

**VERNON TOWNSHIP COUNCIL
MEETING MINUTES
MARCH 25, 2024 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on March 25, 2024 via Zoom Webinar and in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Rizzuto presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 17, 2024 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, Jessica DeBenedetto, William Higgins, Badley Sparta and Council President Patrick Rizzuto. Also, present were Mayor Anthony Rossi, Business Administrator Tina Kraus, CFO Donelle Bright, Municipal Clerk Marcy Gianattasio, Township Attorney Ryan Windels

MAYOR COMMENTS

Good evening. Council President: Yesterday, we had our annual easter egg hunt, which was a huge success. We had about 600 registered children; this was a lot of work; I know because I sat through some of the planning putting those dam eggs together. So, good job to our recreation department and committee. I want to discuss this new program called the Vial of life. This program was initiated by the Vernon Township Women's Club. "The Vial of Life is designed to speak for you when you can't speak for yourself. The vial contains important medical information that can assist emergency personnel in administering the proper medical treatment. (instructions given)

When I ran for office, I was very specific about what my objective was. I have outlined it on my website which under budget and transparency states,

- Increase transparency in budgeting by releasing detailed breakdowns of town expenses to the public allowable by law. As of right now I can't release any budget information outside of the public meeting that I have allowed council to question each department head on their department budget. This was done under my direction, which is not required by law.
- I will work closely with all members of the council. The council members are elected officials voted in by " WE THE PEOPLE," they MUST and WILL have a voice during the budget process. I have had meetings with council which is still on going. This is a working budget which means nothing is in stone as of yet
- All line items in the budget will be questioned, challenged, and renegotiated when needed. I have met with each Department head and did just that.
- Times have changed, and we must adapt and utilize all communication platforms for transparency. Vernon taxpayers have been in the dark for a long time. If elected as mayor, I will bring a spotlight to the forefront. I have been very transparent using social media, possibly too much at times, but I try to give you information in real-time, and I know 98% of the people appreciate it.
- There is nothing in there says I'm going to lower taxes. That is political BS that nobody can promise. Many issues from the past haunt us today, for example, the horrible sewer deal that everyone connected to is paying very high sewer rates. We have had no tax increases in the past few years while we had extremely high rising costs and almost 10% inflation, The last thing I want to do is raise taxes, but how long can we keep taking from our fund balance or I should say savings account leaving me to take action on tax I have an obligation to the taxpayers, and that is to not spend their hard-earned money foolishly, especially on pet projects. This obligation also forces me to ensure that our residents are still provided with the much-needed services we offer. I have been

working hard on trying to reduce costs, by working with our department heads, working with developers on upcoming projects such as the pilot program which is on the agenda tonight, and working on the sewer and water expansion so we can quickly add new tax rates, working with the BOE on shared services, working on becoming a business-friendly township, so that people want to invest in our town. I have only been mayor for 2 and a half months. I need a bit more time.

Lastly, I want to comment on the latest outburst about the Mayor's salary. For the past 12-plus years we have been hearing that the mayor's salary needs to be fixed and months before I took office. On the July 10th council meeting the mayor's salary was discussed. It was also discussed on Oct 12, right before the election, and it should be fixed, but first, it should be codified on whether it's a part-time or full-time position and should be addressed in February or March of 2024. This was discussed with the majority of the council in 2023, and who are still present today. I have asked the council to fix the problem. I have asked my staff and council that I wanted to know any ordinances that were created out of spite I wanted to know because these needed to be fixed. So, as many of you may or may not know, you MUST budget for any potential increases; this does not mean I have given myself a raise or the council a raise, so I must stress to the public. DO NOT listen to people who really have no inside knowledge of what's going on, and some of these people are former administrators who should know better, but the one question I don't see being asked is whether the mayor's position is part-time or full time, and I will probably be the first to say it. It is MORE than a full-time job simply because you are on call 24/7 and responsible for the township's well-being, services, and operations. Vernon must ask themselves do you really want a part-time mayor? That's all my comments today.

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

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

MOVED: Sparta
SECOND: Higgins

All members were in favor.

