

**VERNON TOWNSHIP COUNCIL  
MEETING MINUTES  
FEBRUARY 9, 2026 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on February 9, 2026 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 22, 2026, 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 Higgins led the assemblage in the salute to the flag.

**ROLL CALL**

Present were Council Members, Carl Contino, Sandra Ooms, Patrick Rizzuto, Bradley Sparta and Council President William Higgins. Also present were Mayor Anthony Rossi, Business Administrator Tina Kraus, Township Attorney Peter King and Municipal Clerk Marcy Gianattasio.

**MAYOR COMMENTS**

Adrienn Kovacs a freshman at Vernon High School, died Thursday, Jan. 22nd, 14 years old and a freshman at Vernon High School, and she was diagnosed with DIPG, an aggressive brain cancer, in early May of 2025. We have learned that Adrienn was “an integral part of our SCY Swordfish swim team family” and described her as “one of the hardest workers and fiercest competitors we’ve ever seen... Throughout her illness, she has shown incredible strength, resilience, and determination, never giving up hope.

GOFUND ME @ Help for the Kovacs family

Harvey Roseff, Byram Councilman & Sussex County GOP Committeeman and commissioner candidate passed away.

The Mayor asked for a moment of silence

The following members were added to the EDAC committee, Bruce Campbell & David Killin.

Last week I met with Jefferson Township Mayor Eric Wilsusen and West Milford Mayor Michele Dale to discuss The Highlands Act, 88 municipalities of the Highlands have been required by the Highlands Act to severely limit future development and to take measures at the local level to support the Highlands Act and the Highlands Regional Master Plan. This has resulted in significant financial stress for Highlands towns, particularly those that are 100% within the Preservation Area where restrictions are the greatest. There is currently a one-way flow of benefits. That is outbound from the Highlands with no effort to underwrite the costs and consequences of the responsibilities placed on Highlands municipalities. Highlands communities need some measure of financial support to account for the loss of development

potential and mandates to take resource protection actions at the local level. Consider that New York City pays \$165 million annually in local taxes across the Catskill/Delaware watershed in addition to funding the Catskill Development Corporation and the Watershed Agricultural Council's respective activities. For more info, please follow on Facebook a group called Highlands impact AID NOW. Thank you

## **PRESENTATIONS**

### **Developer's Agreement**

Township Engineer Cory Stoner and Development Attorney Matthew Jessup gave the public details on the Developer's Agreement with Red Hand LLC.

### **Affordable Housing Resolutions and Ordinances**

Township Planner Jessica Caldwell explained the details for the Affordable Housing resolutions and ordinances that are on the agenda tonight.

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

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

MOVED: Rizzuto

SECOND: Contino

All members were in favor.

Motion carries to open the meeting to the public.

Refused to Give Name – questioned resolution #26-83 and the Affordable Housing resolutions and ordinances.

Ashley Reilly – is the applicant of the vacation of Burgher Road and spoke about the benefits of the vacation.

Angelina Balini – expressed concern of the vacation of Burgher Road.

Kevin Reilly – is the applicant of the vacation of Burgher Road and spoke about the benefits of the vacation.

Ann Larsen – expressed concern with resolution #26-96.

Peg Distasi – expressed concern with resolutions #26-97 and #26-98.

Christa Gerry – expressed concern with PILOT programs.

Kirk Stephens – expressed concern with the petition for the PILOT program.

Jackie Brovich – expressed concern regarding the Affordable Housing Program.

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

MOVED: Ooms  
SECOND: Contino

All members were in favor.

Motion carries to close the meeting to the public.

### **REVIEW OF BILLS LIST**

The Council reviewed the bills list.

Council Member Rizzuto made a motion to accept the bills list. Seconded by Council Member Sparta.

### **APPROVAL OF MINUTES**

#### **January 15, 2026 – Executive Session**

Council President Higgins asked for a motion to approve the January 15, 2026 executive session minutes.

MOVED: Sparta  
SECOND: Ooms

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to approved the January 15, 2026 executive session minutes.

#### **January 15, 2026 – Reorganization Meeting**

Council President Higgins asked for a motion to approve the January 15, 2026 reorganization meeting minutes.

MOVED: Sparta  
SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN:

ABSENT:

Motion carries to approved the January 15, 2026 reorganization meeting minutes.

**January 21, 2026 – Special Emergency Meeting**

Council President Higgins asked for a motion to approve the January 21, 2026 special emergency meeting minutes.

MOVED: Contino

SECOND: Sparta

A roll call vote was taken:

AYES: Contino, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN: Ooms

ABSENT:

Motion carries to approved the January 21, 2026 special emergency meeting minutes.

**January 29, 2026 – Regular Meeting**

Council President Higgins asked for a motion to approve the January 29, 2026 regular meeting minutes.

MOVED: Rizzuto

SECOND: Contino

A roll call vote was taken:

AYES: Contino, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN: Ooms

ABSENT:

Motion carries to approved the January 29, 2026 regular meeting minutes.

