RT 94; and

WHEREAS, the proposed fireworks display location will be on the Mountain Creek employee parking lot, Block 378 Lot 20 as noted on application Site Map; and

WHEREAS, Mountain Creek Resort on behalf of Ms. McKinley has engaged in a contract with Garden State Fireworks, Millington, NJ, to perform the public fireworks and special effects display and has provided the required certificate of liability insurance to the Township.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the firework display, performed by Garden State Fireworks Inc. on October 28, 2022 at Mountain Creek Resort, located at 200 Route 94, Vernon, upon satisfaction of all statutory and departmental requirements.

RESOLUTION #22-211

REFUND OVERPAYMENT (Block 526 Lot 183- Malcolm Rogowski)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Malcolm Rogowski in the amount of \$3909.23 representing refund for overpayment of 3rd qtr. 2022 property taxes for Block 526 Lot 183 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Rogowski	526	183	\$3909.23
		TOTAL:	\$3909.23

RESOLUTION #22-212

REFUND OVERPAYMENT (Block 197 Lot 30 – Town Title Agency, LLC)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Town Title Agency, LLC in the amount of \$1233.89 representing refund for overpayment of 2nd qtr. 2018 property taxes for Block 197 Lot 30 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Schillaci	197	30	\$1233.89
		TOTAL:	\$1233.89

RESOLUTION #22-213

**REFUND OVERPAYMENT
(Various Blocks and Lots- Mark & Annmarie Zaremba)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Mark and Annmarie Zaremba in the total amount of \$1,955.23. Representing refund for overpayment of 3rd qtr. 2022 property taxes for Block 190 Lot 10 also known as [REDACTED] in the amount of \$1656.45. Also a refund for overpayment of 3rd qtr. 2022 property taxes for Block 215 Lot 7 also known as [REDACTED] in the amount of \$298.78.

OWNER	BLOCK	LOT	REFUND AMOUNT
Zaremba	190	10	\$1656.45
Zaremba	215	7	\$298.78
		TOTAL:	\$1955.23

RESOLUTION #22-214

**REFUND OVERPAYMENT
(Block 234 Lot 62– Lereta)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Lereta in the amount of \$1271.34 representing refund for overpayment of 3rd qtr. 2022 property taxes for Block 234 Lot 62 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Myslinski	234	62	\$1271.34
		TOTAL:	\$1271.34

RESOLUTION #22-215

AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT WITH AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES AND VERNON TOWNSHIP

WHEREAS, the Township of Vernon has agreed to enter into a Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (“AFSCME”), which shall govern the terms of employment and compensation for the Department of Public Works for the calendar years 2022 through 2024; and

WHEREAS, AFSCME, has agreed to enter into a Collective Bargaining Agreement with the Township of Vernon and has been voted upon by its members adopting said Agreement.

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 authorizes a Collective Bargaining Agreement between the Township and the AFSCME.
2. The Mayor and Township Business Administrator are authorized to sign the Collective Bargaining Agreement on behalf of the Township.
3. This resolution shall take effect immediately.

A copy of this resolution as well as the referenced Collective Bargaining Agreement shall be placed on file with the Clerk of the Township.

RESOLUTION #22-217

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH GRANICUS FOR COMPLIANCE SOFTWARE

WHEREAS, the Township of Vernon has a need for contractor for its operations in service of the residents of the Township, through Granicus, 408 St. Peter Street, Suite 600, St. Paul, MN 55012 as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC has determined and certified in writing that the value of the acquisition will exceed \$17,500 and the anticipated term of this contract is for the year of 2022-2023; and

WHEREAS, Granicus, 408 St. Peter Street, Suite 600, St. Paul, MN 55012, in the aggregate is expected to provide more than the pay to play threshold of \$17,500.00; and

WHEREAS, Granicus, 408 St. Peter Street, Suite 600, St. Paul, MN 55012, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Granicus has not made any reportable contributions to a political or candidate committee in the *Township of Vernon* in the previous one year, and that the contract will prohibit Granicus from making any reportable contributions through the term of the contract, and

WHEREAS, the subject to the governing bodies approval of future budgets the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$26,937.87 are available in Line Items:

2022: 2-01-20-100-20

2023: 3-01-20-100-20 (subject to the 2023 Budget)

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Vernon authorizes the Business Administrator to enter into a contract with Granicus, 408 St. Peter Street, Suite 600, St. Paul, MN 55012, not to exceed \$26,937.87 for the 2022-2023 budget year for contractor services;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

RESOLUTION #22-218

RESOLUTION OPPOSING THE PROPOSED INCREASES TO THE STATE HEALTH BENEFITS PROGRAM

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Vernon in the County of Sussex call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Township of Vernon in the County of Sussex urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Steven V. Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, and New Jersey State League of Municipalities.