Scott Cassell – expressed concern in regards to the CAP Bank ordinance. Mr. Cassell appreciated the discussion that the Council had over the CAP Bank ordinance.

Ann Larsen – expressed concern regarding the resolution #24-56.

Jessi Paladini – questioned why a Land Use Board member was asked to recuse herself from certain applications. Ms. Paladini had questions regarding the bills list.

Thomas McClachrie – questioned the past budget.

Cindy Weber – questioned why the town needs a full-time Mayor and Business Administrator.

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

MOVED: DeBenedetto
SECOND: Sparta

All members were in favor.

REVIEW OF BILLS LIST

The Council reviewed the bills list.

APPROVAL OF MINUTES

March 11, 2024 – Executive Session Meeting

President Rizzuto asked for a motion to approve the March 11, 2024 executive session meeting minutes.

MOVED: Higgins

SECOND: Jessica

A roll call vote was taken:

AYES: Buccieri, DeBenedetto, Higgins, Rizzuto

NAYES:

ABSTAIN: Sparta

ABSENT:

Motion carries to approve the March 11, 2024 executive session meeting minutes.

March 11, 2024 – Regular Meeting

President Rizzuto asked for a motion to approve the March 11, 2024 regular meeting minutes.

MOVED: Sparta

SECOND: Buccieri

A roll call vote was taken:

AYES: Buccieri, DeBenedetto, Higgins, Sparta, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve the March 11, 2024 regular meeting minutes.

CONSENT AGENDA

Resolution #24-98: Resolution Authorizing a Mutual Aid and Assistance Agreement Between the County of Sussex and the Township of Vernon

Resolution #24-99: A Resolution of the Township of Vernon, in the County of Sussex, New Jersey Referring a Redevelopment Plan for Property Located in the Township Identified as 151 to 161 Route 94 - Block 525, Lots 18 and 19, to the Land Use Board Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ.

Resolution #24-100: Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Authorizing the Disposition or Salvage of Obsolete Equipment in the Possession of the Township at Auction on Municibid.com

Resolution #24-102: Resolution Authorizing the Hiring of a Grants Writing Vendor Through the Competitive Contracting Process

Resolution #24-103: Authorizing Contracts with Certain Approved State Contract Vendors Firefighter One for Purchase of Volunteer Fire Department Turnout Gear and Bailout Systems

Resolution #24-104: Refund Overpayment Due to State Tax Court Judgement

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

MOVED: Sparta

SECOND: Buccieri

A roll call vote was taken:

AYES: Buccieri, DeBenedetto, Higgins, Sparta, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve the Consent Agenda.

RESOLUTION #24-98

**RESOLUTION AUTHORIZING A MUTUAL AID AND ASSISTANCE AGREEMENT
BETWEEN THE COUNTY OF SUSSEX AND THE TOWNSHIP OF VERNON**

WHEREAS, Homeland Security Directive (HSPD-5) (February 28, 2003) directs the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act,” N.J.S.A. App.A:9-33 et seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency and gives the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, the State of New Jersey adopted the “Fire Service Resource Emergency Deployment Act,” N.J.S.A. 52:14E-11 et seq., to establish a mechanism for the coordination of fire service resources throughout the State to facilitate a quick and efficient response to any emergency, incident or situation that requires the immediate deployment of those resources in order to protect life and property from the danger or destruction of fire, explosion or other disaster; and

WHEREAS, the Director of the Division of Fire and Safety in the Department of Community Affairs promulgated rules commonly referenced as the “Fire Service Resource Emergency Deployment Rules,” N.J.A.C. 5:75A-1.1 et seq., and N.J.A.C. 5:75A-2.2 specifically requires each municipality or fire district to adopt a local fire mutual aid plan; and

WHEREAS, the Fire Service Rules at N.J.A.C. 5:75A-2.4 requires each County in the State to prepare and adopt a county fire mutual aid plan in coordination with applicable local mutual aid plans; and

WHEREAS, the County of Sussex has expressed a desire to enter into an agreement for mutual aid and assistance with the municipalities in the County of Sussex, including the Township of Vernon, to protect against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation and to address those situations when additional aid and assistance is necessary; and

