

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
JANUARY 24, 2022**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on January 24, 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 January 18, 2022 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 Josh Zielinski.

SALUTE TO THE FLAG

Council President Rizzuto led the assemblage in the salute to the flag.

SWEARING IN OF VERNON TOWNSHIP FIRE DEPARTMENT CHIEF AND DEPUTIES

Mayor Burrell administered the Oath of Office to Kevin Cook – Chief 1, Ron Krystofik, Jr. – Deputy 1 and Jeff Anderson – Deputy 2. They are all part of the Vernon Township Fire Department.

PRESENTATION

Vernon Coalition

Tina Howey, Director of Prevention Services at the Center for Prevention & Counseling gave a presentation. The Center for Prevention & Counseling offers a variety of evidence-based programs and strategies geared toward the many different populations and sectors within the community. Our Prevention Team is always looking at the trends and needs of the community at large and works to adapt or add programs as needs arise. Our Resource Center and Lending Library offers videos, books, research materials and school curricula. A variety of pamphlets providing substance use disorder information and wellness information are available to community members including students, physicians, businesses and social service agencies. Visit Centerforprevention.org or parentadvicenj.org for information including Sussex County meeting lists, recovery support materials, newsletters, current events and links to other prevention-treatment-recovery resources. Coalition for Healthy and Safe Communities the Coalition was founded by concerned local citizens in 1998 to support healthy youth development and protect against problem behaviors in children's lives. In 2011, The Center was awarded funds from NJ Division of Mental Health and Addiction Services to develop evidence-based prevention strategies focusing on reducing illicit drug use, prescription drug misuse, and underage drinking in Sussex and Warren counties. Local conditions require local solutions; therefore, we encourage community members to join the Coalition's efforts to keep our communities healthy and safe!

Marijuana, or cannabis, is the most commonly used illicit drug in the United States. It acts by binding to cannabinoid receptors in the brain to produce a variety of effects, ~~including~~ euphoria, intoxication, and memory and motor impairments. These same cannabinoid receptors are also critical for brain development. They are part of the endocannabinoid system, which impacts the formation of brain circuits important for decision making, mood and responding to stress. Marijuana and its related products are widely available in multiple forms. These products can be eaten, drunk, smoked, and vaped. Marijuana contains varying levels of delta-9-tetrahydrocannabinol (THC), the component responsible for euphoria and intoxication, and cannabidiol (CBD). While CBD is not intoxicating and does not lead to addiction, its long-term effects are largely unknown, and most CBD products are untested and of uncertain purity. Marijuana has changed over time. Today's marijuana is stronger than previous versions. The THC concentration in commonly cultivated marijuana plants has increased three-fold between 1995 and 2014 (4% and 12% respectively) Marijuana available in dispensaries in some states has average concentrations of THC between 17.7% and 23.2%. Concentrated products, commonly known as dabs or waxes, are far more widely available to recreational users today and may contain between 23.7% and 75.9%. The risks of physical dependence, addiction, and other negative consequences increase with exposure to high concentrations of THC, and the younger the age of initiation. Higher doses of THC are more likely to produce anxiety, agitation, paranoia, and psychosis. Edible marijuana takes time to absorb and to produce its effects, increasing the risk of unintentional overdose, as well as accidental ingestion by children. In addition, chronic users of marijuana with a high THC content are at risk for developing a condition known as cannabinoid hyperemesis syndrome, which is marked by severe cycles of nausea and vomiting. Marijuana is also commonly used by adolescents, second only to alcohol. In 2017, approximately 9.2 million youth aged 12 to 25 reported marijuana use in the past month and 29% more young adults aged 18-25 started using marijuana. In addition, high school students' perception of the harm from regular marijuana use has been steadily declining over the last decade. During this same period, a number of states have legalized adult use of marijuana for medicinal or recreational

purposes, while it remains illegal under federal law. The legalization movement may be impacting youth perception of harm from marijuana. The human brain continues to develop from before birth into the mid-20s and is vulnerable to the effects of addictive substances. Marijuana's increasingly widespread availability in multiple and highly potent forms, coupled with a false and dangerous perception of safety among youth, merits a nationwide call to action.

MAYOR COMMENTS

One of the things that make our town such a good place in which to live and raise a family, is the fact that the overwhelming number of residents like living here.

And that good feeling about living in our town, is reflected in part, in the constant number of Municipal Volunteer Applications that the Mayor's Office receives throughout the year.

In addition to the volunteer applications that resulted in the appointments that I made at our first Council Meeting of this year, during the past two weeks, I have received three additional volunteer applications.

It was with gratitude that I received a volunteer application from Ms. SALLY RINKER.

I have a special appreciation for the strong will and determination that's reflected in her decision to return to public service, after some time to herself dealing with family matters.

Ms. RINKER has volunteered to serve on the Economic Development Advisory Committee, and will bring to this Committee a host of knowledge and valuable experiences gained from her 38 years as a town resident, the owner/operator of a construction company, and her service to the town as a Council Member and Mayor.

I hereby appoint her to a 1-year term on the Economic Development Advisory Committee.

Welcome back Ms. RINKER!

I also received a second volunteer application to serve on the Economic Development Advisory Committee. This application came from Ms. STEPHANIE MUNSON, who requested to be reappointed to another 1-year term on this Committee, and I hereby do so.

Ms. MUNSON's training and experience in Environmental Construction Project Management; her New Jersey Department of Community Affairs Certification as a Construction Code Technical Assistant; and her ownership of a consulting company will enable her to continue to be a key asset to our town on our Economic Development Advisory Committee.

Our volunteers continue to help us to be VERNON STRONG!

It is with great regret that at this time, I am not able to appoint a Vernon resident to a volunteer position in which she wants to serve our town.

This is a position on the Municipal Land Use Board.

At this time, I am not able to appoint this Vernon resident to serve because the Council President refused to allow my resolution to appoint this individual, to be a part of the 1.24.22 Council Meeting's agenda.

Five days ago, I inquired with the Council President as to why this was the case, however, he has not given me a reply.

The Land Use Board is a Statutory Board that's created by NJ Land Use Law, and is one of the most important and influential boards in any municipality.

The Land Use Board is responsible for the Municipality's Master Plan, and controls the development and use of land within the Municipality in accordance with the Municipality's Master Plan.

This includes the selection of land for recreation, open space, and residential and business development.

This Board is also responsible for reviewing, approving or denying all Site Plan and Subdivision applications.