**CONSENT AGENDA**

**Resolution #26-81:** Authorizing Change Order #1 of Contract for Proposed Improvements to Various Streets-2025 Within Vernon Township with Tilcon New York, LLC

**Resolution #26-82:** Resolution Authorizing New Jersey Department of Community Affairs 2026 Local Recreation Improvement Grant Program

**Resolution #26-84:** North Jersey Municipal Employee Benefits Fund Resolution to Renew

**Resolution #26-86:** Authorizing Change Order #1 of Contract for Proposed Improvements to Canistear Road within Vernon Township with Tilcon New York, LLC

**Resolution #26-87:** Refund Overpayment (Block 257 Lot 33-Corelogic)

**Resolution #26-88:** Amending Resolution 26-02

**Resolution #26-89:** Resolution of the Township of Vernon, in the County of Sussex, New Jersey, Authorizing the Township to Enter into a Permanent Sewer Easement and a Permanent Drainage Easement and to vacate Existing Easements for the Property Identified as Block 402, Lots 2 & 3 in the Township and Commonly Known as 19-21 Omega Drive

**Resolution #26-90:** A Resolution Approving Participation with the State of New Jersey Federal Grant Program Administered by the New Jersey Department of Law & Public Safety, Office of the Attorney General

**Resolution #26-92:** Resolution of the Township of Vernon Appointing an Alternate Municipal Prosecutor

**Resolution #26-93:** Resolution Accepting the Completion of Road Improvements Project to Canistear Road within Vernon Township

**Resolution #26-94:** Resolution Accepting the Completion of Road Improvements Project to Various Street-2025 within Vernon Township

**Resolution #26-95:** Resolution Adopting and Establishing a Police Department Rules and Regulations Policy

Council President Higgins asked for a motion to approve the consent agenda,

MOVED: Sparta

SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approved the consent agenda.

### **RESOLUTION #26-81**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR  
PROPOSED IMPROVEMENTS TO VARIOUS STREETS-2025  
WITHIN VERNON TOWNSHIP WITH TILCON NEW YORK, LLC**

**WHEREAS**, on August 11, 2025 by way of adoption of Resolution #25-211, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc for Milling & Paving on Various Streets which contract provided for an expenditure of \$248,527.50 and

**WHEREAS**, in a memo dated February 4, 2026, the Township Engineer states that the contract requires a Change Order #1 by the addition of two (2) extra items in amount of \$12,535.47 and the reduction of two (2) items in total amount of \$3,189.18; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 resulting in the adjusted increased final contract amount of \$257,873.79.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer’s recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project resulting in the adjusted decreased final contract amount of \$257,873.79 for said project; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Tilcon New York, Inc. and the Township Engineer.

**RESOLUTION #26-82**

**RESOLUTION AUTHORIZING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
2026 LOCAL RECREATION IMPROVEMENT GRANT PROGRAM**

*Whereas*, the Township of Vernon desires to apply for and obtain a grant from the New Jersey Department of Community Affairs (“Department”) 2026 Local Recreation Improvement Grant (“LRIG”) for an amount not to exceed \$75,000 to carry out a project to construct ballfield upgrades at Veteran’s Memorial Park; and,

***Be it therefore RESOLVED***,

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

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

**RESOLUTION #26-84**

**NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND  
RESOLUTION to RENEW**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of the Township of Vernon, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the Township of Vernon's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications

**RESOLUTION #26-86**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR  
PROPOSED IMPROVEMENTS TO CANISTEAR ROAD  
WITHIN VERNON TOWNSHIP WITH TILCON NEW YORK, LLC**

**WHEREAS**, on August 11, 2025 by way of adoption of Resolution #25-213, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc for Milling & Paving on Canistear Road which contract provided for an expenditure of \$490,501.75 and

**WHEREAS**, in a memo dated February 3, 2026, the Township Engineer states that the contract requires a Change Order #1 by the addition of one (1) extra item in amount of \$10,133.25 and the reduction of three (3) items in total amount of \$17,130.20; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 resulting in the adjusted decreased final contract amount of \$483,504.80.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer’s recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project resulting in the adjusted decreased final contract amount of \$483,504.80 for said project; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Tilcon New York, Inc. and the Township Engineer.

**RESOLUTION #26-87**

**REFUND OVERPAYMENT  
(Block 257 Lot 33 – 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 \$3244.09 representing refund for overpayment for 2nd qtr. 2025 property taxes for Block 257 Lot 33.

<b>OWNER</b>	<b>BLOCK</b>	<b>LOT</b>	<b>REFUND AMOUNT</b>
<b>Robison</b>	<b>257</b>	<b>33</b>	<b>\$3244.09</b>
		<b>TOTAL:</b>	<b>\$3244.09</b>

**RESOLUTION #26-88**

**AMENDING RESOLUTION #26-02**

**WHEREAS**, Resolution #26-02, Resolution Reauthorizing Petty Cash Funds for Calendar Year 2026, listed the custodians of the Township Petty Cash Funds; and

**WHEREAS**, the Finance Department custodian is no longer Tina Kraus.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Vernon, hereby amends Resolution # 26-02 to reflect that the new Custodian of the Petty Cash Fund of the Finance Department is Patricia Reiche.

**RESOLUTION #26-89**

**RESOLUTION OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF  
SUSSEX, NEW JERSEY AUTHORIZING THE TOWNSHIP TO ENTER INTO A**

**PERMANENT SEWER EASEMENT AND A PERMANENT DRAINAGE EASEMENT AND TO VACATE EXISTING EASEMENTS FOR THE PROPERTY IDENTIFIED AS BLOCK 402, LOTS 2 & 3 IN THE TOWNSHIP AND COMMONLY KNOWN AS 19-21 OMEGA DRIVE**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as in need of redevelopment; and

**WHEREAS**, on April 23, 2018, pursuant to Resolution 18-135, the Council of the Township of Vernon (the “**Township Council**”) designated a total of 173 lots, including that certain property identified on the official tax maps of the Township of Vernon (the “**Township**”) as Block 402, Lots 2 and 3 (f/k/a Block 141.02, Lots 2 and 3), as a non-condemnation area in need of redevelopment (the “**Redevelopment Area**”) in accordance with the Redevelopment Law; and