WHEREAS, a determination has been made that it is in the best interests of the Township of Vernon to enter a mutual aid and assistance agreement with the County of Sussex; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that the Mayor and/or Business Administrator are hereby authorized to execute a mutual aid and assistance agreement between the Township of Vernon and the County of Sussex in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

RESOLUTION #24-99

A RESOLUTION OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY REFERRING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE TOWNSHIP IDENTIFIED AS 151 TO 161 ROUTE 94 - BLOCK 525, LOTS 18 AND 19, TO THE TOWNSHIP LAND USE BOARD PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, on July 18, 2005, the Council (the “**Township Council**”) of the Township of Vernon, in the County of Sussex, New Jersey (the “**Township**”), authorized and directed the Land Use Board of the Township of Vernon (the “**Land Use Board**”) to examine whether all or a portion of the McAfee Village area (the “**Initial Study Area**”), meet the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Initial Study Area should be designated as an area in need of redevelopment; and

WHEREAS, on May 31, 2006, the Land Use Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Initial Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Initial Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on June 12, 2006, in accordance with the provisions of the Redevelopment Law, the Township Council adopted Resolution #06-106 that designated a portion of the Initial Study Area as an area in need of redevelopment (the “**Initial Redevelopment Area**”) which included Block 525, Lot 18 (the “**Parcel**”); and

WHEREAS, on March 13, 2008, the Township Council adopted Ordinance #08-04 adopting a redevelopment plan for the Initial Redevelopment Area (the “**Initial Redevelopment Plan**”); and

WHEREAS, on April 9, 2018, the Township Council adopted Resolution #18-127 ratifying and reaffirming Resolution #06-106 designating the Initial Redevelopment Area; and

WHEREAS, on June 13, 2022, the Township Council adopted Resolution #22-159 authorizing the Land Use Board to undertake a preliminary investigation of property located at 161 NJSH Route 94 and known as Block 525, Lot 19 (the “**Study Area**”) to determine whether that parcel constitutes a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on August 24, 2022, the Land Use Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on October 13, 2022, in accordance with the provisions of the Redevelopment Law, the Township Council adopted Resolution #22-241 which designated the Study Area as an area in need of redevelopment (together with the Parcel, the “**Redevelopment Area**”) and authorized Jessica Caldwell, PP, AICP of J. Caldwell & Associates, LLC (the “**Planning Consultant**”) to draft a redevelopment plan for the Redevelopment Area; and

WHEREAS, the Planning Consultant prepared a redevelopment plan entitled, “151-161 NJSH Route 94 Redevelopment Plan” for Block 525, Lots 18 and 19 (in the form on file in the office of the Township Clerk and available for public inspection, the “**Redevelopment Plan**”); and

WHEREAS, the Township Council desires to have the Land Use Board review and make recommendations concerning the Redevelopment Plan in accordance with Section 7(e) of the Redevelopment Law.

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

Section 1. The aforementioned recitals hereof are incorporated herein as though fully set forth at length.

Section 2. The Land Use Board is hereby authorized and directed to review the Redevelopment Plan and to advise the Township Council of its recommendations in connection therewith in accordance with N.J.S.A. 40A:12A-7(e). The Land Use Board shall prepare a report containing its recommendations concerning the Redevelopment Plan and submit same to the Township Council within 45 days of the date hereof, as required by Section 7(e) of the Redevelopment Law.

Section 3. The Township Clerk shall immediately forward a certified copy of this Resolution and the Redevelopment Plan to the Township Planning Board for review.

Section 4. This Resolution shall take effect immediately.

RESOLUTION #24-100

**RESOLUTION OF THE TOWNSHIP OF VERNON,
COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING
THE DISPOSITION OR SALVAGE OF OBSOLETE EQUIPMENT IN THE POSSESSION OF
THE TOWNSHIP AT AUCTION ON MUNICIBID.COM**

WHEREAS, the Township has requested that the Township Council authorize the disposition of equipment currently in the possession of Vernon Township and also request to salvage the equipment should the asking price and second offer be rejected; and,

WHEREAS, such surplus items may be sold at public auction to the highest bidder in accordance with N.J.S.A. 40A:11-36; and

