

**VERNON TOWNSHIP COUNCIL
MEETING MINUTES
SEPTEMBER 25, 2023 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:100 p.m. on September 25, 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, Patrick Rizzuto, Bradley Sparta, 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 Marlin Townes.

PRESENTATION

Recognition of Police Officers

Police Chief Dan Young presented a public recognition of Police Officer retirements, promotions and new hires.

Retirement Recognition:

Captain Keith Kimkowski

Cpl. Steve Gentle

Lt. Bill Fischer

Promotions:

Captain Jason Haw

Lt. Daniel S. Young

Lt. David Dehardt

Sgt. Ronald Koumaras

Sgt. Sean Perry

New Hires:

Ptl. Parker Shade

Ptl. Kirk Sandsmark

Ptl. Matt Duffy

Ptl. Richard Lutchke

Ptl. Trevor Krupinski

At 7:25 pm Council Member Sparta made a motion for a brief recess. Seconded by Council Member Tadrack. All members were in favor.

At 7:40 pm Council Member Sparta made a motion to close the recess. Seconded by Council Member Tadrack. All members were in favor.

DISCUSSION ITEM

Draft Cannabis Ordinances

The Council had a lengthy discussion amending the Township's cannabis ordinances to protect the town and collect licensing fees.

The Township Council would like to see the number of licenses reduced to two of each type of license, have the conveyance to 1000 feet, remove the escrow language out of the ordinance, create yearly licensing fees and application fees and remove any cannabis businesses from R-2 zones.

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

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

MOVED: Sparta

SECOND: Rizzuto

All members were in favor.

Melissa King – is in favor of making Fields of Green a school zone.

Debra Smorto - is in favor of making Fields of Green a school zone and 25 mph.

Bethany - is in favor of making Fields of Green a school zone and 25 mph.

Corine Davidson - is in favor of making Fields of Green a school zone and 25 mph.

Josh - is in favor of making Fields of Green a school zone and 25 mph.

Ravin Slockbauer - is in favor of making Fields of Green a school zone and 25 mph.

Viviana Floria - is in favor of making Fields of Green a school zone and 25 mph.

Elizabeth Gabriele - is in favor of making Fields of Green a school zone and 25 mph.

Brandi Weaver - is in favor of making Fields of Green a school zone and 25 mph.

Meg Wahnnon - - is in favor of making Fields of Green a school zone and 25 mph.

Doreen Edwards – expressed concern that the Township Attorney offered the wrong advice on the subject of cannabis licenses.

John Oros - is in favor of making Fields of Green a school zone and 25 mph.

Kyle Salvato - is in favor of making Fields of Green a school zone and 25 mph.

Matias - is in favor of making Fields of Green a school zone and 25 mph.

Jessi Paladini – showed support for the Vernon Township Police Department.

Peter Knipe – congratulated the Council on the cannabis discussion. Mr. Knipe feels that it is shameful that the speed limit has not been changed by Fields of Green as of now. Mr. Knipe showed support to the Vernon Township Police Department.

Brian Jaye - is in favor of making Fields of Green a school zone and 25 mph.

Christopher Lama - is in favor of making Fields of Green a school zone and 25 mph.

Ann Larsen – is against the school zone and speed limit change at Fields of Green. Mr. Larsen expressed concern in regards to the changes in the cannabis ordinance.

Johanna - expressed concern in regards to the changes in the cannabis ordinance.

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.

RESOLUTIONS

Resolution #23-237: Authorizing the Use of Morris County Cooperative Pricing Council for Proposed Improvements to Maple Grange Park

President Buccieri asked for a motion to approve resolution #23-237.

MOVED: Sparta

SECOND: Rizzuto

A roll call vote was taken:

AYES: Distasi, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve resolution #23-237.