Resolution #22-208: Resolution of the Township Council of the Township of Vernon in Support of an Adult-Use Cannabis Retailer License for Indoveda LLC

Council President Rizzuto asked to place resolution #22-208 on the floor.

MOVED: Furrey
SECOND: Shortway

Council Member Furrey recognized Council Member Lynch for suggesting that the revenue received from cannabis be used for town roads. He has heard a lot of people talk about road conditions and this needs to be addressed. Council Member Furrey would like the Council to consider using some of the revenue to pay down the sewer debt and avoid the collapse of the MUA.

Council Member Shortway agrees that a percentage going to roads is a great idea. Instead of raising property taxes this would be a commercial tax. We have previously approved a retail license at this location and that is significant. In addition, Council Member Shortway said we have been in the affirmative in the most recent cultivation dispensary. In 2021 he did oppose that dispensary because of the location. Council Member Shortway feels that this is a great opportunity to show that Vernon is business friendly. He knows that Council President Rizzuto and Council Member Buccieri personally oppose cannabis but 70% of the people wanted to legalize cannabis.

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

Motion does not pass to approve resolution #22-208

Resolution #22-209: Resolution Authorizing Grant Applications to the New Jersey Department of Community Affairs for Firefighter Gear

Council President Rizzuto asked to place resolution #22-209 on the floor.

MOVED: Furrey
SECOND: Shortway

Council Member Lynch explained that at the last meeting he made comments that this grant was due in eleven days and was just received. In error, he did not notice that an email was sent to us earlier in June providing us with this grant ahead of time. Council Member Lynch said he apologizes for his comments made in error.

A roll call vote was taken:
AYES: Buccieri, Furrey, Shortway, Rizzuto

NAYES: Lynch
ABSTAIN:
ABSENT:

Motion passes to approve resolution #22-209

RESOLUTION #22-209

**RESOLUTION AUTHORIZING GRANT APPLICATION TO THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS FOR FIREFIGHTER GEAR**

WHEREAS, the Township of Vernon desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$75,000.00 for safety gear for Volunteer Firefighters of the Township.

BE IT THEREFORE RESOLVED:

- 1) That the TOWNSHIP OF VERNON does hereby authorize the application for such a grant; and,
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between The Township of Vernon and;

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Resolution #22-216: Chapter 159 Resolution Requesting Approval of Revenue and Appropriation Amending the 2022 Budget as a Revenue and Appropriation of \$38,000.00

Council President Rizzuto asked to place resolution #22-216 on the floor.

MOVED: Furrey
SECOND: Shortway

Council Member Buccieri is glad that we were able to see the supporting documentation for this and she questioned the dates of 2021 and was told that this is flexible. She has a hard time supporting a feasibility study for a potential project that she would not support. Council Member Buccieri asked if this work has been started.

Administrator Voelker answered that the work has been started.

Mayor Burrell explained that the work was just started. This resolution puts the money in the budget.

Council Member Rizzuto asked if the grant money can be redirected and change the focus on the feasibility study.

Council Member Buccieri feels that the Council should have received more information on this before the work was started so that they could see the true scope of it. She does not think it is correct to have received grant money for something she is not going to support.

Administrator Voelker explained that we have had two of the largest business men in town say that they support the idea of the trails. They feel that the idea has value to their businesses in town and there is a possibility that they may want to assist with some of the finances. Mr. Voelker said that even if Vernon does not want to spend any tax dollars, there are other grants that can be applied for if a feasibility study says that this is a good idea.

Council Member Rizzuto explained that the Administration must accept the fact that some Council Members who wish to see the direction of certain recreation activities go in a different way. We would rather see greater development on an existing amenity, such as the park, that would benefit our citizens alone.

Council Member Buccieri made a motion to table resolution #22-216.

A roll call vote was taken:

AYES: Buccieri, Furrey, Shortway

NAYES: Lynch, Rizzuto

ABSTAIN:

ABSENT:

Motion carries to table resolution #22-216.

PUBLIC HEARING/2ND READING OF ORDINANCE

Ordinance #22-15 – An Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending and Supplementing Chapter 5 of the Municipal Code of the Township of Vernon

Council President Rizzuto asked for a motion to place ordinance #22-15 on the floor for consideration.

MOVED: Buccieri

SECOND: Shortway

All members were in favor.

Council President Rizzuto asked for a motion to open the floor for public comment.