WHEREAS, the Township Council has reviewed a request which describes the items aforesaid to be sold at the auction; and

WHEREAS, the items to be sold are:

1992 Woodchuck wood chipper	VIN# 1W9CE8919154D7052 hours 506
1995 Leroi air compressor	VIN# 3217X107 hours 505
2003 10KW Generac generator	Model 3409380100 hours 169
L-TEC Plasma cutter PCM-82	S/N A88A-78650
2008 Kioti DK40SE loader/backhoe	VIN# HT6500028 hours 1288
2018 Smitchco Sandstar 1 ballfield groomer	VIN# 1CSO272 hours unknown
1999 New Holland TS100 tractor 72" mid mount flail mower	VIN# 1198988618320 hours 6,569
2003 Ford E-350 Ambulance 7.3 Liter Quigly 4x4	VIN# 1FDWE35F43HB51659 miles 54,786
24-inch Honda gas powered box fan	
Partner 14-inch K1200 portable cut-off saw	
Husqvarna 371K 14inch portable cut-off saw	S/N 968-27-44-01
Super vac ventilating fan	Model 5KC39JN113S

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

1. That the Division of Purchasing, or its designee, be and hereby is authorized to sell at auction to the highest bidder, any and all surplus items as described.
2. The sale of the surplus property shall be conducted through Municibid in accordance with the terms and conditions at <https://municibid.com/Home/Terms>: and

3. The sale will be conducted online, and the address of the auction site is www.Municibid.com
4. The sale is being conducted pursuant to Local Finance Notice 2019-15.
5. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Township reserves the right to accept or reject any bid submitted. That the Division of Purchasing, or its designee, be and hereby is authorized to sell at auction to the highest bidder, any and all surplus items as described.

BE IT FURTHER RESOLVED, pursuant to N.J.S.A. 40A:11-36 that formal public notification will be provided by the publication of a Legal Notice in the official newspaper, the New Jersey Herald, not less than seven (7) or more than fourteen (14) days prior to the scheduled auction.

RESOLUTION #24-102

**RESOLUTION AUTHORIZING THE HIRING
OF A GRANTS WRITING VENDOR
THROUGH THE COMPETITIVE CONTRACTING PROCESS**

WHEREAS, the Township has a desire to provide for grants writing services; 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(b)(4)(q).; 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.); and

WHEREAS, the Township desires to enter into a contract for up to a five (5) year contract that will satisfy the needs of the Township; and

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

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

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/procurement as allowable under the New Jersey Local Publics Contract Law for a Grants Writer, allowing for a minimum of 20 days’ notice after advertisement to receive responses, per Local Publics Contract Law.

RESOLUTION #24-103

**AUTHORIZING CONTRACTS
WITH CERTAIN APPROVED STATE CONTRACT VENDORS
FIREFIGHTER ONE FOR PURCHASE OF VOLUNTEER FIRE DEPARTMENT TURNOUT
GEAR AND BAILOUT SYSTEMS**

WHEREAS, as provided for within the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-12 et. Seq.) the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under State Contract; and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing State contracts; and

WHEREAS, the Township intends to enter into contract with Firefighter One 34 Wilson Dr. Sparta, NJ 07871, for the procurement of turnout gear at a cost of \$66,782.10 and bailout systems at a cost of \$33,883.04 under New Jersey State Contract 17-FLEET-00811/ T0790; and

WHEREAS, the Chief Financial Officer certifies funding is available in the amount of \$100,665.14 from Line-Item C-04-23-014 Capital Ordinance 23-14 in the amount of \$52,474.64, Line-Item C-04-22-009 Capital Ordinance 22-09 in the amount of \$24,190.50, and Line-Item C-04-22-010 Bond Ordinance 22-10 in the amount of \$24,000.00.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon, authorizes the Qualified Purchasing Agent to purchase certain goods and services from Firefighter One, through New Jersey State Contract 17-FLEET-00811/ T0790 pursuant to all conditions of the individual State contracts.

RESOLUTION #24-104

REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT

(Jones (Prior Owner) Block 451 Lot 72)

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2019: and,

WHEREAS, such Judgment has resulted in an overpayment of 2019 property taxes for Block 451 Lot 72 also known as 14 Village Way, Unit 2, Vernon, New Jersey.