Additional responsibilities of the Land Use Board include hearing and deciding appeals, hearing and deciding variances from applications of Zoning Provisions, and for the issuance of all variances.

Vernon Township has a strong and very competent Land Use Board, and tonight, it was my intent and desire to make an appointment that will only enhance the strength and the competency of this Board.

My intent and my desire was to appoint Dr. JACQUELINE HALEY to this Board.

Dr. HALEY is a 16 year plus Vernon resident, with a Masters in International Business and a PhD in Economic Development.

She has served as a consultant to organizations in the areas of community development, neighborhood planning, and affordable housing.

Her training and experience will be an asset to our Land Use Board in ensuring that proposed projects conform to our Municipal Master Plan and development ordinances, satisfy public concerns, and meet reasonable design standards.

This is an important Board that works best when it has its full complement of authorized members. And, therefore, I plan to resubmit my resolution, for inclusion on the next Council Meeting's agenda, to appoint Dr. JACQUELINE HALEY to fill a Class IV, 4-year term, on the Vernon Township Land Use Board.

I again ask that this Council LET DR. HALEY SERVE!

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

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

MOVED: Brian Lynch
SECOND: Natalie Buccieri
All members voted in favor.

Doreen Edwards – Highland Lakes, congratulated the firemen who were sworn in and she is proud that Vernon still has their volunteer fire department and EMS.

Randolph Mowry – Highland Lakes, is in support of ordinance #22-01 section 2 to accommodate Healthy Thymes.

Emily Minter – Vernon Township, is against a cannabis dispensary in Vernon Township because marijuana usage could affect the children in Vernon.

Jessica Paladini – Vernon Township, feels that the resolutions, bid specs, bids, contracts and ordinances concerning the bicycle pump track, the trail and the entire town center concept plan that the Mayor and former Council have been presented with deception and irregularities.

Peg Distasi – Glenwood, feels that the Baldwin Property has been a landfill for generations. She feels that the Council should renege on the contract because there was not a clear phase 1. Ms. Distasi asked the Mayor to explain resolution #22-52 because as a result of a large cyber event in Vernon, the Township's insurance was separately underwritten and we are being charged a higher premium. Ms. Distasi asked for an update on the ice situation on Karen Road.

Kate Salerno – Vernon Township, asked if the statement Ms. Paladini made was related to an extremely racist quote she made earlier today on Facebook.

Nicolas DuBois – Vernon Township, spoke in favor of Dan and Dani Segal of Healthy Thymes to be a cannabis distillery.

Ann Larson – Vernon Township, after listening to Ms. Paladini, she feels that the towns people should be able to rely on the Mayor and Council for the truth. She feels that because of the conflicting statements the contracts with the pump track and the trail should be nullified and we should start again. Ms. Larson did some research and found out some towns are getting more money than the Shrine Group is offering as a distillery in town. She feels that if the pump track remains then Healthy Thymes needs to move.

Sean Clarkin – Vernon Township, said the Mayor adamantly went out of his way to assure citizens that he would not put children at harm. The mayor is now contradicting himself saying that the 2000-foot distance is not important. Mr. Clarkin said why is the Mayor not held to the same time limitations at the meetings.

Carl Cantino – Vernon Township, asked why Ms. Haley was not appointed to the Land Use Board.

Carmella Diresta – Glenwood, feels that we are wasting our time on a law that has been passed when people can buy drugs anywhere. She would like to see more money put into education.

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: Brian Lynch
SECOND: Harry Shortway
All members voted in favor.

ITEMS FOR DISCUSSION

Update on Pump Track/Baldwin Property

Mr. Council President and Council Members, at the January 10 Council Meeting, the Council President asked that I provide the Council certain information concerning the two special amenities, a Town Center Walking & Biking Trail and a Town Center Bicycle Pump Track, that the Town is in the process of implementing as attractions and catalysis to help inspire the much-needed development of our Town Center.

Over the past two years during which I have worked on the development and the implementation of these two special amenities, I have closely coordinated with the Council on most of the matters that the Council President requested that I discuss.

However, since there are new members on the Council, I thank Council President Rizzuto for the opportunity to update those new Council members on these matters, some of which are in the past and have already been decided, and a few that focus on present and future potential issues.

The Council President asked that I provide this information as responses to 10 questions, and I will do so tonight. I believe that it would be more beneficial to our mutual communications on these two matters if I first provided the Council my responses to the several questions that Council President Rizzuto posed; and then I hear from the Council / on any clarifications they may need.

Questions # 1 & 2: What are the factors that stood in the way of obtaining an easement from HR II Development Corp, one of Mr. Andy Mulvihill's companies; and, what are the reasons that the Mayor and Council decided to move away from the HR II Development Corp property and to look for other avenues that would allow the Town to construct the Town Center Walking & Biking Trail from the Municipal Center area to the Town Center location of the planned Municipal Bicycle Pump Track?

After some weeks of discussions with Mr. Andy Mulvihill, as part of my attempts to convince him to allow his company, HR II Development, to give the town a specific easement through which we could construct a portion of the planned Town Center Walking & Biking Trail, in early October of 2020, I informed the Council that Mr. Mulvihill and I had reached to an agreement which would lead to HR II Development giving the Town a clear and simple easement through which a portion of the Town Center Walking & Biking Trail could be constructed.

Based on my word to the Council, on October 26, 2020, the Council approved Ordinance # 20-18 granting me the authority to accept this promised gift of an easement from Mr. Mulvihill on behalf of the Town.

Immediately after the Ordinance was made official by my signature and the signature of the Municipal Clerk, I forwarded a copy of the Ordinance to Mr. Mulvihill, along with a copy of the easement agreement to be signed and a map of the easement that he and I had agreed would be granted.

However, HR II Development's legal counsel recommended to Mr. Mulvihill that he not sign the lease agreement until a host of legal issues that he had identified were resolved.

Over the weeks, as the Town would resolve one of these issue, HR II Development would identify a new issue that they required to be resolved.

One of the most complexing, time consuming, and costly issues grew to be one concerning the easements and/or covenants related to the solar panels farm existing on this HR II Development property, plus other existing easements and/or covenants on this property.

After spending a considerable amount of time and human resource efforts trying to resolve these and other conflicting issues; / and ...

After objectively evaluating the likelihood that we would be able to ever fully resolve all of these complex issues ...

I made the decision to move away from the HR II Development Corp property and to look for other avenues that would allow the Town to construct the Town Center Walking & Biking Trail from the Municipal Center area to the Town Center location of the planned Municipal Bicycle Pump Track.