**WHEREAS**, on April 26, 2021, the Township Council adopted Ordinance No. 21-10, adopting the “Town Center Redevelopment Plan” for the Redevelopment Area; and

**WHEREAS**, Red Hand, LLC (the “**Owner**”), the predecessor of Omega Drive Redevelopment Urban Renewal, LLC (the “**Entity**”), is the owner of the Redevelopment Area;

**WHEREAS**, the Entity has proposed to redevelop the Redevelopment Area by constructing thereon a four-story, multi-family residential building a total of twenty-seven (27) residential rental units (the “**Project**”); and

**WHEREAS**, pursuant to a resolution of the Township Land Use Board of final site plan approval decided on August 27, 2025, memorialized September 19, 2025, the Entity is required to grant the Township both a permanent sewer easement and a permanent drainage easement on the Redevelopment Area (the “**Proposed Easements**”) for the purposes of maintenance, repair, reconstruction, replacement, and inspection of the new sewer and drainage mains and relocation of existing sewer and drainage lines at the Redevelopment Area; and

**WHEREAS**, the Township presently has a sewer easement dated April 30, 2007, recorded July 6, 2007 with the Sussex County Clerk’s Office in Book 3153, page 296&c and an existing drainage easement on the Redevelopment Area (the “**Existing Easements**”); and

**WHEREAS**, in connection with the Proposed Easements, the Township and the Owner desire to vacate the Existing Easements by execution of a Vacation of Sewer and Drainage Easements (the “**Vacation**”) to be recorded in the Clerk’s Office of Sussex County.

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

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

2. The Mayor and/or his designee are authorized to enter into and execute the Proposed Easements and the Vacation in substantially the form on file with the Township, together with such additions, deletions, and modification thereto as may be necessary or desirable in consultation with the Township's redevelopment counsel.

3. The Mayor and/or his designee are authorized to execute all other documents necessary and/or desirable to effectuate this Resolution and to undertake all actions necessary to effectuate this Resolution in consultation with the Township's Redevelopment Council.

4. This Resolution shall take effect immediately.

### **RESOLUTION #26-90**

#### **A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF ADMINISTRATION**

**WHEREAS**, the Township of Vernon Police Department wishes to apply for funding of approximately \$45,150 with a match of \$139,402 in salary and fringe benefits for an approximate project total cost of \$184,552 for a project under the State of New Jersey Safe and Secure Grant Program, Subaward Period: 2/7/26-2/6/27, Grant #26-1922; and

**WHEREAS**, the Council of the Township of Vernon has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Vernon Township Police Department for the purpose described in the application.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that

1. As a matter of public policy the Vernon Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The New Jersey Department of Law and Public Safety, Division of Administration shall be responsible for the receipt and review of the applications for said funds.
4. The New Jersey Department of Law and Public Safety, Division of Administration shall initiate allocations to each applicant as authorized.
5. The Subrecipient's Unit of Government/Non-Profit Organization is "authorized to accept" and/or "does accept" the Subaward.

### **RESOLUTION #26-92**

#### **RESOLUTION OF THE TOWNSHIP OF VERNON APPOINTING AN ALTERNATE MUNICIPAL PROSECUTOR**

**WHEREAS**, the Township of Vernon (“Township”) has a need for an Alternate Municipal Prosecutor; and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-27, a municipality may employ an attorney-at-law as a Municipal Prosecutor under the supervision of the County Prosecutor and that attorney may represent the municipality in any matter within the jurisdiction of the central municipal court and any other municipal court; and

**WHEREAS**, Steven M. Siegel, Esq. has the necessary experience and qualifications to perform the duties of Alternate Municipal Prosecutor; and

**WHEREAS**, N.J.S.A. 40A:11-5 specifically exempts professional services from provision of public bidding as provided in the Local Public Contracts Law; and

**WHEREAS**, the Township deems it in the best interests of the Township to appoint Steven M. Siegel, Esq. as the Alternate Municipal Prosecutor and to enter a non-fair and open contract to provide said services pursuant to the provisions of the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Steven M. Siegel, Esq. will complete and submit a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Vernon in the previous one year and that the contract will prohibit Steven M. Siegel, Esq. from making any reportable contributions through the term of the contract to a political or candidate committee in the Township of Vernon; and

**WHEREAS**, the Chief Financial Officer has certified that there are sufficient funds available.

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

1. Steven M. Siegel, Esq. is hereby appointed as Alternate Municipal Prosecutor for one (1) year from January 15, 2026 to January 14, 2027 and the Mayor is authorized to execute a non-fair and open contract to provide these services.
2. The required Business Entity Disclosure Certification and Political Contribution Disclosure Form shall be provided before execution of the contract and be placed on file with the resolution
3. A copy of this resolution shall be kept on file in the Township Clerk’s Office.

**RESOLUTION #26-93**

**RESOLUTION ACCEPTING THE COMPLETION OF ROAD IMPROVEMENTS PROJECT TO CANISTEAR ROAD WITHIN VERNON TOWNSHIP**

**WHEREAS**, the Township awarded contracts for the Road Improvement Project for Canistear Road to Tilcon New York, Inc. and Denville Line Painting, Inc. awarded by Resolutions #25-212 and #25-213 on August 11, 2025, and

**WHEREAS**, the Road Improvement Project for Canistear Road has been completed, and inspected as per the plans and specifications; and

**WHEREAS**, the Township Engineer has submitted a letter dated February 4, 2026 which states that the said contracts have been completed in full and that it is recommended that the Road Improvement Project for Canistear Road be accepted by the Township Council.