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2019 overpayment in the amount of \$1,693.62 to Spiotti & Associates, Attorneys for Plaintiff

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

RESOLUTIONS

Resolution #24-56: Resolution of the Township Council of the Township of Vernon Amending Resolution #22-77 in Support of an Adult-Use Cannabis Retailer License for Castle of Greens

Council President Rizzuto asked for a motion to place resolution #24-56 on the floor for consideration.

MOVED: Sparta

SECOND: Higgins

A roll call vote was taken:

AYES: Higgins, Sparta, Rizzuto

NAYES: Buccieri, DeBenedetto

ABSTAIN:

ABSENT:

Motion carries to approve resolution #24-56.

Resolution #24-56

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON
AMENDING RESOLUTION #22-77 IN SUPPORT OF AN ADULT-USE CANNABIS
RETAILER LICENSE FOR CASTLE OF GREENS**

WHEREAS, adult-use cannabis is authorized in the State of New Jersey (“State”) pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the “Act”) and N.J.A.C. 17:30 *et seq.*, (collectively, “New Jersey Cannabis Laws”), which legalized the adult

use of marijuana by adults 21 years of age or older and established a comprehensive regulatory and licensing scheme for commercial adult-use cannabis operations, use, and possession; and

WHEREAS the State of New Jersey recognizes the need for additional cannabis licenses, both in medical and adult-use programs, both of which are collectively regulated by the New Jersey Cannabis Regulatory Commission (“CRC”); and

WHEREAS in 2021 and 2022, the Township Council of Vernon Township (the “Township”) adopted Ordinances 21-16, 21-25, and 22-11 which authorized and regulated the operation of Cannabis Retailers within the Township; and

WHEREAS in 2023, the Township adopted Ordinances 21-21 and 23-22 updating and revising the regulation and licensing of Cannabis Retailers within the township and explicitly repealing Ordinances 21-16, 21-25 and 22-11 in their entirety; and

WHEREAS the Township recognizes that while the ultimate decision to approve new cannabis licensees is guided by the standards identified by the New Jersey Cannabis Laws and vested to the discretion of the CRC; and

WHEREAS the New Jersey Cannabis Laws recognize the necessity of ensuring that any potential licensee/permittee has the support of the local community, as evidenced by a resolution adopted by said municipality’s governing body indicating that the intended location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business; and

WHEREAS the New Jersey Cannabis Laws also require, in addition to the resolution identifying support of the local community, a letter from the Township’s governing body entrusted with zoning or land use that the proposed cannabis business location will conform to municipal zoning requirements allowing for activities related to the operations of the proposed cannabis business to be conducted at the location, and any variances granted as necessary; and

WHEREAS, on March 28, 2022 the Vernon Township Council approved resolution #22-77 supporting Castle of Greens’ desire to operate as a cannabis retailer, as that term is defined by the New Jersey Cannabis Laws, at the property identified as 218 Route 94, Vernon, NJ 07461, Block 385, Lots 12 and 13 on the official tax map of the Township; and

WHEREAS, Castle of Green is requesting to amend resolution #22-77 to the property identified as 224 Route 94, Vernon, NJ 07461, Block 385, Lot 16 on the official tax map of the Township; and

WHEREAS, Castle of Greens 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; and

WHEREAS, issuance of a license to Castle of Greens would not exceed the limitation on licenses set forth in the Ordinance; and

WHEREAS, this Resolution may be used by Castle of Greens as proof of local support required by the New Jersey Cannabis Laws and the CRC’s Notice of Application Acceptance for Personal Use Cannabis Licenses.

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

1. Cannabis Retailing is a conditional use in all commercial and retail zones within the Township and subject to the limitations set forth in accordance with the current effective ordinances.
2. Castle of Greens has submitted information regarding its business plan, including, but not limited to, its proposed location at the property identified as 224 Route 94, Vernon, NJ 07461, Block 385, Lot 16 on the official tax map of the Township and its intended use and operation of said property as a cannabis retailer, as that term is defined by New Jersey Cannabis Laws, subject to licensure by the CRC.