MOVED: Buccieri

SECOND: Shortway

All members were in favor.

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

MOVED: Lynch

SECOND: Buccieri

All members were in favor.

Council Member Shortway objects to is limiting the number of video conferences a Council that Council Person can attend.

A roll call vote was taken to approve ordinance #22-15:

AYES: Buccieri, Lynch, Rizzuto

NAYES: Furrey, Shortway

ABSTAIN:

ABSENT:

Motion carries to approve ordinance #22-15.

ORDINANCE #22-15

AN ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF VERNON ENTITLED “ADMINISTRATION OF GOVERNMENT” TO UPDATE THE RULES OF ORDER AND PROCEDURE GOVERNING

COUNCIL MEETINGS

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

SECTION 1. Chapter 5 of the Municipal Code of the Township of Vernon is hereby amended and supplemented as follows:

§ 5-7. Rules of order and procedure governing Council meetings.

- A. Quorum. A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. If no member of the Council is present one-half hour after the appointed time for any meeting, the Clerk may adjourn the meeting.
- B. Preparation of agenda. The agenda for each regular and special meeting of Council shall be prepared by the Township Clerk or ~~its his or her~~ designee and approved by the Council President. The agenda for each regular meeting of the Council shall include only such matters of Council business as have been presented or delivered to the Clerk by the Mayor, Business Administrator or Councilpersons not later than 12:00 noon on the Wednesday preceding the meeting. Emergent matters may be added if necessary and approved by the Council President. As soon as the agenda for each meeting has been prepared, a copy shall be delivered to each member of Council and each department head. Upon approval, copies shall also be distributed to the press and to interested citizens upon request.
- C. Order of business. The order of business of the Township Council meetings shall be set annually by resolution of the Township Council.
- D. Conduct of meetings.
 1. Meeting of the Council shall be conducted in accordance with the statutes and common law of the State of New Jersey. In the event an existing law does not address a procedural issue, such item shall be resolved in accordance with Robert's Rules of Order, current edition.
 2. Council members shall be allowed to attend meetings via telephone or video conferencing platforms such as Zoom. Council members shall only be allowed to attend two meetings via telephone or video conferencing during any calendar year. No more than two council members can attend the same meeting via telephone or video conferencing. If a council member attends a meeting via telephone or video conferencing, the council member must be present by the telephone or visible for the entire meeting. There shall be a speakerphone or video monitor present at council meetings to ensure that members of the public attending the meeting can hear and see any member(s) attending a meeting via telephone or video conferencing.
 3. Reading of the minutes. The minutes of the previous meeting of the Council may be approved without reading if the Clerk has previously furnished each member of the Council with a copy thereof, but upon request of any member of the Council, the minutes or any part thereof shall be read prior to approval.
 4. Presiding officer may debate, vote, etc. The Council President or such other member of the Council as may be presiding may move, second and debate from the chair, and may vote on any question, subject only to such limitations of debate as are by these rules imposed on all members, and the presiding officer shall not be deprived of any of the rights and privileges of a member of the Council by reason of the member acting as the presiding officer.
 5. Privilege of closing debate. The member of the Council moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
 6. Motion to reconsider. A motion to reconsider any action taken by the Council may be made only at the meeting at which such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of such meeting. Such motion may be made only by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions and it shall be debatable. Nothing

herein shall be construed to prevent any member of the Council from making or remaking at a subsequent meeting of the Council any motion previously made or considered.

7. Remarks of member of Council; when entered in minutes. A member of the Council may request, through the presiding officer, the privilege of having an abstract of the member's statement on any subject before the Council not exceeding 100 words entered in the minutes. If the Council consents, such abstract shall be entered in the minutes.
8. Synopsis of debate; when entered in minutes. The Clerk may be directed by the presiding officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

E. Addressing the Council.

1. At every meeting of the Governing Body, a portion of the meeting shall be dedicated to public comment as required by N.J.S.A. 10:4-6, et. seq., generally, and more specifically N.J.S.A. 10:4-12.
2. Any person desiring to address the Council shall first seek to be recognized by the Council President or presiding officer and state their name and address for the record. There will be a limited period of public comment at the beginning of every meeting where speakers will be limited to three (3) minutes. During the first period for public comment each speaker may speak only on items on the current agenda. The total time for public speaking at the beginning of the meeting is limited to one half hour (30 minutes) to provide the Governing Body sufficient time to complete its work.
3. There will be a second period of public comment at the end of each Council meeting. Speakers will be limited to ~~three~~five (3-5) minutes where the public may speak on any topic.
4. Presentations. When approved by the Council for a presentation, taxpayers or residents of the Township or their authorized legal representatives or parties with legitimate interest may address the Council and Public.