**NOW, THEREFORE BE IT RESOLVED**, that the Vernon Township Council accept this project identified as Road Improvement Project for Canistear Road as final and complete; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION #26-94**

**RESOLUTION ACCEPTING THE COMPLETION OF ROAD IMPROVEMENTS PROJECT TO VARIOUS SREETS -2025 WITHIN VERNON TOWNSHIP**

**WHEREAS**, the Township awarded contracts for the Road Improvement Project for Various Streets-2025 to Tilcon New York, Inc. awarded by Resolution #25-211 on August 11, 2025, and

**WHEREAS**, the Road Improvement Project for Various Streets-2025 within Lake Conway has been completed, and inspected as per the plans and specifications; and

**WHEREAS**, the Township Engineer has submitted a letter dated February 4, 2026 which states that the said contracts have been completed in full and that it is recommended that the Road Improvement Project for Various Streets -2025 be accepted by the Township Council.

**NOW, THEREFORE BE IT RESOLVED**, that the Vernon Township Council accept this project identified as Road Improvement Project for Various Streets -2025 as final and complete; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION #26-95**

**RESOLUTION ADOPTING AND ESTABLISHING A POLICE DEPARTMENT RULES AND REGULATIONS POLICY**

**WHEREAS**, the Township of Vernon Police Department has a Department Rules and Regulations Policy and it has determined that the adoption of a revised Rules and Regulations Policy is necessary as it plays a critical role in Police Department operations and the due process of officers for disciplinary matters; and

**WHEREAS**, the Township Administration has prepared a revised Vernon Township Police Department Rules and Regulations Policy and has determined that the revised policy would be in the best interests of the Township as a public employer; and

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

1. The Township Council adopts and approves the attached Vernon Township Police Department Rules and Regulations Policy.
2. This resolution shall take effect immediately.

A copy of this Resolution will be placed on file with the Clerk of the Township.

## **RESOLUTIONS**

**Resolution #26-83:** Emergency Temporary Appropriations  
President Higgins asked for a motion to approve resolution #26-83.

MOVED: Sparta  
SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to approve resolution #26-83.

### **RESOLUTION #26-83**

#### **Emergency Temporary Appropriations**

**WHEREAS**, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2026 budget and no adequate provision has been made in the 2026 temporary budget for the aforesaid purposes, and

**WHEREAS**, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

**WHEREAS**, the total emergency temporary appropriation resolutions adopted in the year 2026 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

Current Fund: \$95,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Vernon, in the County of Sussex, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of:

Current Fund

Description	Emergency Appropriations	
SCMUA UTILITIES	\$	95,000.00
<b>2026 TEMP EMERGENCY OUTSIDE CAP APPROPRIATIONS</b>	\$	95,000.00

2. Said emergency temporary appropriations will be provided for in the 2026 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

**Resolution #26-85:** Authorization to Endorse a Treatment Works Approval Application to the New Jersey Department of Environmental Protection for Construction of an On-Site Septic Field Located at Woodland Trails Campground, Block 345 Lots 3 & 4

President Higgins asked for a motion to approve resolution #26-85.

MOVED: Sparta  
SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to approve resolution #26-85

**RESOLUTION #26-85**

AUTHORIZATION TO ENDORSE A TREATMENT WORKS APPROVAL APPLICATION TO THE  
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
FOR CONSTRUCTION OF AN ON-SITE SEPTIC FIELD LOCATED AT  
WOODLAND TRAILS CAMPGROUND, BLOCK 345 LOTs 3 & 4

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJDEP”) is responsible for administering the Treatment Works Approval (“TWA”) program, which establishes and implements minimum standards for building, installing, modifying, and operating treatment works; and

**WHEREAS**, N.J.A.C. 7:14A-22.2 and 22.3 requires the filing of a TWA permit application with the NJDEP for building or modifying a sewer connection or extension; and

**WHEREAS**, in accordance with N.J.S.A. 58:10A-1 et seq., a municipality must endorse such application for review by the NJDEP; and

**WHEREAS**, Woodland Trails Campground is requesting approval to construct a new septic field for System located at Block 345 Lots 3 & 4 that will service nine (9) campsites per plans submitted by Schwanewede Hals & Vince, dated 11/17/2025; and

**WHEREAS**, the Township Engineer has reviewed the plans submitted and recommends the Township Council endorse the submission per letter dated January 19, 2026.

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

1. The Township will endorse the submission of the TWA application for the aforesaid project.
2. The Township Mayor is hereby authorized to sign the TWA on behalf of the Township.
3. This Resolution shall be made a part of the application submitted to the NJDEP.
4. This Resolution shall take effect immediately upon adoption according to law.

**Resolution #26-91:** Authorizing Signatures on Township Checks Pursuant to N.J.S.A. 40A:5-16

President Higgins asked for a motion to approve resolution #26-91.

MOVED: Sparta

SECOND: Ooms

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to approve resolution #26-91.

**RESOLUTION #26-91**

**AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS  
PURSUANT TO N.J.S.A. 40A:5-16**

**BE IT RESOLVED** by the Council of the Township of Vernon that the following Township Officials are hereby authorized to sign checks, withdrawal slips or other bank related items with two out of the four below listed principal signatures being required:

Chief Financial Officer  
Mayor  
Business Administrator  
Tax Collector  
Municipal Clerk

**BE IT FURTHER RESOLVED** that signature cards with the signatures of the persons authorized to sign be on file at all banks that presently have Township accounts.

This Resolution shall take effect immediately upon adoption according to law.

