TOWNSHIP OF VERNON

ORDINANCE #26-23

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, 2026; and

WHEREAS the parties desire to extend the terms of the Lease and Sublease, as amended, for an additional three (3) year period ending on October 31, 2029; 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 three (3) year term ending on October 31, 2029 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 three (3) year term ending on October 31, 2029 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.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the special meeting of the Township Council held on October 15, 2026 and the same came up for final passage and was adopted at the meeting of the Township Council held on October 26, 2026 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

Marcy Gianattasio, Clerk
Township of Vernon

Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: October 15, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.			X			
Ooms S.	X		X			
Rizzuto R.		X	X			
Sparta, B.			X			
Higgins W.			X			

ADOPTED: October 26, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.		X	X			
Ooms S.	X		X			
Rizzuto P.			X			
Sparta, B.			X			
Higgins W.			X			