Question # 3: This question relates to the real estate appraisal value, the property tax value, and the reason that the Mayor and Council made the decision to purchase the Baldwin Property to be used to construct a portion of the Town Center Walking & Biking Trail.

A large amount of documented, positive and creditable civic and commercial data reveals that in other communities throughout our nation like Vernon, where their Town Center areas exists along busy, heavily traveled state and county highways, that make it not safe for residents and visitors to leisurely walk or bike - - -

In other communities throughout our nation like Vernon, planned amenities, like our planned Walking & Biking Trail, serve as strong attractions and catalysis to bring a host of individuals and potential new customers into the Town Center area; and, that these potential new customers often serve as a motivation to enterprising business owners to develop new businesses in the Town Center.

My commitment to reasonable investment in our Town Center area has been, and still is, motivated by the simple fact that we need Town Center commercial development in order to provide more municipal tax dollars to help or homeowners share the cost of an effective and efficient municipal government; and to provide our residents the additional services and conveniences that they want and need.

Consistent with this commitment, I joined with the Council to find another route for the Municipality to construct the Town Center Walking & Biking Trail from the Municipal Center area to the Town Center location of the planned Municipal Bicycle Pump Track.

After the Council and I identified the Baldwin Property as a possible option, consistent with appropriate state required procedures, the Town requested and received two real estate appraisals as to the value of the Baldwin Property.

One appraisal valued this property at 304K\$, and the other valued this property at 290K\$.

Through negotiations with the owners of the Baldwin Property, the Town agreed to purchase this property for the price of 289K\$ - - a price that is 1% below the lowest appraised amount, and 5% below the highest appraised amount.

In February of 2021, the Council passed Ordinance # 21-06 granting me as Mayor the approval to purchase the Baldwin Property.

The purchase was contingent on the following two conditions:

1. A confirmation of the owners' clear title to this property; and ...
2. A clear Environmental Assessment of this property.

Among the several positive reasons that the Mayor and Council made the decision to purchase the Baldwin property were:

1. The town's purchase of this property would not cause the town to lose any meaningful amount of tax revenue, because the property is Farm Land Assessed as Pasture Land, and therefore, paid property taxes of just \$45.09 in 2019, \$28.17 in 2020, and 28.29 in 2021;
2. This property is not likely to be used for a commercial use or built on, mainly because it's not in the town's sewer service area, and the DEP has ruled out it ever being included in the town's sewer service area because they view it to be a crossing for a protected species - - - that being the Bob Cat.
3. The very reasonable 289K\$ purchase price for the Baldwin property will not come from current taxpayer funds, but has been approved by the Council to be sourced from the Municipal Open Space Fund that currently contains over 600K\$; and ...
4. The Sussex County Open Space Committee thought so highly of Vernon's decision to use the Baldwin property for this community benefit, that they provided Vernon a 75K\$ grant to be used to purchase this property.

This means that we will be actually using only 214K\$ of Municipal Open Space Funds to purchase this property.

Question # 4: This question relates to the useability of the Baldwin Property for the Town to construct a portion the Town Center Walking & Biking Trail, since the property is classified by the New Jersey Landscape Project as being a Rank 4 Habitat property, because it is a crossing for a protected species - - - that being the Bob Cat.

The Rank 4 Habitat of this property by the New Jersey Landscape Project does not automatically prohibit any construction on this property.

State law says that if a portion of land within a Rank 4 Habitat classified property is not regulated under New Jersey DEP land use regulations, no other specific restrictions / are imposed on that land.

And, that development is allowed to occur without the requirement to request or to gain any approval from the New Jersey DEP.

Since the Baldwin Property is not being regulated by any New Jersey DEP land use regulations, there are no endangered species habit development restrictions that would prevent any uses of this property that are planned by the Town.

Question # 5: This question asks if it's the Mayor or the Council who has the legal authority to provide the organization who has been awarded the contract to construct the Town Center Walking & Biking Trail with the official notice to proceed with the work directed by the contract.

A Notice to Proceed on a contract is simply an affirmative communication between the municipality and the organization which has already been awarded a contract by a majority vote of the Council. The Major, as the official spokesperson for the municipality, is the one with the legal authority to provide this Notice to Proceed.

Questions # 6 & 7: These questions ask about:

- a. *The possibility that the Municipality will not be able to complete the purchase of the Baldwin Property;*
- b. *The possibility that the Municipality will not be able to complete the purchase of the Baldwin Property by the February 22 date listed in the already signed Contingency Contract; and ...*
- c. *If there are any listed penalties against the Municipality, in the contractual agreement signed with the company to construct the Town Center Walking & Biking Trail, if the Municipality has not purchased the Baldwin Property by the February 22 date.*

At this point in time, the Mayor's Office has every reason to believe, and no reason to doubt, that the owners of the Baldwin Property will complete the required cleanup of the small amount of led contaminated soil; and, that cleanup will receive DEP approval by or before the February 22 date listed in the already signed Contingency Contract. We also have no reason to believe that the contractor will not be able to start construction on the Town Center Walking & Biking Trail by the April 1 start date that's listed in the contract, and complete the construction of the Trail by the July 1, 2022 date / also listed in the contract.

Question # 8: This is a "what if", hypothetical question asking about the possibility that additional contamination might be found on the Baldwin Property.

I suppose that there is the possibility that contamination could be found on property in almost any place. However, in fulfillment of the requirements of Ordinance # 21-06, two extensive environmental studies were conducted on the Baldwin Property. Both of these extensive environmental studies were conducted by the New Jersey DEP Licensed Site Remediation firm, ADR Environmental of Branchville, NJ.

ADR Environmental is owned and operated by Misters Arthur Pierson and David Lott.

Mr. Pierson has extensive experience in all phases of remediation including the remediation of both soil and groundwater. He holds certifications and licenses from the New Jersey DEP, OSHA, the National Environmental Health Association, and is a NJ Certified Public Works Contractor.

His partner Mr. Lott, has worked in the environmental field in the state of New Jersey since 1999. He has been a New Jersey DEP Sub Surface Evaluator since 2003, and has been a Licensed Site Remediation Professional since 2012. Throughout the past fifteen years, Mr. Lott has successfully closed more than 300 New Jersey DEP cases.

Most reasonable individuals would agree with me and the Council that authorized these two extensive environmental studies, that we have ample reason to believe that all environmental unacceptable soil that might exist on the Baldwin Property has been found.

Question # 9: This question relates to the issue of any "toxic waste" that might exist on the town owned site where the Town Center Bicycle Pump Track is being built.