**Resolution #26-96:** Resolution of the Township of Vernon, In the County of Sussex, New Jersey Authorizing the Township to the Execution of a Developer’s Agreement with Red Hand LLC for the Property Identified on the Township Tax Maps as Block 402, Lots 2 & 3 and Commonly Known as 19-21 Omega Drive

President Higgins asked for a motion to approve resolution #26-96.

MOVED: Sparta  
SECOND: Rizzuto

A roll call vote was taken:

AYES: Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN: Contino, Ooms,  
ABSENT:

**RESOLUTION #26-96**

**RESOLUTION OF THE TOWNSHIP OF VERNON, IN THE COUTNY OF SUSSEX, NEW JERSEY AUTHORIZING THE TOWNSHIP TO THE EXECUTION OF A DEVELOPER’S AGREEMENT WITH RED HAND LLC FOR THE PROPERTY IDENTIFIED ON THE TOWNSHIP TAX MAP AS BLOCK 402, LOTS 2 & 3 AND COMMONLY KNOWN AS 19-21 OMEGA DRIVE**

**WHEREAS**, the property located at Block 402, Lots 2 & 3 (more commonly known as 19-21 Omega Drive) as shown on the Vernon Township tax maps (the “**Property**”) was the subject of an

application before the Land Use Board of the Township of Vernon (hereinafter the “**Board**”) made by Red Hand LLC (the “**Developer**”) requesting final site plan approval and to permit the construction of a four-story multi-family residential building containing twenty-seven (27) dwelling units, six (6) of which will be affordable housing (the “**Project**”); and

**WHEREAS**, the Board granted final site plan approval for the Project by adoption of a resolution on August 27, 2025 and memorialized on September 10, 2025 (the “**Resolution**”); and

**WHEREAS**, the Township of Vernon (the “**Township**”) and Developer desire to enter an Agreement to establish the terms pursuant to which the Developer shall construct the Project; and

**WHEREAS**, the Resolution requires the Developer to enter into a developer’s agreement with the Township in connection with the Project; and

**WHEREAS**, the developer’s agreement attached hereto between the Township and Developer (the “**Agreement**”) has been prepared by the Township Attorney and has been reviewed and approved by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Sussex.
3. This Resolution shall take effect immediately.

**Resolution #26-97:** Resolution of the Mayor and Governing Body of the Township of Vernon, County of Sussex, State of New Jersey Adopting the “Rehabilitation Plan” for Vernon Township

**Resolution #26-98:** Resolution of the Mayor and Council of the Township of Vernon, in the County of Sussex, State of New Jersey Adopting Fourth Round of Affordable Housing Spending Plan

President Higgins asked for a motion to approve resolutions #26-27 and #26-98.

MOVED: Contino

SECOND: Sparta

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to approve resolutions #26-97 and #26-98.

**RESOLUTION #26-97**

**RESOLUTION OF THE MAYOR AND GOVERNING BODY OF THE TOWNSHIP OF  
VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY  
ADOPTING THE “REHABILITATION PLAN” FOR VERNON TOWNSHIP**

**WHEREAS**, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26-1, et seq.), the Township Vernon is required to adopt a Rehabilitation Plan to ensure that all affordable housing units rehabilitated through the Township’s Rehabilitation Program, are rehabilitated according to all rules and regulations applicable to rehabilitation programs and participants meet income requirements, particularly those living and/or working within Housing Region 1, the Affordable Housing Region encompassing the Township of Vernon.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Governing Body of the Township of Vernon, County of Sussex, State of New Jersey, do hereby adopt the Rehabilitation Plan attached hereto as Exhibit A.

This Resolution shall take effect immediately.

**RESOLUTION #26-98**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF VERNON,  
IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY ADOPTING FOURTH ROUND  
AFFORDABLE HOUSING SPENDING PLAN**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 which amended various provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq. (“Amended FHA”); and

**WHEREAS**, the Amended FHA sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 (“Fourth Round” or “Round Four”); and

**WHEREAS**, A municipality may not spend or commit to spend any affordable housing development fees, without first obtaining the approval of the expenditure as part of its compliance certification or by the New Jersey Department of Community Affairs (DCA); and

**WHEREAS**, the Governing Body of the Township of Vernon, County of Sussex, State of New Jersey, adopted a development fee ordinance on May 22, 2000, with subsequent amendments; and

**WHEREAS**, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow

funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or any other funds collected for affordable housing purposes; and

**WHEREAS**, the Township has prepared a 2026 Affordable Housing Trust Fund Spending Plan, dated January 28, 2026; and

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Vernon, Sussex County, New Jersey, that the Township of Vernon hereby adopts the 2026 Affordable Housing Trust Fund Spending Plan for the Township of Vernon, dated January 28, 2026, prepared by J. Caldwell & Associates, LLC, which is attached hereto and incorporated herein.

This Resolution shall take effect immediately.

## **INTRODUCTION OF ORDINANCES**

**Ordinance #26-05:** Ordinance to Repeal and Replace Existing Chapter 133, “Affordable Housing” of the Municipal Code of the Township of Vernon

Council President Higgins asked for a motion to introduce ordinance #26-05.

MOVED: Contino

SECOND: Ooms

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to introduce ordinance #26-05.

**Ordinance #26-06:** Ordinance to Repeal and Replace the Existing Article XIV, “Affordable Housing” of the Municipal Code of the Township of Vernon

Council President Higgins asked for a motion to introduce ordinance #26-06.

MOVED: Ooms

SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to introduce ordinance #26-06.