3. This Resolution should be viewed by the State as support by the Township of Castle of Greens' application, and an indication that the proposed location is appropriately located or otherwise suitable for the activities related to cannabis retailing as will be conducted at the proposed facility.
4. The zoning official, or his/her designee, is hereby authorized and directed to issue a letter and/or affidavit, as appropriate, identifying that the subject property will conform to local zoning requirements allowing for activities related to the operation of a cannabis retailer, as outlined in the current effective ordinances, and subject to the understanding and agreement with Castle of Greens that it will comply with any and all conditions required by the current effective ordinances.
5. This Resolution may be used by Castle of Greens as proof of local support required by the New Jersey Cannabis Laws and the CRC's Notice of Application Acceptance for Personal Use Cannabis Licenses.
6. This Resolution shall take effect immediately.

Resolution #24-96: Resolution Accepting Bid of Campbell Supply Co Inc for Fire Apparatus and Ambulance Repair Bid #2-2024

Council President Rizzuto asked for a motion to approve resolution #24-96.

MOVED: Sparta
 SECOND: Higgins

A roll call vote was taken:

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

Motion carries to approve the resolution #24-96.

RESOLUTION #24-96

**Resolution Accepting Bid of Campbell Supply Co Inc
 for Fire Apparatus and Ambulance Repair Bid #2-2024**

WHEREAS, there is a need for a Fire Apparatus and Ambulance Repair Bid contractor in the Township of Vernon; and

WHEREAS, the Township of Vernon publicly advertised for bids and received in a public manner on March 6, 2024 at 11:00A.M. for Fire Apparatus and Ambulance Repair Bid under bid 2-2024; and

WHEREAS, the Township received two (2) quotes for service:

:

NAME OF BIDDER	Campbell Supply Company	Firefighter One
YEAR 1 HOURLY RATE	\$156.00	\$125.00
YEAR 1 MIN HOURS	0	2
YEAR 1 MARKUP PARTS	20.00%	20.00%
YEAR 2 HOURLY RATE	\$156.00	\$125.00
YEAR 2 MIN HOURS	0	2
YEAR 2 MARKUP PARTS	20.00%	20.00%

WHEREAS, the Qualified Purchasing Agent has reviewed the bid submitted by Campbell Supply Company Inc. and found them to be the lowest responsible bidder in accord with N.J.S.A. 40A:11-4(a).

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

1. The contract for Fire Apparatus and Ambulance Repair Bid is hereby awarded to Campbell Supply Co Inc.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a two (2) year contract with Campbell Supply Co Inc. for Fire Apparatus and Ambulance Repair Bid in accord with the tenets of contract found within Bid 2-2024, commencing upon passage of resolution and execution of contract.

BE IT FURTHER RESOLVED, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

Resolution #24-101: Resolution of the Township of Vernon, County of Sussex, State of New Jersey Supporting a Future New Jersey Department of Transportation Roadway Improvements Project, Route 94 Pleasant Valley Drive to Maple Grange Road

Council President Rizzuto asked for a motion to approve resolution #24-101.

MOVED: DeBenedetto

SECOND: Sparta

A roll call vote was taken:

AYES: Buccieri, DeBenedetto, Higgins, Sparta, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve the resolution #24-101.

RESOLUTION #24-101

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY SUPPORTING A FUTURE NEW JERSEY DEPARTMENT OF TRANSPORTATION ROADWAY IMPROVEMENTS PROJECT, ROUTE 94 PLEASANT VALLEY DRIVE TO MAPLE GRANGE ROAD

WHEREAS, the New Jersey Department of Transportation ("NJDOT") has identified a potential future project along Route 94 Pleasant Valley Drive to Maple Grange Road; and

WHEREAS, a Local Officials briefing on April 21, 2023 introduced the project to various local officials of the Township; and

WHEREAS, the NJDOT indicated that the project is only in the Concept Development Phase at this time but will move to the next phase with support from the municipality; and

WHEREAS, the NJDOT has identified the next step of the conceptual project is a Resolution of Support by the Township of Vernon to support the Route 94 Pleasant Valley Drive to Maple Grange Road Roadway Improvements Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Vernon formally support a New Jersey Department of Transportation Route 94 Pleasant Valley Drive to Maple Grange Road Roadway Improvements Project.