As a result of repeated claims by a specific Vernon resident that there was toxic solid waste buried all over the specific piece of town owned property where the Town Center Bicycle Pump Track is being built, the DEP chose to dig test pits in eight distinct different locations over the entire property.

This was part of their efforts to confirm, once and for all, if there was or if there was not, toxic solid waste buried on this property.

After an analysis of the results from these eight test pits, the DEP concluded that there was no solid waste, toxic or non-toxic, buried on this property.

Question # 10: This question relates to the issue of the location of the Town Center Bicycle Pump Track.

There has been, and continues to be, a group of Facebook activist who have demanded that the Mayor and Council surrender to them the decision-making authority and responsibility as to:

1. If the town should have a Municipal Bicycle Pump Track; and ...
2. If so, where that Municipal Bicycle Pump Track should be located.

The Mayor and the past two Councils refused to surrender our authority and responsibility to these Facebook activists.

I will continue to embrace, and not yield, the authority and responsibility granted me as Mayor by our governmental charter, and hope that this current and future Council's will join me in doing likewise.

The Mayor and the previous two Councils believed that a Town Center located Municipal Bicycle Pump Track would be one amenity that would serve as a strong attraction and catalyst to bring a host of individuals and potential new customers into the Town Center area; and, that these potential new customers would serve as a motivation to enterprising business owners to develop new businesses in the Town Center.

This is the primary reason that we made the decision to build a Municipal Bicycle Pump Track and to locate this Bicycle Pump Track in the Town Center area.

Mr. Council President and Council Members, this concludes my responses to the 10 questions posed by the Council President.

Council Member Buccieri asked about the legal ramifications in regards to the contract for the Baldwin Property.

Attorney Zielinski said he provided a legal memorandum regarding some liability issues to the Council. Mr. Zielinski does not feel that is appropriate to discuss this memorandum in public because it provides some attorney client communications as well as legal advice.

Council Member Lynch made a motion to introduce an ordinance at the next Township Council meeting to reverse ordinance #21-06. Seconded by Council Member Buccieri.

MOVED: Brian Lynch
SECOND: Natalie Buccieri

A roll call vote was taken:

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

Motion carried to introduce an ordinance at the next Township Council meeting to reverse ordinance #21-06.

Municipal Utilities Authority/Water Project

Council Member Furrey gave a presentation of the MUA.

1995 Master Plan

- The Town Center Concept
- Balance Growth
 - Environmental Protection
 - Multi-core, center-based development

Town Center Projects

- Vernon and MCRI entered into an agreement July 26, 2004 to finance improvements.
 - Infrastructure
 - SCUMA treatment plant improvements
 - Additional 265,000 gpd allocation for new development

VTMUA – History

- Wastewater System is series of pump & lift stations to SCUMA
- VTMUA established in 2010
- 2011 Sewer System purchased from Suez - \$4M ord. 11-22
- 2012 financial agreement between MCRI and TWP

VTMUA Accomplishments Last 2 Years

1. No rate increase for 2 years
2. Lowered Expenses by nearly \$600,000
3. Established management structure that led to increased efficiencies
4. Lowered connection fees 50%
5. Completed asset management plan
6. Increasing sewer service area
7. PS2 project will begin in spring 2022
8. Started public water system project

Key Issues

- Resolution 13-202 (2013) raised min. flow from 265,000 GPD to 461,000
- Avg. flow was approx. 210,000 GPD. We are paying to treat air not water!!
- Unused allocation cost township approx. \$300,000 year
- \$2.5M over the last 8 yrs.
- Pump station was to be upgraded by MCRI in 2013
- MCRI defaulted
- MCRI Chapter 11
- Mountain Creek agreed to finance pump station in 2018 financial agreement
- Planning has begun
- Mountain Creek has paid all financial obligations to date.
- Debt payment increases from 1M to 1.5M in 2023
- Need water to create wastewater
- Attract commercial interests
- Generate wastewater to meet minimum allocations set in 2013
- We need to beat the clock!!!

Why Infrastructure Investments?

- The town center plan incorporated development that requires continued community infrastructures such as water and wastewater treatment

Water Main Installation Project Limits

- Water main on Route 515 is part of larger distribution system expansion project
- Shaded areas represent existing / future water service areas

- Sussex County is paving Route 515 within Vernon, Spring of 2022
- Additional distribution mains will be needed north on Route 94 towards Vernon Inn
- “Dry water mains” exist on Main Street and on Route 94
- Other water system improvements are required to expand distribution area

Future Required Water System Improvements to Suez system

*Which may be required prior to activation of dry water mains

1. Upgrade or install new wells
2. Construct 0.2 MG water tank near town center

OR

1. Upgrade or install new wells
2. Create high pressure loop
3. Install altitude valve at existing tank (“tank C”)
4. Install parallel well discharge piping

Route 515 Water Main Construction Schedule

- Design phase – November 2021
- Bid phase – award January 2022
- Construction phase – completion May 2022
- County paving – Spring of 2022

American Rescue Plan Act of 2021

- Municipalities permitted to finance water & sewer
- Cost to complete TC water project \$3,000,000
- Vernon awarded \$2.2M
- Deadlines
 - 2023 SCUMA bonds increases to \$1.5M per year thru 2033.
 - County to repave Route 515 in early 2022.
 - Government recipients may use the funds to cover costs incurred by Dec. 31, 2024

Council Member Furrey asked if there were any questions.

Council President Rizzuto feels that the meeting that is scheduled for next month provides us with a great opportunity to speak with the members of the MUA and to develop our thoughts at that particular meeting. A meeting between the MUA and the Council which is part of their requirement, and he believed that there was going to be a written report by the MUA which was part of the requirements when they were formed as well as an annual meeting.

Council President Rizzuto asked Township Engineer Stoner if Black Creek Drive will require a traffic study where it opens to Route 94.

Mr. Stoner said not just for the pump track. If we get to the point where we are upgrade Black Creek Drive, we would get into a road opening permit and a study would come with that. He also explained that a traffic study could be done but he doesn’t feel there will be warrants for a traffic study.

MINUTES

- November 22, 2021 – Regular Meeting
- December 13, 2021 – Regular Meeting
- January 1, 2022 – Reorganization Meeting

Council President Rizzuto asked for a motion to approve the November 22, 2021 regular meeting minutes.

MOVED: Michael Furrey
 SECOND: Harry Shortway

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

Motion passed to approve the November 22, 2021 regular meeting minutes.

