

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

This Meeting of the Township Council of the Township of Vernon was convened at 7:10 p.m. on August 28, 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 Peg Distasi, Joseph Tadrack and Council President Natalie Buccieri. Also present were Mayor Howard Burrell, Administrator Tina Kraus, CFO Donelle Bright, Municipal Clerk Marcy Gianattasio and Township Attorney Joshua Zielinski.

Council Member Sparta was not present.

Council Member Tadrack called for a moment of silence to remember the victims of 9/11.

Council Member Rizzuto entered the meeting at 7:14 pm.

PROCLAMATION

Eagle Scout Award – Edward W. Schmick

Council President Buccieri addressed concerned residents regarding an animal rescue that is operating in the town. The Council, Mayor and Animal Control Department have been working to address concerns expressed by community members regarding an animal rescue operating in our town. Council President Buccieri explained that we are working to address the safety concerns of the community members who live in the area and to ensure the welfare of the animals kept at this property. Our Animal Control Office has visited the property with the Municipal Fire Marshall, Municipal Health Department Official and a Detective from the Sussex County Prosecutor’s Office. Additionally, the Sussex County Health Department has reached out to the NJ Department of Health's Office of Animal Welfare for guidance. Violations have been issued and a court date is scheduled for the near future.

DISCUSSION ITEM

Draft Cannabis Ordinance

The Council had a lengthy discussion along with the Township Planner Jessica Caldwell and Engineer Cory Stoner regarding the possibility of amending the Township’s cannabis ordinances to protect the town and collect licensing fees.

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: Distasi

SECOND: Tadrack

All members were in favor.

Sally Rinker – expressed concern that cannabis businesses are allowed in residential zones.

Stephanie Blain – expressed concern that cannabis businesses are allowed in residential zones.

John Dayon – expressed concern that cannabis businesses are allowed in residential zones.

Louis Blain - expressed concern that cannabis businesses are allowed in residential zones.

Charles Peck - expressed concern that cannabis businesses are allowed in residential zones.

Kathleen Geary - expressed concern that cannabis businesses are allowed in residential zones.

Ann Larson - expressed concern that cannabis businesses are allowed in residential zones.

George - expressed concern that cannabis businesses are allowed in residential zones.

Steve Dunlop – expressed concern that cannabis businesses are allowed in residential zones. Mr. Dunlop feels that a private school should not require a school zone and he is concerned about ordinance #23-19.

Cynthia Weber – thanked the Council for all of the work they do for Vernon.

Debra Smorto – requested that Fields of Green be changed to school zone because there have been so many accidents in front of the school.

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

MOVED: Rizzuto

SECOND: Tadrick

All members were in favor.

REVIEW OF BILLS LIST

The Council reviewed the bills list.

APPROVAL OF MINUTES

August 28, 2023 – Executive Session

August 28, 2023 – Regular Meeting

President Buccieri asked for a motion to approve the above meeting minutes meeting minutes.

MOVED: Tadrick

SECOND: Distasi

A roll call vote was taken:

AYES: Distasi, Rizzuto, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT: Sparta

Motion carries to approve the approve the above meeting minutes.

CONSENT AGENDA

Resolution #23-229: Refund Overpayment (Block 478 Lot 30 – Kudo)

Resolution #23-230: Refund for Totally Disabled Veteran (Block 601 Lot 31 – Gillett)

Resolution #23-231: Refund for Totally Disabled Veteran (Block 357 Lot 1 – Hanley)

Resolution #23-232: Cancelling Taxes for Total Disabled Veteran (Block 357 Lot 1 – Hanley)

Resolution #23-233: Resolution Amending Resolution #22-258 to Update an Appointment to the Vernon Township Council for an Unexpired Term

Resolution #23-234: Chapter 159 Resolution Requesting Approval of Revenue and Appropriation Amending the 2023 Budget as a Revenue and Appropriation of \$75,000.00

Resolution #23-236: Resolution Amending Contract for Resolution #23-220

President Buccieri asked for a motion to approve the consent agenda.

MOVED: Tadrick
SECOND: Distasi

A roll call vote was taken:

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

Motion carries to approve the consent agenda.

RESOLUTION #23-229

**REFUND OVERPAYMENT
(Block 478 Lot 30 – KUDO)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Adam Kudo in the amount of \$2236.25 representing refund for overpayment of 3rd qtr. 2023 property taxes for Block 478 Lot 30.

OWNER	BLOCK	LOT	REFUND AMOUNT
KUDO	478	30	\$2236.25
		TOTAL:	\$2236.25

RESOLUTION #23-230

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 601 Lot 31 – (Gillett))**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS awarded Brandon Gillett 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 2023 property tax in the amount of \$593.63 and 3rd quarter 2023 in the amount of \$1,763.66 to Corelogic.

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

RESOLUTION #23-231

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 357 Lot 1 – (Hanley))**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS awarded Richard Hanley 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 2023 property tax in the amount of \$58.18 to Richard Hanley.