F. Additional Rules of Conduct.

1. No one will approach the microphone for public comment unless invited by the Township Clerk, Council President, or presiding officer as part of a public hearing or during one of the public comment periods.
2. No profanity or obscenity is to be used or will be allowed. Anyone using profanity will be warned to not use profanity or obscenities. If after receiving a warning, a person continues to use profanity or obscenities, the person will be asked to step away from the microphone and be seated.
3. No audible comments from the audience will be permitted.
4. No person shall cause a disturbance or disrupt the meeting through the use of loud or abusive language. If a person fails to cease with disruptive behavior after being warned, the person will be ejected from the chambers and may not return during the rest of the meeting in progress.
5. All cell phones and beepers must be placed in silent mode.

G. Enforcement of decorum. The Chief of Police, or such member or members of the Police Department as the Chief may designate, shall be sergeant at arms of the Council meetings and shall be in attendance at Council meetings when requested by the Mayor and/or Council President. The sergeant at arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the meeting.

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 upon final passage, approval, and publication by law.

PUBLIC COMMENTS (For Current Agenda Items Only, Limited to 5 Minutes Per Person)

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

MOVED: Lynch
SECOND: Buccieri

All members were in favor.

Camila Diresta – Vernon Township, asked if trail money from the grant could be used for the signs at Stairway to Heaven. She feels that a map will help people find the trails and if it is a grant, it is just a study to make the trails better.

Joshua McMillon – Vernon Township, is in favor of the pump track.

Jeff Hoffman – Vernon Township, is in favor of the pump track.

Doreen Edwards - Vernon Township, asked when the town center is going to be addressed.

Council President Shortway explained a township cannot say they only want one business. He feels that our market depends on what the entrepreneur feels and grow and prosper. What we as a town can do is provide a solid infrastructure and tax base. Council President Rizzuto said we are beginning to take care of the water problem.

Jessica Paladini – Vernon Township, feels that the consultants are doing work before it is approved by the Council. Ms. Paladini feels that the Municipal Clerk is a political operative because she requested records through OPRA. Ms. Paladini feels the clerk should resign.

Jon Hanson – Vernon Township, is in favor of the pump track.

Bill Diresta – Vernon Township, is disappointed that the Council voted against the cannabis resolution even though 70% voted in favor of it in Vernon.

Martin O'Donnell – Vernon Township, commented about some of the Council's conduct at a Council meeting in July, he feels that they acted inappropriately. Mr. O'Donnell expressed concern because the Council voted against the cannabis business. Mr. O'Donnell feels that the walking trail along Route 94 will bring people to businesses.

Council President Rizzuto commented that he finds it highly difficult to say to a child, please do not experiment with something that in his mind is some kind of hallucinogenic or some type of a gateway drug. Council President Rizzuto explained that he feels fortunate to be able to work with great people to help put up several schools in Vernon.

Ann Larson – Vernon Township, feels that the town needs to change the way it allocates money and she wants to see the bills lists on the Vernon website daily with the purchase orders, authorizations and the competing bids. Ms. Larson would like to see an ordinance that prohibits members of the Council or Business Administrator to file employment charges against residents.

Stephanie DiBrienza – Vernon Township, expressed concern that the clerk and Council Member Shortway caused a potential law suite for the town. Ms. DiBrienza feels that we do not need any more trails and that Vernon has nothing.

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

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

MOVED: Lynch
SECOND: Furrey

All members were in favor.

COUNCIL COMMENTS

Council Member Furrey commented saying Mayor, Town Council and residents, my comments tonight are focused on one goal, to focus on the topics Vernon wants us to continue to work on:

Cannabis:

As we heard tonight, cannabis is an important issue for Vernon because it can potentially bring us much needed revenue. I continue to support any effort to bring business to Vernon because it is a ratable that we desperately need to lower or stabilize taxes. As I spoke tonight, I want to recognize Council member Brian Lynch for his suggestion to dedicate a certain percentage of revenue to the maintenance of our aging road infrastructure. I want to work with him and others on the council to make that a reality. We owe this to a public that depend on these roads. The other infrastructure issue is our aging sewer system and looming debt, I want officially call the "Debt Train". This debt is coming and can potentially bankrupt the MUA and increase taxes on those on the sewer system and those who are not the system. I want the Council to also consider taking a percentage of the cannabis revenue to pay down the enormous debt (\$500,000 in 2023 to the sewer bonds). I hope the Council joins me in that effort and ask our TC President to consider this request.