Council President Rizzuto asked for a motion to approve the December 13, 2021 regular meeting minutes.

MOVED: Michael Furrey
 SECOND: Harry Shortway

A roll call vote was taken:

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

Motion passed to approve the December 13, 2021 regular meeting minutes.

Council President Rizzuto asked for a motion to approve the January 1, 2022 reorganization meeting minutes.

MOVED: Natalie Buccieri
SECOND: Brian Lynch

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

Motion passed to approve the January 1, 2022 reorganization meeting minutes.

CONSENT AGENDA

Resolution #22-48: Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle FY2023

Resolution #22-49: Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Granting Authority for Approval of Certain Purchases in Excess of the Bid Threshold Thorough New Jersey State Contracts and/or Purchasing Cooperatives for 2022

Resolution #22-50: Resolution Amending Appointment to the Vernon Township Municipal Utilities Authority

Resolution #22-51: Resolution Appointment to the Vernon Township Municipal Utilities Authority

Resolution #22-52: Resolution Authorizing Execution of a Contract for the Purchase of a Multiple Factor Authentication System

Resolution #22-53: Renewal of Group Life Insurance

Resolution #22-54: Refund Overpayments (Various Block and Lots – Corelogic)

Resolution #22-55: Refund Overpayment (Wells Fargo Real Estate Tax Services Block 528 Lot 102)

Resolution #22-56: Refund Overpayment (Block 185 Lot 20-Jason Oettinger)

Council President Rizzuto asked for a motion to place the consent agenda on the floor.

MOVED: Harry Shortway
SECOND: Brian Lynch

Council Member Buccieri read resolution #22-48 aloud and wanted to reiterate that the Township Council does care about drug use and drug abuse. She feels that this is important because of where we are allowing retail sales of cannabis in our town.

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

Motion passed to approve the consent agenda.

RESOLUTION #22-48

Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle FY2023

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law

enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Vernon, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Vernon, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a revised strategic plan for the Vernon Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$ 7,472.00
Cash Match	\$ 1,868.00
In-Kind	\$ 5,604.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #22-49

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, GRANTING AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES IN EXCESS OF THE BID THRESHOLD THROUGH NEW JERSEY STATE CONTRACTS AND/OR PURCHASING COOPERATIVES FOR 2022

WHEREAS, a need exists for the acquisition of various goods and services contained within cooperative contracts and over the bid threshold as aggregation of commodities, for the daily operations of the Township of Vernon; and

WHEREAS, the Township of Vernon may, without advertising for bids, purchase such materials through the New Jersey State Purchase and Property State Contracts and other approved Regional Cooperative Purchasing Systems of which the Township of Vernon is a member, pursuant to N.J.S.A. 40A:11-11, N.J.S.A. 40A:11-12, and N.J.A.C. 5:34-7.29 et. Seq., and

WHEREAS, under the state cooperative contract, or designated regional cooperative contract award, the following vendors hold valid cooperative contracts in accord with the New Jersey Local Publics Contract Law.

Vendor	Contract #	T-Number	Title	Term Expiration
American Rock Salt Company	Sussex County	21-009	ROAD SALT/ GRITS	6/30/2022
NORTH CHURCH GRAVEL	Sussex County	21-009	ROAD SALT/ GRITS	6/30/2022
DENVILLE LINE PAINTING	MCCPC #36		LINE STRIPING	12/31/2022
TILCON	MCCPC #5		PAVING MATERIAL	12/31/2022
SCHIFANO CONSTRUCTION CORP	MCCPC #6		ROADWAY PAVING	12/31/2021

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

1. The Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Township is hereby authorized to approve purchases in the aggregate over the bid threshold from the list of approved cooperative contract, through New Jersey State Contracts and/or Purchasing

Cooperatives to which the Township of Vernon is a member without further action from Council, provided that funds are available to cover the expenditure.

RESOLUTION #22-50

RESOLUTION AMENDING APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY

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

WHEREAS, Resolution 22-43 appointed Edward Snook to seat 3 on the VTMUA for a term expiring on February 1, 2027; and

WHEREAS, seat 3 on the VTMUA is presently vacant until January 31, 2022;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individuals are hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 1/10/2022, for a term specified as follows:

Edward Snook **Seat 3**
Expiring 01/31/2022

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

Vernon Township Municipal Utilities Authority

RESOLUTION #22-51

RESOLUTION APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY

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

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individuals are hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 1/10/2022, for a term specified as follows:

Edward Snook **Seat 3**
Expiring 01/31/2027

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

Vernon Township Municipal Utilities Authority

Resolution #22-52

RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR THE PURCHASE OF A MULTIPLE FACTOR AUTHENTICATION SYSTEM

WHEREAS, the Township of Vernon (“Township”) has a need to purchase a multiple factor authentication (“MFA”) system for all of its employees with Township email addresses; and

WHEREAS, MFA is an authentication method that requires the user to provide two or more verification factors to gain access to a resource such as an application, online account, or a VPN; and

WHEREAS, MFA is a core component of a strong identity and access management policy. Rather than just asking for a username and password, MFA requires one or more additional verification factors, which decreases the likelihood of a successful cyber-attack; and

WHEREAS, the Township’s insurance carrier is requiring that the Township purchase an MFA system to ensure satisfactory cybersecurity controls; and

WHEREAS, the Township has received a quote for an MFA system from SHI International Corp.; and

WHEREAS, a determination has been made that it is in the best interest of the Township of Vernon to enter into a contract with SHI International Corp.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Vernon hereby authorizes the Mayor to execute a contract with SHI International Corp. consistent with the quote received for an MFA system.

RESOLUTION #22-53

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON AWARDING CONTRACT FOR GROUP LIFE BENEFIT INSURANCE SERVICES

WHEREAS, the Township of Vernon has a need to acquire group life insurance services to the Township of Vernon as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the procurement of Insurance Brokerage services, is an exception pursuant to N.J.S.A. 40A:11-5(1) (m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1) (a) (ii); and

WHEREAS, the Mayor has received a renewal proposal from Standard Insurance Company and recommends that a one (1) year contract be awarded from February 1, 2022 through January 31, 2023; and

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

- 1. The Township of Vernon hereby awards, and the Mayor and the Township Clerk are hereby authorized to execute a renewal contract between the Township of Vernon and The Standard Insurance for providing group life insurance services, as required by the Township, all in accordance with the contract, which is on file in the office of the Township Clerk.