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

RESOLUTION #23-232

**CANCELLING TAXES FOR TOTAL DISABLED VETERAN
(Hanley Block 357 Lot 1)**

WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS awarded Richard Hanley 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 \$1,936.31.

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

RESOLUTION #23-233

**RESOLUTION AMENDING RESOLUTION 22-258 TO UPDATE AN APPOINTMENT TO
THE VERNON TOWNSHIP COUNCIL FOR AN UNEXPIRED TERM**

WHEREAS, Councilman Harry Shortway was elected to the Council of the Township of Vernon and sworn into office on January 1, 2020 for a four-year term; and

WHEREAS, on October 14, 2022 Councilman Shortway resigned from the Council of the Township of Vernon; and

WHEREAS, the resignation of Councilman Shortway has created a vacancy on the Council of the Township of Vernon (“Vacancy”); and

WHEREAS, on November 10, 2022, the Township Council passed Resolution No. 22-258 appointing Joseph Tadrick to serve the unexpired term of Councilman Shortway until 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 1st to January 15th for municipalities that hold non-partisan elections in November; and

WHEREAS, a determination has been made that Resolution No. 22-258 needs to be amended to reflect a new expiration date for Joseph Tadrick’s appointment.

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

1. Resolution No. 22-258 is hereby amended to reflect that Joseph Tadrick’s appointment as a Council Member shall now run until January 14, 2023.
2. This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #23-234

**CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF
REVENUE AND APPROPRIATION AMENDING THE 2023 BUDGET
AS A REVENUE AND APPROPRIATION OF \$75,000.00**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when

such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has been awarded a \$75,000.00 New Jersey Department of Environmental Protection MS4 Tier A Grant; and wishes to amend its 2023 budget for the difference of the awarded amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$75,000.00 which is now available as a revenue,

BE IT FURTHER RESOLVED that a like sum of \$75,000.00 is hereby appropriated under the caption New Jersey Department of Environmental Protection MS4 Tier A Grant.

RESOLUTION #23-236

RESOLUTION AMENDING CONTRACT FOR RESOLUTION #23-220

WHEREAS, Township Council approved the Award of Contract to Atlantic Ambulance Corporation for EMS Services through Resolution #23-220 dated August 28, 2023; and

WHEREAS, after review of said contract, Item #6 required revisions and was agreed upon by both parties.

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

1. Contract for Resolution #23-220 is hereby amended to reflect needed revisions, specifically Item #6 and agreed upon by both parties.
2. This Resolution shall take effect immediately upon adoption according to law.

RESOLUTIONS

Resolution #23-235: Resolution Awarding CC# 6-2023 to Municipay in a Fair and Open Award for Online Payment Processing Vendor

Council Member Buccieri asked for a motion to approve resolution #23-235.

MOVED: Tadrick

SECOND: Rizzuto

A roll call vote was taken:

AYES: Distasi, Rizzuto, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT: Sparta

Motion carries to approve the resolution #23-235.

RESOLUTION #23-235

Resolution Awarding CC# 6-2023 To Municipay in a Fair and Open Award for Online Payment Processing Vendor

WHEREAS, there is a need for an Online Payment Processing Vendor to accomplish the daily service requirements of various departments within the Township of Vernon; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-4.1 et seq.) allows the use of competitive contracts and approved by council resolution; and

WHEREAS, the Township approved Resolution 23-194 Authorizing the Hiring of an On-Line and In Person Credit Card Payment and Processing Vendor Through the Competitive Contracting Process Concession” on July 10, 2023; and

WHEREAS, the Township duly advertised for public receipt of competitive contracts providing the required 20 days prior to receipt for CC# 6-2023 in a fair and open manner, consistent with N.J.S.A.19:44A-20.4 et. Seq., and

WHEREAS, the Township of Vernon received competitive contracts for Online Payment Processing Vendor at 11:00am on August 24, 2023; and

WHEREAS, the rating committee has reviewed the submittals and rated according to the direction under competitive contracts as required within N.J.A.C. 5:34-4 et. Seq., and

WHEREAS, Municipay, 10 Dynamic Drive, Scarborough, Maine, 04074, has provided the response most advantageous to the Township of Vernon under the demands of price and other factors found within statute; and

WHEREAS, the process was administered as required by law by the Qualified Purchasing Agent who has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, the term of contract is allowable for up to five (5) years as authorized under N.J.S.A.40A:11-4.1 et. Seq., and

WHEREAS, the subject to future budget approvals in the yearly budget as approved by the governing body the Chief Financial Officer hereby certifies that funds are available:

<u>Charges to Public</u>	<u>Rate</u>	<u>Rate per Transaction</u>	<u>Rate per Transaction</u>
Transactional			
Visa	2.39%	\$3.00	2.39% + \$3.00
MasterCard	2.39%	\$3.00	2.39% + \$3.00
Discover	2.39%	\$3.00	2.39% + \$3.00
American Express	2.39%	\$3.00	2.39% + \$3.00
Total	2.39%	\$3.00	2.39% + \$3.00