Bike Park and Trails

I am excited to announce that we are even closer to the opening of the bike track and trail system in Town Center. I had the honor to work with over 40 enthusiastic volunteers who this past Saturday worked half of a HOT day to move and spread mulch on the inside portion of the pump track. It was great to see a community come together excited about a park that will bring much needed revenue to the commercial businesses in Vernon Township. Kudos to them!!

Water Projects:

The water project is moving forward with the drafting of a much-needed agreement with our partner Veolia/Suez. I ask again for an engineer presentation that will outline the reasons for a water supply in town center utilizing the ARP money approved by a previous council. This water project is critical to the survival of the MUA.

Sewer Update:

The MUA has made great progress on building a new pump station critical to sewer system operation. We hope to hear soon about our appeal with SCMUA and help lower rates for all sewer users. I will continue to work with the MUA on this critical asset and look forward to the newly formed Septic Committee and need to compliment TC President Rizzuto for making this a reality.

In conclusion, as I continue my campaign, I ask that the public take the time and ask me the hard questions and challenging me to listen and do better for you the voter/taxpayer. I want to convince you to confidently say I Like Mike!!! Thank you!

Council Member Shortway commented that he is very disappointed that a majority of the Council said no to a business opportunity for the township tonight. Council Shortway commented to the Municipal Clerk that he does not usually respond to the complainer that he considers a persona non grata. He explained that this is the person who sued the town for a Land Use Board suit that cost the taxpayers \$33,000. Although Council Member Shortway said he does not speak for the whole Council, he finds the clerk's work above satisfaction, and he stands behind her.

Council President Rizzuto said that Council Member Shortway does speak for the whole Council.

Council Member Shortway explained that we did not receive a law suit today but we did receive a Tort Claim.

Council Member Lynch had no comments.

Council Member Buccieri commented that there is a lot of talk about tax revenue which is obviously important. However, she made points about not being willing to accept a potential grant if she wasn't going to pursue the avenue that the grant is for. That is expressed even larger towards retail cannabis. Council Member Buccieri said her beliefs and values are not going to change based on a dollar or income, personally or as a representative. Council Member Buccieri was very vocal with her feeling on that and she got elected. Council Member Buccieri said she spoke to the Vernon Coalition, Center for Prevention and Counseling and in recent years there has been a 40% increase in emergency room visits due to cannabis overdose and that is significant.

Council Member Buccieri told the Mayor that he had mention in his comments about being in negotiation with the school board for the fuel service and she received an email from Martin O'Donnell saying that the liaison committee has decided not to move forward with the gasoline shared services plan. They have also decided to postpone any shared service discussions with the town for now. Council Member Buccieri reached out to Mr. O'Donnell but has not received a response.

Council Member Buccieri thanked the volunteers who spent time at the pump track. It was a very hot day and she appreciates the spirit of community that Vernon has.

COUNCIL PRESIDENT COMMENTS

Council President Rizzuto also thanked the people who supported the Mayor and worked at the pump track. He has had individual conversations with the Mayor and they may not agree, it is not necessarily that particular amenity but where it is. Council President Rizzuto is concerned because it is taking longer to complete and he is wondering about the cost implications. The Council has not seen one change order and normally with projects of this nature we usually see a few change orders. If we are not seeing change orders the Council would like to know where the difference is being funded unless we are so close that we are right on budget.

Council President Rizzuto explained that people walking into the meeting room saw a uniformed officer that was placed at the request of the Mayor. The meeting room is handled by the Council President and Council President Rizzuto questions why we need this because he did not see anybody at the meeting presenting any kind of challenge.

Council President Rizzuto commented on the amount of money being brought to bear by the MUA. He knows that there is going to be an increase in 2023. When Council President Rizzuto left the Council years ago there was to be a study that had been approved for the MUA to do a study of the Route 94 corridor for potential users for the sewer service area. As he returns five years later, he sees no change. The only difference that he does agree with the is the dedicated septic haulers. As far as any work with the DEP, he does not know if things are getting held up in Trenton. Council President Rizzuto feels that five years is a long time and he would have expected that least a few of the businesses on Route 94 would be identified as potential users. To say that this Council is to be responsible if we don't bring in a business, and ask how are we going to pay for the increase in sewer costs, he questions about the previous four or five years. Council President Rizzuto said we will try again to get the town moving forward.

ADJOURNMENT

At 9:17pm Council Member Lynch made a motion to adjourn the meeting. Seconded by Council Member Furrey.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Patrick Rizzuto,
Council President

Minutes approved: September 12, 2022