RESOLUTION # 22-54

REFUND OVERPAYMENTS (Various Block and Lots - CORELOGIC)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$1708.74 representing refund for overpayment for the following properties:

OWNER	BLOCK	LOT	REFUND AMOUNT
Nicoletti	528	131	\$504.54
Conover	527	489	\$732.42
Martinko	527	487	\$471.78
		TOTAL:	\$1708.74

Nicoletti- refund for overpayment totaling \$504.54 of 3rd qtr. 2018 property taxes for Block 528 Lot 131 also known as [REDACTED]

Conover- refund for overpayment totaling \$732.42 of the 3rd qtr. 2018 property taxes for Block 527 Lot 489 also known as [REDACTED]

Martinko- refund for overpayment totaling \$471.78 of the 1st qtr. 2018 property taxes for Block 527 Lot 487 also known as [REDACTED]

RESOLUTION # 22-55

**REFUND OVERPAYMENT
(Wells Fargo Real Estate Tax Services Block 528 Lot 102)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Wells Fargo in the amount of \$818.07 representing refund for overpayment of the following property taxes:

OWNER	BLOCK	LOT	REFUND AMOUNT
Degeeter	528	102	\$818.07
		TOTAL:	\$818.07

Degeeter- refund for overpayment totaling \$818.07 of 3rd qtr. 2016 property taxes for Block 528 Lot 102 also known as [REDACTED]

RESOLUTION # 22-56

**REFUND OVERPAYMENT
(Block 185 Lot 20- Jason Oettinger)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Jason Oettinger in the amount of \$1,652.73 representing refund for overpayment of 4th qtr. 2017 property taxes for Block 185 Lot 20 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Oettinger	185	20	\$1,652.73
		TOTAL:	\$1,652.73

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #22-01: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending and Supplementing Chapter 330 Entitled “Land Development” Regarding Retail Sales of Legalized Cannabis

Council President Rizzuto read by title Ordinance #22-01

Council President Rizzuto asked for a motion to introduce Ordinance #22-01

MOVED: Brian Lynch
SECOND: Patrick Rizzuto

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

Motion passed to introduce Ordinance #22-01

Ordinance #22-02: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Approving Deed to Terminate Rights-of-Way and Easements on Block 5, Lot 14, Formerly Known as Block 20, Lot 29

Council President Rizzuto read by title Ordinance #22-02

Council President Rizzuto asked for a motion to introduce Ordinance #22-02

MOVED: Michael Furrey
SECOND: Natalie Buccieri

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

Motion passed to introduce Ordinance #22-02

Ordinance #22-03: An Ordinance Providing for the Vacation of a Public Right of Way Known as West Shore Drive, Pursuant to N.J.S.A. 40:49-6, N.J.S.A. 40:67-2 and N.J.S.A. 40:67-21 and Releasing and Extinguishing any Public Right Therein

Council President Rizzuto read by title Ordinance #22-03

Council President Rizzuto asked for a motion to introduce Ordinance #22-03

MOVED: Michael Furrey
SECOND: Patrick Rizzuto

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

Motion passed to introduce Ordinance #22-03

PUBLIC COMMENTS

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

MOVED: Brian Lynch
SECOND: Natalie Buccieri

All members present voted in favor.

Zoe Heath – Vernon Township, would appreciate if the new Council would stop mentioning the former Council. She read aloud resolution #19-172, Resolution Condemning Hate and Supporting Diversity in the Township of Vernon. She hopes that the Council knows about the company they keep and how they engage in the company they keep.

Doreen Edward – Highland Lakes, likes the back and forth and wants answers. She received a higher tax bill. Ms. Edwards does not understand why the Mayor does not know the cost of the pump track and walking path.

Carl Contino – Vernon Township, feels that we are a town of neighbors and that the Mayor did not deserve to have an antiquated racial slur thrown at him by our town's Historical Society President. He feels that this goes against everything that this town stands for. He hopes the Township Council can stand in unison and condemn these remarks as well as the rhetoric that is being spread on social media. Mr. Contino asked why Dr. Haley's appointment to the LUB was not on the agenda.

Tina Howey – Lafayette, understands Healthy Thymes' mission. She is unsure if Healthy Thymes is going to be just a cannabis store as well as the market because the Cannabis Regulatory Commission's guidelines say you cannot have both. Ms. Howey also questioned the \$175,000 dollars being donated annually. The guidelines also explain that a local government official shall not solicit from a cannabis business and a government official shall not offer anything of value in exchange for zoning approval, proof of local support or written approval for such cannabis business. She also reminded the Council that there is Dairy Queen and batting cages right across the street and people gather there.

Dan and Dani Segal – Highland Lakes, explained that as business owners in town, they have donated money and time to various causes. They asked that the Council take a look at the Shrine Group's history. They also feel that the \$175,000 is to invest in the community and this town deserves the gold standards done correctly and with safety. Mr. Segal said State law is you cannot smoke cannabis in the street and there can be no signage out front on the building advertising for cannabis.

Sam Dupont – Vernon Township, feels that there is open marijuana use and sales at Mountain Creek South. He does not think a business should be penalized for wanting to sell marijuana. Mr. Dupont asked the Council to categorically condemn the comments made by Ms. Paladini towards Mayor Burrell on Facebook.

Jul Vanderhey, Highland Lakes, spoke about an issue with the school board about the mask mandate. She feels that it should be a choice to wear a mask at the school board meetings and in the schools. She has health issues and wearing a mask is her choice.

Eric Card – Highland Lakes, has not heard from the Mayor or Business Administrator about a problem he is having with building permits.

Mayor Burrell explained that Mr. Card has been mailed a letter.

Kate Salerno – Sussex County Resident, asked for clarification about mask wearing. She would like the Council to condemn the Facebook post that was made that was racist.

Ann Larson – Vernon Township, feels that the opinion of a non-resident is not useful. Ms. Larson feels that the Mayor should contact Josh Gottheimer to talk about the mask wearing and get better medications to control Covid. Ms. Larson feels that the Mayor was unprepared for this meeting and he spent too much time talking about things that can be on the next agenda. She thanked Council President Rizzuto pointing out defects of what has been going on with the spending that has been happening.

Walter Marsico – Vernon Township, commented on the gun safety ordinance that was discussed in the past and the incident that happened at Glen Harbor Estates when a stray bullet struck a home. Mr. Marsico mentioned that Andrew Pitsker was involved because he was shooting at Camp Sussex the day before the incident. Mr. Marsico feels that Andrew Pitsker should be removed from any official position because of his involvement in the target shooting.