## **PUBLIC HEARING/ADOPTION OF ORDINANCES**

**Ordinance #26-01:** Calendar Year 2026 Model Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

President Higgins asked for a motion to open the floor for public hearing on ordinance #26-01.

MOVED: Contino

SECOND: Sparta

All members were in favor.

Motion carries to open the floor to the public for public hearing of ordinance #26-01.

Doreen Edwards – asked for clarification on ordinance #26-01.

Seeing no other members of the public wishing to come forward, President Higgins asked for a motion to close the public hearing on ordinance #26-01.

MOVED: Contino

SECOND: Ooms

All members were in favor.

Motion carries to close the floor to the public for public hearing of ordinance #26-01.

Council President Higgins asked for a motion to adopt ordinance #26-01.

MOVED: Ooms

SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to adopt ordinance #26-01.

**ORDINANCE #26-01**

**CALENDAR YEAR 2026**

**MODEL 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% 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 2026 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 1.5% increase in the budget for said year, amounting to \$318,882.66 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 2026 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 \$744,059.54, and that the CY 2026 municipal budget for the Township of Vernon be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, 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 #26-02:** Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public in a Portion of Block 436, Lot 22, Burgher Road.

President Higgins asked for a motion to open the floor for public hearing on ordinance #26-02.

MOVED: Contino

SECOND: Sparta

All members were in favor.

Motion carries to open the floor to the public for public hearing of ordinance #26-02.

Peg Distasi – questioned ordinance #26-02 and the safety of the road if vacated.

Ashley Reilley – commented on the Burgher Road vacation.

Steve Dunlop – questioned the size of the road.

Angelina Balini – is not in favor of the Burgher Road vacation.

Seeing no other members of the public wishing to come forward, President Higgins asked for a motion to close the public hearing on ordinance #26-02.

MOVED: Sparta

SECOND: Contino

All members were in favor.

Motion carries to close the floor to the public for public hearing of ordinance #26-02.

Council President Higgins asked for a motion to adopt ordinance #26-02.

MOVED: Sparta

SECOND: Rizzuto

A roll call vote was taken:

AYES: Rizzuto, Sparta

NAYES: Contino, Ooms, Higgins

ABSTAIN:

ABSENT:

Motion does not carry to adopt ordinance #26-02.

**ORDINANCE # 26-02**

**VOTE FAILED**

**ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND  
VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF BLOCK  
436, LOT 22, BURGHER ROAD.**

WHEREAS, there exists within the Township of Vernon an unimproved paper street and/or portion of an unimproved paper street known as Burgher Road and as shown on the Official Tax Map of the Township of Vernon as a 77' long section, twenty 20' in width, consisting of 1,540 square feet, between Block 436, Lot 22 and Block 438, Lot 1, both properties are under common ownership The above unimproved street shall hereinafter be collectively referred to as the "Street to be Vacated."

WHEREAS, the Street to be Vacated serves no public purpose, requires unwarranted maintenance costs by the Township of Vernon, and needs to be vacated; and

WHEREAS, the entirety of the Street to be Vacated is neither open to the public for the purposes of vehicular traffic nor publicly maintained as a street; therefore, this vacation ordinance is not subject to review by the Commissioner of the New Jersey Department of Transportation with regard to the traffic regulations thereon pursuant to N.J.S.A. 39:4-8; and

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, the Township Council of the Township of Vernon has considered evidence and concluded that the Street to be Vacated is not needed by the general public as a public thoroughfare and lends itself to higher and better uses than as and for a public thoroughfare and for use by the general public, and that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to the Street to be Vacated; and

WHEREAS, title to the Street to be Vacated shall be apportioned to adjacent property owners, if any, in accordance with law.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Vernon, in the County of Sussex, and State of New Jersey, that:

SECTION 1. Subject to the conditions set forth herein, the rights of the public in and to the Street to be Vacated, as more particularly delineated in Schedules “A” and “B”) attached hereto, are hereby released, extinguished and vacated.

SECTION 2. Title to the Street to be Vacated shall be apportioned to adjacent property owners, if any, in accordance with law.

SECTION 3. Pursuant to N.J.S.A. 40:67-1(b), all public easements, rights and interests to the Street to be Vacated, as more particularly delineated in Schedules “A” and “B” attached hereto, are hereby vacated, released and extinguished except for said easements and rights specifically set forth herein and except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the “Cable Television Act,” N.J.S.A. 48:5A1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the Street, or any part thereof, to be vacated.

SECTION 4. Pursuant to N.J.S.A. 40:67-21, the Township Clerk shall, within sixty (60) days after this ordinance becomes effective, file a copy of this ordinance, certified by her, under the seal of the Township of Vernon, to be a true copy of such ordinance, together with a copy of proof of publication, if publication be required, in the office where conveyances of lands are recorded in Sussex County and such certified copy shall be recorded in a book with proper index to be provided for the purpose and entitled “Vacation.”

SECTION 5. After introduction, this Ordinance shall be referred to the Planning Board of the Township of Vernon for review and comment pursuant to N.J.S.A. 40:55D-26, -32, and -33, since vacation of a public street or portion thereof constitutes a change to the official map of the Township of Vernon, County of Sussex, and the closing of a public street, albeit paper unimproved street.

SECTION 6. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Township Clerk to the owners of all real property whose lands may be affected by this Ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his last known post-office address. At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together

with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Township of Vernon. This is the notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.

SECTION 7. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 9. This Ordinance shall take effect upon final publication as provided by law.