PUBLIC HEARING/2ND READING OF ORDINANCES

Ordinance #24-04: Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

President Rizzuto asked for a motion to open the floor for public hearing on ordinance #24-04.

MOVED: Sparta
SECOND: Buccieri

All members were in favor.

Seeing no one from the public wishing to come forward, President Rizzuto asked for a motion to close the public hearing on ordinance #24-04.

MOVED: Sparta
SECOND: Higgins

All members were in favor.

President Rizzuto asked for a motion to adopt ordinance #24-04.

MOVED: Sparta
SECOND: Buccieri

A roll call vote was taken:

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

Motion carries to adopt ordinance #24-04.

ORDINANCE #24-04

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township of Vernon in the County of Sussex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$197,710.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township of Vernon, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the

CY 2024 budget year, the final appropriations of the Township of Vernon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$691,986.72, and that the CY 2024 municipal budget for the Township of Vernon be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance #24-06: Ordinance of the Township of Vernon, County of Sussex, New Jersey
Approving an Application for a Long-Term Tax Exemption and Authorizing the Execution of
a Financial Agreement with Oneill Group Vernon I Urban Renewal, LLC

President Rizzuto asked for a motion to open the floor for public hearing on ordinance #24-06.

MOVED: DeBenedetto
SECOND: Higgins

All members were in favor.

Thomas McClachrie – expressed concern regarding ordinance #24-06.

Peg Distasi – expressed concern regarding ordinance #24-06.

Seeing no one else from the public wishing to come forward, President Rizzuto asked for a motion to close the public hearing on ordinance #24-06.

MOVED: Higgins
SECOND: Sparta

All members were in favor.

Matthew Jessup of McManimon, Scotland & Baumann, LLC and Bryan Morris of Phoenix Advisors, LLC explained to the Council with a Power Point presentation the benefits of approving a PILOT (payment in lieu of tax) for a potential redevelopment project.

Seeing no one else from the public wishing to come forward, President Rizzuto asked for a motion to close the public hearing on ordinance #24-06.

MOVED: Higgins
SECOND: Sparta

All members were in favor.

President Rizzuto asked for a motion to adopt ordinance #24-06.

MOVED: Sparta
SECOND: DeBenedetto

A roll call vote was taken:

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

Motion carries to adopt ordinance #24-06.

ORDINANCE #24-06

ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, NEW JERSEY APPROVING AN APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH ONEILL GROUP VERNON I URBAN RENEWAL, LLC

WHEREAS, on April 23, 2018, pursuant to Resolution 18-135, the Vernon Township Council (the “**Township Council**”) designated a total of 173 lots, including that certain property identified as Block 403, Lots 4, 5 and 6 on the official Tax Maps of the Township of Vernon (the “**Township**”), as a non-condemnation “area in need of redevelopment” (collectively, the “**Redevelopment Area**”) in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”); and

WHEREAS, on April 26, 2021, pursuant to Ordinance No. 21-10, the Township Council duly adopted a redevelopment plan for the Redevelopment Area, entitled, “*Town Center Redevelopment Plan*” (as the same may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

WHEREAS, Oneill Group Vernon I Urban Renewal LLC (the “**Entity**”) is the owner of certain property within the Redevelopment Area identified as Block 403, Lot 4 (formerly Lots 4, 5 and 6) on the official Tax Maps of the Township (the “**Property**”); and

WHEREAS, the Entity proposes to redevelop the Property by constructing thereon a four-story building, containing fifty-five (55) residential age-restricted units, and fifty-five (55) off-street parking spaces, along with associated on-site and off-site improvements (collectively, the “**Project**”); and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Entity submitted to the Mayor an application (the “**Application**”), which is on file with the Township Clerk, seeking a tax exemption in connection with the Project pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**Exemption Law**”), in exchange for which the Entity proposes to make payments to the Township in lieu of taxes; and

WHEREAS, the Entity also submitted to the Mayor a form of financial agreement referenced in the Application, establishing the rights, responsibilities and obligations of the Entity (the “**Financial Agreement**”); and

WHEREAS, upon review of the Application and the Project, the Township has made the following findings:

A. Relative Benefits of the Project:

The Property is currently underutilized and will benefit from the construction of the Project, which will generate revenue and create jobs. Furthermore, the Property currently generates approximately \$21,000 annually in real estate taxes. Upon completion, the Project would generate an initial annual service charge of approximately \$160,000 at stabilization, as well as total annual service charges of approximately \$9,265,000 over the thirty (30) year term of the tax exemption.