Peg Distasi – Vernon Township, is disappointed in Andrew Pitsker because he did not own up to his actions while target practice at Camp Sussex and she asked for his resignation as well as Harry Shortway. Ms. Distasi asked why Mike Furrey is speaking for the MUA. Ms. Distasi feels that Ms. Paladini is not racist and she has Vernon best intentions at heart.

Jessi Paladini – finds it outrageous that people are accusing her of making statements but have not said what the statements are. Ms. Paladini feels that the Mayor violated the law by not getting expenditures for Phase 1 and Phase 2. She also feels that the Township Engineer is wrong because the road is on the Scenic Byway and would need DOT approval. Ms. Paladini feels that Andrew Pitsker made hypercritical statements when he said our residents should not have to live in fear of bullets striking their houses because of people target shooting since he was involved in firing the guns.

Al Losco – Glen Harbor Estate, does not understand what is wrong with keeping a neighborhood safe and why there is opposition for this. He hopes the Council will act on a gun safety ordinance.

Rick Hoffman – Glen Harbor Estate, explained that they are only trying to keep someone from being hurt by requesting the gun safety ordinance. He feels that it should be back on the agenda and taken seriously.

Sean Mazur – Vernon Township, asked who certified the bidder for the pump track and asked if it was ADA tested. He knows the road well and he feel that the parking lot is a mess. Mr. Mazur also feels that a traffic study and traffic light will be needed.

Francine Vince – Vernon Township, asked the Council to reintroduce the gun safety ordinance. She feels that this safety ordinance will not only protect the residents but also the gun owners and gun ranges.

Theresa Scura Coughlin – Vernon Township, submitted an extensive OPRA request to help her understand short term rentals. She does not understand how an Air B&B ended up in her neighborhood.

Steve Dunlop – Vernon Township, feels that the Council is doing the right thing by asking the right question and forcing some answers. He does not feel that we have all of the answers about the easement and the Baldwin Property.

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

MOTION: Brian Lynch

SECOND: Natalie Buccieri

All members present were in favor.

COUNCIL COMMENTS

Council Member Buccieri thanked the Vernon Coalition for their presentation and she hopes that the rest of the Council will look at the handouts before they make a decision on the ordinance. Council Member Buccieri asked the Township Attorney if the cannabis ordinance could be changed to be more stringent. She feels it is always good to get more information and she is disappointed that Vernon did not do what Newton did and take the Vernon Coalition's offer to help write their ordinance. She would like to see more collaboration from the Coalition as well as Newton's feedback on their ordinance.

Council Member Furrey commented saying, Mayor, Town Council and residents, my comments tonight is focused on several important issues that face Vernon Township.

First, I want to thank Kristen Umansky for her help with understanding the new tax assessments. She is an outstanding employee and Vernon is lucky to have her. John Fiero from the County speaks highly of her ability and she is doing an outstanding job.

COVID Policy: It is my opinion that the current Mayoral Administration has done an outstanding job with bringing back in person meetings while increasing the participation of the public. The resolution approved at the last meeting is deeply disturbing in the middle of surge in omicron variant cases throughout the country. It is my opinion, these three council members who voted yes jeopardized the health and safety of the all involved and should be held accountable for their irresponsible actions. Additionally, not reading emails denies the public of their constitutional 1st amendment right to free speech and may constitute a violation of all resident's civil liberties. *I may continue in the future participate remotely in council meetings until this unsafe, unconstitutional policy is reversed.*

GAAC:

"I honestly do not see a benefit to this group", a headline in a newspaper from our Council President Rizzuto. The GAAC was rejected for one reason, it was Harry Shortways Committee! It is shameful this group was dismissed but it was obviously to the glee of many naysayers. This group volunteered many hours of their time to get grants, clear trails, start the farmers market, obtain Sustainable NJ bronze status, assist with open space purchases all to better Vernon. I want to thank every member of the GAAC as well as every volunteer who helped the GAAC for their dedication and hard work. The GAAC is NOT WORTHLESS and will live on forever!!!

Current Township Attorney: I want to publicly state AGAIN that I have 150% confidence in Attorney Josh Zielinski and his firm and I did not support last meetings resolution to publicly announce any council opposition or "no confidence" vote towards his firm. The decision of the the hiring of an attorney clearly and legally falls under the purview of the current mayor and the council is only here to advise and consent. I believe the search for a replacement attorney is a complete waste of taxpayers' money and has no merit and appears to be personal not professional in nature. Mr. Zielinski has proved his value over the last several years especially with the Mountain Creek bankruptcy, their work on the dirty dirt issues and more recently with their impeccable work on the current SCMUA court appeal. This appears to me that the new council wants to re-hire John Ursin as a township attorney. Mr. Ursin was responsible for Resolution 13-202 and other resolutions and ordinances that caused the financial crisis the MUA faces. I ask that the 3 members state in public why they are so eager to search for a different attorney and place their opinion on record and in public.

Cannabis: You heard last meeting a presentation on a very important issue for the Township. I promise I will listen intently to all sides of the issue in order to reach my final vote. I want to publicly state that how cannabis gets regulated in the township should not be decided by a 5-member council or LUB and I will fight to have a local referendum on the ballot to allow the public to decide local cannabis laws and regulations. The local cannabis laws and regulations should be decided by the people and for the people; period!!! I am asking that a resolution be drafted and considered by this council and placed on the next election ballot as a local referendum. My vote yes to introduce the ordinance was to begin the debate on this very important issue and let the public be heard.

The Water and Sewer System Dilemma:

By now most people in Vernon are familiar with the issues surrounding the MUA. I spent almost 2 years on the MUA as chair during a very difficult time. I helped take a failing MUA and stabilize rates and lower expenses considerably. I stated at the first meeting as chair that I will never vote for any unfair rate increase as a member of the MUA and I still have that same position. At the last meeting, the three new council members rejected my application to re-join the MUA. TC President Rizzuto told me "He did not consider and approve my appointment because I quit". After insulting me, he asked me to research financial ways to get the MUA out of debt. Thanks, but no thanks!!! Notwithstanding I will still stay committed to the process and I will work towards making the MUA a success. I once again tonight request that a joint Council/MUA meeting be held to address all these issues, working hand and hand for the good of all Vernon. I call upon all the council members to take this issue seriously or suffer the consequences from any inaction. I urge that everyone research Resolution 13-202 which led to the unfair service charges of about 330k/per year. I fully support the pursuit of the SCMUA lawsuit appeal and oppose any current council action towards cancelling that process. I repeat, this current service contract arrangement is costing rate payers nearly \$330,000/year and may lead to bankruptcy. Bankruptcy will move the burden to all taxpayers, whether any resident or business is on the sewer or water system or not. We all want to hear publicly from our current council about their position on the most critical issue that faces Vernon Township. The ratepayers AND taxpayers deserve to know. Their silence suggests to me that they have no plan or the plan is to run the MUA into the ground and raise our taxes and benefit certain business owners. Beware Vernon because your taxes are going up!!!