RESOLUTION #23-237

AUTHORIZING THE USE OF MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR PROPOSED IMPROVEMENTS TO MAPLE GRANGE PARK

WHEREAS, the Township of Vernon has a need for contracting services for Proposed Resurfacing to Maple Grange Park Lower Parking Lot; and

WHEREAS, the Morris County Cooperative Pricing Council advertised and received bids for milling & paving, and line stripping; and

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

WHEREAS, the Vernon Township Engineer recommends the Township Council award contracts for milling & paving, and line striping through the use of the Morris County Cooperative Pricing Council to the following contractors:

- 1) Milling & Paving: Schifano Construction Corp. (Contract # 6) in an amount of **\$63,555.00**;
- 2) Line Striping: Denville Line Painting, Inc. (Contract #36) in an amount of **\$5,600.00**;

WHEREAS, the Certified Municipal Finance Officer of the Township of Vernon has certified that the funds for these contracts are available in Account #C-04-23-015 Improvement to Twp. Properties.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon that the vendors Schifano Construction Corp., and Denville Line Painting, Inc., be utilized for the Improvements to Maple Grange Park through the respective Morris County Cooperative Pricing Council contracts at the amounts not to exceed listed herewith.

This Resolution shall take effect immediately according to law.

Resolution #23-238: Authorizing Change Order #1 for PS No. 2: PCO No. 2 – 4-Inch DIP Forcemain Alignment Change

President Buccieri asked for a motion to approve resolution #23-238.

MOVED: Sparta

SECOND: Tadrick

A roll call vote was taken:

AYES: Distasi, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:
ABSTAIN:
ABSENT:

Motion carries to approve resolution #23-238.

RESOLUTION #23-238

**Authorizing Change Order # 1 for PS No. 2:
PCO No. 2 - 4-inch DIP Forcemain Alignment Change**

WHEREAS, on November 28, 2022, by way of adoption of Resolution #22-284, the Council of the Township of Vernon awarded a contract to Coppola, 28 Executive Parkway, Ringwood, NJ 07456, for PS No. 2 - PCO No. 2 - 4-inch DIP Forcemain Alignment which contract provided for an expenditure of \$ 1,584,890.00; 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, on August 2, 2023, the Contractor stated during installation it was found that 100 feet of pipe had to be made up from the initial plans requiring Change Order #1 in amount of \$22,990.84; and

WHEREAS the amount of change order requested is a net increase of \$22,990.84, which represents in the aggregate, an increase of 1.4%, which is 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 design engineer, in concurrence with the Mayor and Business Administrator, recommends approving Change Order No. 1; and

WHEREAS, the new total price for the change order project in the aggregate of base bid award and change orders is \$22,990.84.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves the design engineers' 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 \$22,990.84 for the project known as PS No. 2 - PCO No. 2 - 4 inch DIP Forcemain Alignment; and

PUBLIC HEARING/2ND READING 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 open the floor for public hearing on ordinance #23-19.

MOVED: Distasi
SECOND: Tadrick

All members were in favor.

Seeing no else one from the public wishing to come forward, President Buccieri asked for a motion to close the public hearing on ordinance #23-19.

MOVED: Tadrick
SECOND: Distasi

All members were in favor.

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

MOVED: Rizzuto
SECOND: Distasi

A roll call vote was taken:

AYES: Distasi, Rizzuto, Sparta, Tadrick, Buccieri

NAYES:

ABSTAIN:

ABSENT:

Motion carries to adopt ordinance #23-19.

ORDINANCE #23-19

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

WHEREAS, Chapter 99 of the Township of Vernon (“Township”) City Code establishes regulations for vehicles and traffic on the Township’s public streets; and

WHEREAS, § 99-41 establishes speed limits on public streets; and

WHEREAS, the Township has received a request to establish a school zone adjacent to the Fields of Green Montessori School; and

WHEREAS, a determination has been made that establishing this school zone in accordance with N.J.S.A. 39:4-8 (a) would be in the best interests of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Vernon, County of Sussex, and State of New Jersey, that Chapter 99 is amended and supplemented as follows:

SECTION 1

§ 99-41. Limits established.