B. Assessment of the importance of the tax exemption in obtaining development of the Project and influencing the locational decisions of probable occupants:

The Entity is making a significant equity contribution toward the cost of the Project. In order to improve the economic viability of the development of the Project so that the Project can compete on an equitable footing with comparable projects within the Township and surrounding market, the Township has agreed to provide the tax exemption for the Project pursuant to the Financial Agreement. The stability and predictability of the tax exemption and payment of the annual service charge will make the Project more competitive thereby contributing to the overall success of the Project; and

WHEREAS, the Entity has represented to the Township that the Project would not be feasible in its intended scope but for the provision of financial assistance by the Township; and

WHEREAS, after review of the Application, the Mayor recommended that the Application be approved; and

WHEREAS, after review of the Application, the Township Council now desires to approve the Application and to authorize the execution of the proposed form of Financial Agreement; and

WHEREAS, the Township hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance,

NOW, THEREFORE, be it ordained by the Township Council of the Township of Vernon, New Jersey, as follows:

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION FOR EXEMPTION APPROVED

The Application, which is on file with the Township Clerk and which has been recommended for approval to the Township Council by the Mayor, is hereby accepted and approved.

III. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

- (a) The Mayor is hereby authorized to execute the Financial Agreement, substantially in the form on file with the Township Clerk, subject to modification or revision deemed necessary or appropriate by the Township in consultation with counsel, and to take all other necessary or appropriate action to effectuate such Financial Agreement.
- (b) The Township Clerk is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.
- (c) In accordance with N.J.S.A. 40A:20-12, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Township Clerk shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Sussex County and to the Sussex County Counsel for informational purposes, as well as to the Tax Assessor of the Township.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

IV. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township.

V. EFFECTIVE DATE

This Ordinance shall take effect according to law.

PUBLIC COMMENTS (Limited to 5 Minutes Per Person)

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

MOVED: DeBenedetto

SECOND: Higgins

All members were in favor.

Sean Clarkin – expressed concern with contractors being hired by the township.

Scott Cassell – questioned the budget process.

Council Member Buccieri left the meeting at 8:10 p.m.

Heidi LeBris – questioned the budget process.

Ann Larsen – expressed concern about squatting.

Peg Distasi – thanked the professionals for explaining the PILOT ordinance. Ms. Distasi questioned when certain minutes were going to be put on the website.

Jessica Paladini – commented on why the minutes are not on the website. Ms. Paladini questioned the PILOT program.

Thomas McClachrie – commented on the PILOT ordinance and expressed concerns.

Brian Lynch – expressed concern about squatters.

George Nikanorov – questioned the PILOT ordinance and the development. Mr. Nikanorov commented on certain Facebook groups.

Sally Rinker – spoke about the signage for the Scenic Byway.

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

MOVED: Sparta

SECOND: Higgins

All members were in favor.

COUNCIL COMMENTS

Council Member Higgins feels that the professionals here tonight answered a lot of important questions regarding the PILOT program.

Council Member DeBenedetto had no comments.

Council Member Sparta feels that good government should work by having discussions and not always agreeing on everything but respecting each other's opinions. Council Member Sparta apologized to Mr. Lynch for not agreeing about a PILOT program years ago. Until he was educated by the professionals recently, he did not agree with the PILOT program.

COUNCIL PRESIDENT COMMENTS

Council President Rizzuto wished everyone a Happy Easter.

ADJOURNMENT

At 8:48 pm Council Member Sparta made a motion to adjourn the meeting. Seconded by Council Member DeBenedetto.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Patrick Rizzuto
Council President

Minutes approved: April 8, 2024