Here is my plan:

1. Continue expanding water and sewer services in the town center
2. For the SCUMUA service contract only pay a fair share while maintaining paying bond payment that conforms to state law and is equitable for Vernon. We cannot continue to subsidize other municipal SCMUA partners
3. Oppose any SCMUA rate increases and continue with current lawsuit
4. Finalize SSA and expand sewer service paying for it through NJDEP State Revolving Funding
5. Continue to improve infrastructure using the SRF.
6. Oppose any effort to bankrupt the VTMUA. This is not an option.
7. Township should consider only paying the fair share of the service contract obligation to help stabilize rates and meet future debt obligations.

Conclusion:

It is my opinion Vernon is heading back towards the days when we were the looked at as the Hatfield's vs the McCoy's. But today we have a modern-day version called the Shortway's vs Paladini's where certain sides are only

concerned with personal vendetta's, settling scores, many axes to grind and without any real vision. It obvious that one side relentlessly and incessantly came to council meetings last year asking for Harry Shortway to resign as well as myself in order to convince voters to elect a new council which they succeeded. Our town council president continues to come to our administration over and over with every complaint that comes from one person, Ms. Paladini because she supported his campaign for council, what some might say is a payback for her support. As Mayor Burrell said when I was appointed, I do not have an axe to grind, I do not have a personal vendetta and I have no scores to settle, contrary to many who have asked me to resign over and over. I still expect these calls to resign but I will not be what Council president Rizzuto calls me "A QUITTER!!!"

I stay committed to this town and promise that I will make every effort and look past the ridiculous infighting and work with my fellow council members and Mayor and do what is right for all Vernon residents. I will be transparent and never sacrifice my integrity for personal gain. I formally request that these comments be introduced into the meetings as a permanent record of my position as a council member.

Council Member Shortway has commented in the past that racism will not be tolerated or any negative prejudice or bias.

Council Member Shortway said that the Mayor is the chief executive officer of the Township. The Mayor attends Council meetings and takes part in its discussions but does not have a vote. He took an oath to uphold the constitution and the laws and he will do that.

Council Member Shortway spoke to Andrew Pitsker and he was with a group of people when the incident at Glen Harbor happened but it was never proved that they fired the round. As a matter of fact, Mr. Pitsker was not on the Council at that time. He saw a problem and he proposed the ordinance. Council Member Shortway understands that there have been eleven such incidents in ten years around the township. The proposed firearm discharge ordinance is not an assault on the Right to keep and bear arms. It is about creating a safety standard for discharging firearms that protects the wellbeing and safety of fellow residents and their property. We are simply attempting to establish standards and procedures for the safe firing of ammunition for training and target practice. Adjacent properties and neighborhoods must be protected from a round's intended target direction and both vertical and horizontal ricochets by sufficiently containing the projectile(s) within the installation boundaries. The "containment" of a firearm's performance envelope, and impact footprint, require the surface area to be protected by restrictions that impose buffer zones. This general policy ensures safety will be maximized. Every firearm and the ammunition related to a respective firearm requires an appropriate danger zone and impact structure depending on projectile size and charge equating to velocity and distance. Impact Structures. The structure varies depending on the type of target shooting area. Natural terrain such as a mountain, cliff, or steep hill may be incorporated into impact structures provided the completed structure complies with the minimum design requirements. Surface Danger Zones (SDZs) represent minimum safety requirements; they are adequate only when employed with properly functioning safety equipment and devices, and when trained and competent personnel follow published firing procedures. An ordinance mandated these requirements would be realistically unenforceable. We can legislate SDZ and impact structure size and shape determined by the performance characteristics of the firearm and ammunition, and geographical location. An ordinance would outline SDZ and impact structure design in residential zones to make the probability of round escapement from installation boundaries likely to minimize the danger to the public and property.

Council Member Shortway explained that NJ Courts have consistently ruled the purpose of N.J. 2C:35-7 Distribution on or within 1,000 feet of school property. To protect those predominantly children in and around schools and public parks from exposure to the drug culture. The State legislature intended to created drug free zones for safety where children could be, learn and play free from potential exposure to drugs. Such a stance is legitimate and warranted to help prevent elementary or secondary school children from using drugs.

Council Member Shortway reminded everyone about the snowshoe event that is happening this weekend at Mountain Creek.

Council Member Lynch thanked Kristen Umansky for staying on line this evening. He sent the Mayor a lot of questions about the reevaluations going on in town and Kristen answered them already.

Council Member Lynch comes from a blended family and he condemns racism at every level and he knows the rest of the Council does too.

Council Member Lynch expressed concern that Council Member Furrey is always asking for opinions on things that haven't happened yet while the are trying to get our arms around the pump track and everything around. This is amusing to him. If in fact we are going to be presented with things in the future such as the sewer service agreement or anything like that, that is okay but it is not just the pump track. There is a lot of work to be done such as roads to be paved and things that need to be fixed. We are here to make sure that the tax dollars from Vernon tax payers is spent properly. If the questions are uncomfortable then that is the way it is.

COUNCIL PRESIDENT COMMENTS

Council President Rizzuto commented that he could go on and answer a number of questions about why a decision was made or was not made. He only has to go back to 2016 when Mr. Lynch introduced a resolution for a sewer

service study and it was passed by the council at that time. The following January or February portions of that resolution were suspended and there was no study done until such time as he, Council Member Wetzel and Council Member Ohms were able to reverse the Council's position on this. Council President Rizzuto still has not heard of what has become of this sewer service study, any of its recommendations or what has happened to it. There are questions that still need to be answered on many fronts.

Council President Rizzuto is happy to make an appointment this evening of our Council Vice President Buccieri to represent the Council as the liaison to the Board of Education. Having served on the Board of Education himself, he feels that Vice President Buccieri will do a great job.

ADJOURNMENT

At 11:16 pm Council Member Lynch made a motion to adjourn the Reorganization meeting. Seconded by Council Member Buccieri.

All were in favor.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Patrick Rizzuto,
Council President

Minutes approved: February 28, 2022