Street	Speed Limit (mph)	Location
<u>Sandhill Road</u>	<u>25**</u>	<u>Fields of Green Montessori School Zone</u>

SECTION 2

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

SECTION 3

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

SECTION 4

This Ordinance shall take effect immediately as provided by law.

PUBLIC COMMENTS (Limited to 5 Minutes Per Person)

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

MOVED: Sparta
SECOND: Tadrick

All members were in favor.

Sally Rinker and Jen Lubliner – spoke on behalf of the Economic Development Committee. They had a summary of the survey that was on the website for residents to answer. Ms. Rinker commented on the Western Highlands Scenic Byway and explained that she wrote a letter to Senator Oroho for signage for the byway.

Anthony Rossi – congratulated the Vernon Police Department. Mr. Rossi questioned the new servers the town purchased.

Jessi Paladini – expressed concern with Ms. Rinker’s presentation on the Western Highlands Scenic Byway.

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

MOVED: Rizzuto
SECOND: Distasi

All members were in favor.

MAYOR COMMENTS

Throughout the United States, most municipalities like ours that depend on volunteers to provide essential municipal life support services, are suffering from a shortage of a sufficient number of volunteers to adequately staff their volunteer Emergency Medical Services (EMS) organizations. Vernon Township is no exception to this situation. Our two outstanding volunteer EMS organizations - - those being the Glenwood Pochuck Volunteer Ambulance Corps and the Vernon Township Ambulance Squad - - have adequate volunteers to staff their organizations at nights and on weekends; however, like most other volunteer EMS organizations around the nation, they struggle to get enough volunteers to adequately staff their 6am to 6pm weekday shifts, when many of their volunteers are out of town at work, and/or in school. I use my comments tonight to let the public know that the Council and the Mayor are very much aware of this situation, and that we have worked together to find a solution which will assist our two dedicated EMS organizations in providing professional compassionate care to Vernon’s 23K residents, plus the approximate 75K visitors that come to our town each year; and, to do so on a 24-hours a day, seven days a week basis. Specifically, the Office of the Mayor prepared and presented to the Council a resolution which would give me the approval to select and sign an agreement with a private EMS organization that would provide daytime EMS coverage for our town during this 6am to 6pm weekdays time period. With the Council’s approval of this resolution, I signed an agreement with one of the largest health care organizations in New Jersey, Atlantic Health, to provide Vernon Township basic life support services during this time period. Atlantic Health has committed themselves to not simply responding to EMS calls within our town during this 6am to 6pm weekday periods, but to also staging one of their ambulances within our town during this period; and if necessary, they have committed to moving other ambulances into the area, if additional coverage is needed during this time period. Since Atlantic Health will be paid for each EMS call to which they response through reimbursements from Medicare, Medicaid or private payers, Vernon’s taxpayers will not have to pay any additional taxes for this additional valuable supplemental service.

I am so pleased to share with the public the very positive results of another Mountain Creek and Vernon Township public-private partnership. This latest public-private partnership comes in the form of the much-needed replacement of the decades old Municipal Sewer Pump Station # 2, which is located near Sand Hill Road in Vernon Township. The replacement of this Municipal Sewer Pump Station is an important and valuable achievement because it currently serves the Mountain Creek Resort, the Vernon Town