<u>Charges to Township</u>	
One Time Fees	
Setup Fee	\$229.00/ unit

Line Item: 3-01-25-240-20

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

1. The contract for CC#6-2023 Online Payment Processing Vendor is hereby awarded to Municipay, 10 Dynamic Drive, Scarborough, Maine, 04074 for a five (5) year contract.
2. The Mayor is hereby authorized and directed to execute a contract with Municipay, 10 Dynamic Drive, Scarborough, Maine, 04074, as provided for in resolution and payment proposal as found within CC#6-2023.

INTRODUCTION OF ORDINANCE

Ordinance #23-19: An Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending and Supplementing Chapter 99 Entitled “Vehicles and Traffic” to Establish a School Zone Adjacent to the Fields of Green Montessori School

President Buccieri asked for a motion to introduce ordinance #23-19.

MOVED: Tadrick

SECOND: Distasi

A roll call vote was taken:

AYES: Distasi, Rizzuto, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT: Sparta

Motion carries to introduce ordinance #23-19.

PUBLIC COMMENTS (Limited to 5 Minutes Per Person)

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

MOVED: Tadrick

SECOND: Distasi

All members were in favor.

Sally Rinker – questioned if the R-2 zone can be removed from the cannabis ordinance.

Stephanie Blain – questioned the procedure of how ordinances are prepared.

Ann Larson – inquired if the Council would let the Land Use Board know that the cannabis ordinance may change.

Debra Smorto – inquired if ordinance #23-19 includes a 25-mph speed limit in the school zone and the next steps of the ordinance.

Jessi Paladini – questioned if employees used the Power DMS program.

Steve Dunlop – feels that there should have been further discussion of ordinance #23-19. Mr. Dunlop also hopes that there is a log for Power DMS.

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

MOVED: Tadrick

SECOND: Rizzuto

All members were in favor.

MAYOR COMMENTS

This past weekend was one of those weekends that enhanced the pride that I feel for our town, and that amplified the many reasons that I so strongly believe that Vernon is a very good place to live and raise a family. The weekend started with our town’s emotional and patriotic 9/11 REMEMBRANCE CEREMONY. This year’s 9/11 REMEMBRANCE CEREMONY was very special, due in part to the fact that it was highlighted by our town’s dedication of a rare 9/11 Survivor Tree Seedling that Vernon was awarded by the National 9/11 Memorial and Museum! As I previously explained, the 9/11 Survivor Tree is a tree that was severely damaged, with snapped roots and burned branches, that was discovered at Ground Zero in October 2001. This tree was dug up and removed from the rubble of Ground Zero, and placed in the care and treatment of the New York City Department of Parks and Recreation. After nine years of nursing this tree back to recovery and rehabilitation, in 2010 it was returned to and replanted at the site of

the 9/11 Memorial & Museum. Since 2010, the 9/11 Memorial & Museum has received thousands of requests for seedlings from this special tree. Each year, hundreds these requests are received from not just municipalities and organizations in our country, but also from countries and organizations throughout the world. However, the 9/11 Memorial & Museum grants only a small number of these requests each year. And, for 2023, Vernon Township was one of the fortunate recipients of a seedling from the 9/11 Survivor Tree. And we now have this special tree, planted in a special place in front of our Municipal Center! The day continued with an outstanding Street Fair sponsored by the Vernon Chamber of Commerce. Through the Vernon Chamber of Commerce's dynamic planning, organizing, directing, coordinating and controlling efforts, Vernon's Main Street was closed to automobile traffic, and occupied by a host of vendors of various types who offered a diversity of goods and services to the hundreds of residents and visitors that the Street Fair attracted to our Town Center. Vernon is indeed a very good place to live and raise a family, and this weekend was but just one example of that fact!

COUNCIL COMMENTS

Council Member Distasi congratulated Eagle Scout Edward W. Schmick for the creation of the reflection at the Glenwood Cemetery. Council Member Distasi congratulated the Mayor for the tree ceremony on Saturday. Council Member Distasi thanked all of the residents that came to speak against cannabis in the R-2 Zone. She also thanked the Chamber for all of the hard work that went into the Vernon Street Fair. She does agree that a log should be available for Power DMS.

Council Member Tadrack has no comments.

Council Member Rizzuto had no comments.

COUNCIL PRESIDENT COMMENTS

Council President Buccieri feels that it is an honor to have a sapling from the Survivor Tree. Three residents perished in the 9/11 attacks from Vernon and it is very poignant and touching to have this honor.

ADJOURNMENT

At 8:49 pm Council Member Distasi made a motion to adjourn the meeting. Seconded by Council Member Tadrack.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Natalie Buccieri
Council President

Minutes approved: October 12, 2023