**Ordinance #26-03:** Ordinance Extending Lease Agreement Between the Vernon Township Board of Education and the Township of Vernon, and Sub-Lease Agreement Between the Township of Vernon and the Dog Owners Gathering Society of Vernon Township Inc., For Certain Unimproved Real Estate Identified on the Official Tax Maps of the Township of Vernon as Block 308 Lot 2 (Old Block 133, Lot 2.05)

President Higgins asked for a motion to open the floor for public hearing on ordinance #26-03.

MOVED: Sparta  
SECOND: Ooms

All members were in favor.

Motion carries to open the floor to the public for public hearing of ordinance #26-03.

Seeing no members of the public wishing to come forward, President Higgins asked for a motion to close the public hearing on ordinance #26-03.

MOVED: Sparta  
SECOND: Ooms

All members were in favor.

Motion carries to close the floor to the public for public hearing of ordinance #26-03.

Council President Higgins asked for a motion to adopt ordinance #26-03

MOVED: Sparta  
SECOND: Contino

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins

NAYES:

ABSTAIN:

ABSENT:

Motion carries to adopt ordinance #26-03.

**ORDINANCE #26-03**

**ORDINANCE EXTENDING LEASE AGREEMENT BETWEEN THE VERNON TOWNSHIP BOARD OF EDUCATION AND THE TOWNSHIP OF VERNON, AND SUB-LEASE AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND THE DOG OWNERS GATHERING SOCIETY OF VERNON TOWNSHIP INC., FOR CERTAIN UNIMPROVED REAL PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP OF VERNON AS BLOCK 308 Lot 2 (OLD Block 133 Lot 2.05)**

**WHEREAS**, the Vernon Township Board of Education (“BOE”) is the owner of certain unimproved real property located at 669 Route 517, identified further on the official tax maps of the Township of Vernon (“Township”) as Block 308 Lot 2 (old Block 133, Lot 2.05) (the “Premises”); and

**WHEREAS**, pursuant to N.J.S.A. 18A:20-8.2(a), the BOE previously determined that the Premises is not necessary for school purposes but may, at some future time, be required for said purposes; and

**WHEREAS**, on November 1, 2009 the BOE and Township entered into a five (5) year lease agreement (“Lease”) for the Premises for the sole purpose of allowing the Township to sublet said Premises to the Dog Owners Gathering Society of Vernon Township, Inc. (“DOGS”); and

**WHEREAS**, DOGS is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, having a postal address of P.O. Box 221, Vernon, New Jersey; and

**WHEREAS**, on November 1, 2009 the Township and DOGS entered into a five (5) year sublease agreement (“Sublease”) for the Premises for use as a free, open-to-the-public, off-leash dog park operated and maintained by DOGS; and

**WHEREAS**, consideration for the Lease and Sublease was limited to the mutual promises and obligations contained in said Lease and Sublease, without additional monetary compensation; and

**WHEREAS**, on or about July 9, 2012 the Lease and Sublease were amended to allow the Township to use a portion of the Premises as a community garden available to Township residents on a first come, first served basis; and

**WHEREAS**, the Lease and Sublease, as amended, expired on October 31, 2014; and

**WHEREAS**, the parties extended the terms of the Lease and Sublease, as amended, for an additional five (5) year period through October 31, 2019 and again through October 31, 2025; and

**WHEREAS** the parties desire to extend the terms of the Lease and Sublease, as amended, for an additional one (1) year period ending on October 31, 2026; and

**WHEREAS**, there is an ongoing and continuous need for a dog park within the Township due to the increased number of dogs and dog owners residing within the Township; and

**WHEREAS**, the Township Council has determined that having a free, open-to-the-public, off-leash dog park will continue to benefit the residents of Vernon in that dog parks, in general, promote responsible pet ownership, give dogs a place to exercise safely thereby reducing barking and other problem behaviors, provide seniors and disabled owners with an accessible place to exercise their companions, and provide an area for community-building and socializing; and

**WHEREAS**, there is also an ongoing and continuous need for a public facility where gardeners may share and exchange ideas while producing healthy food for friends and family; and

**WHEREAS**, the Township Council has determined that having a community garden will continue to benefit the residents of Vernon in that it will provide a suitable gardening area to residents who do not have any at home, provide an area capable of growing healthy produce which can combat adult obesity and chronic illnesses, allow residents to connect with nature, create intergenerational connections between seniors and youths, foster community spirit and civic mindedness, and reduce costs otherwise spent on groceries; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-14(c) allows a municipality to lease property to a nonprofit corporation for a public purpose.

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

1. The Township is hereby authorized to extend the term of its November 1, 2009 Lease, as extended and amended, with the Vernon Township Board of Education for an additional one (1) year term

ending on October 31, 2026 subject to the remaining terms and conditions set forth in the Lease, as amended, which shall remain in full force and effect.

2. The Mayor is hereby authorized to execute the Amendment to Lease with the Vernon Township Board of Education, a copy of which is attached hereto as **Attachment A**.

3. The Township is hereby authorized to extend the term of its November 1, 2009 Sublease, as extended and amended, with the Dog Owners Gathering Society of Vernon Township, Inc. for an additional one (1) year term ending on October 31, 2026 subject to the remaining terms and conditions set forth in the Sublease, as amended, which shall remain in full force and effect.

4. The Mayor is hereby authorized to execute the Amendment to Sublease with the Dog Owners Gathering Society of Vernon Township, Inc., a copy of which is attached hereto as **Attachment B**.

5. Consideration for the extended terms shall be limited to the continuation of the mutual promises and obligations contained in the Lease and Sublease, as amended, without monetary compensation; and

6. The Township shall not be responsible for the operation and/or maintenance of the dog park or any costs associated therewith during the extended terms of the Lease and Sublease.