Center, and a number of residential homes in the town's Black Creek condo development. Over the years, we have been forced to make repeated repairs to this pump station just to keep it operating, and all indications are that it is not stable enough to either last much longer or to take any additional sewage flow without the municipality running the real risk of encountering serious environmental issues. In addition, the requirement for this pump station to take additional sewage flow is an immediate concern since the municipality has two very near-term Town Center development projects that are about to be started. I speak specifically of the following: 1. Development Project # 1 is the development of a four-story, 55-unit residential complex in the Town Center on Theta Drive. Site Plan Approval was this development project was given by our Land Use Board in April of this year. 2. Development Project # 2 is the redevelopment of the D & S Mall property, which is the strip mall on Route 94 across from the Acme Plaza. In June 2021, the company that plans to redevelop this property received Sight Plan and Design Approval from our Land Use Board to develop this property in a way that would: a. Renovate and provide a facelift for the building on the property; b. Use a portion of the building as part of a high-end Circle K convenience store, plus electric and petroleum automotive fueling stations; c. Renovate the other sections of the building into units that will attract other businesses that would benefit at this location by the customer traffic that the Circle K convenience store and the electric and petroleum automotive fuel stations would generate; and ... d. Add another story to a portion of the building which would accommodate two 2-bedroom apartments. Due to legal challenges faced by the previous owner, the developer was not able to take possession of this property until March of this year, and they are now ready to proceed with hast, with their approved redevelopment. So, you see, the replacement of this decades old Municipal Sewer Pump Station # 2 is critical to the municipality's plans to move forward with its Town Center development efforts. I would be remiss and ungrateful if I did not acknowledge the fact that a decades old agreement in which the owners of Mountain Creek committed to improve and upgrade Municipal Sewer Pump Station # 2 flowered until Joe Hession, a native son of Vernon and the CEO of Snow Operating, and his partner, Scott Baldassano, took a controlling interest in the Mountain Creek Resort in 2018. At that time, Harry Shortway was serving as Mayor of Vernon. Mr. Hession and Mayor Shortway worked long, close and hard together to successfully resolve the decades-old issues that had prevented this decades-old agreement from being implemented. In addition, then Mayor Shortway and Joe Hession worked out an agreement in which Mountain Creek would add a Vernon Municipal Fee to each Mountain Creek ticket that was sold; and at the end of each year, Mountain Creek would transfer the funds from this fee to Vernon Township to help the Vernon taxpayers pay the cost of the Sewer Bonds taken out in 2008, and for the unused sewage flow to SCUMA that Vernon committed to provide in an agreement signed in 2013. It's also important and fair for me to note that during these almost four years that I have served as Mayor, the funds from this Municipal Fee that Joe Hession and Mountain Creek has transferred to our municipality totals a whopping \$3,367,054. And, that these funds have enabled the municipality to reduce the amount of taxes that it would have had to pass on to taxpayers to pay for the Sewer Bonds taken out in 2008, and for the unused sewage flow to SCUMA that Vernon committed to provide in an agreement signed in 2013. On behalf of the taxpayers of Vernon, I thank Joe Hession and former Mayor Shortway for their leadership and hard work in putting together another positive Mountain Creek and Vernon Township public-private partnership!

COUNCIL COMMENTS

Council Member Distasi congratulated all of the police officers who have retired, been promoted and the new hires.

Council Member Sparta congratulated all of the police officers who have retired, been promoted and the new hires. Council Member Sparta feels that the Council had a very good dialogue to come to a solution in regards to the cannabis ordinance and he appreciates this.

Council Member Tadrick congratulated all of the police officers who have retired, been promoted and the new hires. Council Member Tadrick feels that the Council had a very good dialogue to come to a solution in regards to the cannabis ordinance. Council Member Tadrick reminded everyone that there is an election coming up and residents should learn who the candidates are before voting.

Council Member Rizzuto congratulated all of the police officers who have retired, been promoted and the new hires. Council Member Rizzuto commented that Mr. Hession exemplifies what is best as a business leader. As a graduate of Vernon Township, Mr. Hession has thoughts way beyond Vernon. Council Member Rizzuto wishes him well and he is hopeful that he maintains his contacts and development ideas in Vernon Township.

COUNCIL PRESIDENT COMMENTS

Council President Buccieri congratulated all of the police officers who have retired, been promoted and the new hires. Council President Buccieri feels that the Council had a very good dialogue to come to a solution in regards to the cannabis ordinance and she appreciates the transparency.

ADJOURNMENT

At 9:28 pm Council Member Sparta made a motion to adjourn the meeting. Seconded by Council Member Rizzuto.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Natalie Buccieri
Council President

Minutes approved: October 12, 2023