7. The Mayor and Business Administrator are hereby designated as the Township Officials responsible for the supervision of the Lease and Sublease, as amended.

8. Pursuant to N.J.S.A. 40A:12-14(c), The Dog Owners Gathering Society of Vernon Township, Inc. shall submit an annual report to the Mayor or Business Administrator which describes or contains the following:

- (i) the use to which the Premises was put during each year;
- (ii) the activities performed in furtherance of the public purpose for which the Sublease was granted;
- (iii) the approximate value or cost, if any, of such activities in furtherance of the such purpose; and
- (iv) an affirmation of the continued tax-exempt status of the nonprofit corporation or association pursuant to both State and federal law.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon final adoption and publication pursuant to law.

**Ordinance #26-04:** An Ordinance to Amend Chapter 250, Entitled “Fees and Escrows” of the Code of the Township of Vernon, Sussex County, New Jersey

President Higgins asked for a motion to open the floor for public hearing on ordinance #26-04.

MOVED: Sparta  
SECOND: Contino

All members were in favor.

Motion carries to open the floor to the public for public hearing of ordinance #26-04.

Seeing no members of the public wishing to come forward, President Higgins asked for a motion to close the public hearing on ordinance #26-04.

MOVED: Sparta  
SECOND: Contino

All members were in favor.

Motion carries to close the floor to the public for public hearing of ordinance #26-04.

Council President Higgins asked for a motion to adopt ordinance #26-04.

MOVED: Contino  
SECOND: Ooms

A roll call vote was taken:

AYES: Contino, Ooms, Rizzuto, Sparta, Higgins  
NAYES:  
ABSTAIN:  
ABSENT:

Motion carries to adopt ordinance #26-04.

**ORDINANCE #26-04  
AN ORDINANCE TO AMEND CHAPTER 250, ENTITLED, “FEES  
AND ESCROWS” OF THE CODE OF THE TOWNSHIP OF  
VERNON, SUSSEX COUNTY, NEW JERSEY.**

**WHEREAS,** the Mayor and Township Council of the Township of Vernon has reviewed the Municipal Code regarding fees or pistol purchase permits and firearm carry permit applications and

find that an amendment is necessary. Pursuant to N.J.S.A. 2C:58 -4, applicants for a firearm carry permit are required to pay a \$200 fee, of which \$150 is paid to the municipality.

**WHEREAS**, to ease the financial burden, the Township of Vernon will offer a refund of \$150 for the municipal fee to eligible applicants.

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

**SECTION 1.** Chapter 250, entitled “Fees and Escrows”, Article II, “Fees and Escrows Enumerate”, Section 250-11, “Police”, subsection A, Nos. 13 and 17 only, are hereby amended and supplemented as follows:

**“250-11. Police.**

(13) Pistol purchase permit: \$25

(17) Firearm carry permit application municipal fee: \$150.00; eligible applicants who are approved for a firearm carry permit shall receive a full refund, in the amount of \$150, for this municipal fee upon approval of the Township of Vernon's Chief Financial Officer (CFO).

**SECTION 2.** These amended fees shall become effective upon adoption, retroactive to January 1, 2026.

**SECTION 3.** All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 4.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5.** This Ordinance shall take effect upon its passage and publication according to law.

**PUBLIC COMMENTS (Limited to 5 Minutes Per Person)**

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

MOVED: Sparta

SECOND: Contino

All members were in favor.

Motion carries to open the meeting to the public.

Doreen Edwards – questioned the PILOT program asked the Council to respond to the petition.

Peg Distasi – formally contested ordinance #25-17.

Kirk Stephens – expressed concern regarding the PILOT and the petition.

Harry Shortway – expressed concern regarding connection fees and the Theta Group Development.

Steve Dunlop – commented on Facebook posts and the MUA fees paid by Theta Drive. He also commented on the PILOT program.

Jackie Bravich – expressed concern with the answers she has received from the Council and professionals.

Raven Slockbower – questioned where the public should go for debate.

Ann Larsen – expressed concern with the PILOT contract.

Scott Cassell – expressed concern with the trust between the residents and Council and the PILOT.

Kathy – questioned the PILOT programs.

Kirk Stephens – commented on the PILOT programs.

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

MOVED: Rizzuto

SECOND: Contino

All members were in favor.

Motion carries to close the meeting to the public.

## **COUNCIL COMMENTS**

Council Member Contino expressed concern that Theta Grove has not paid their hook up fees after being given several CO's. He has read through emails he has received and he cannot understand why this has not been done. Council Member Contino does feel that after reading the emails it seems something was not done right and he would like this looked at. He would like documentation and a report after the Mayor does an internal investigation. Council Member Contino questioned the hardship application that was discussed in the emails in November before the invoice was given to the CFO.

Council Member Rizzuto had no comments.

Council Member Ooms had no comments.

Council Member Sparta had no comments.

### **COUNCIL PRESIDENT COMMENTS**

Council President Higgins explained that the ninety-nine-unit building has not been approved. The PILOT will generate money for the twenty-six-unit building. The people that are complaining about their taxes need to understand that this is a way to generate tax revenue. Council President Higgins feels that we have a large budget coming up and this is a way to generate money while not giving anything up. This building is going to improve the area while also giving us low-income housing that is required.

### **ADJOURNMENT**

At 10:36 pm Council Member Rizzuto made a motion to adjourn the meeting. Seconded by Council Member Contino.

All were in favor.

Respectfully submitted,

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

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William Higgins  
Council President

Minutes approved: March 2, 2026