



VERNON TOWNSHIP COUNCIL MEETING AGENDA

MARCH 24, 2025

6:00 PM EXECUTIVE SESSION

7:00 PM REGULAR SESSION (OPEN TO THE PUBLIC)

1. CALL TO ORDER

2. STATEMENT: Adequate notice of this meeting has been provided to the public and the Press on January 19, 2025 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.

3. ROLL CALL

4. EXECUTIVE SESSION – Resolution #25-109 Resolution to Enter into Executive Session
Legends

AT 7:00 PM

1. CALL TO ORDER

2. STATEMENT: Adequate Notice of this Regular Meeting was provided to the public and the press on January 19, 2025, and was posted at the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A.10:4-7.

3. SALUTE THE FLAG

4. ROLL CALL

5. ITEM FOR DISCUSSION

Cell Service at Maple Grange Park
Mayor's Salary

6. MAYOR COMMENTS

7. PUBLIC COMMENT (For Current Agenda Items Only, Limited to 3 Minutes Per Person)

8. REVIEW OF BILLS LIST

9. APPROVAL OF MINUTES

February 10, 2025 – Regular Meeting

March 10, 2025 – Regular Meeting

10. CONSENT AGENDA

Resolution #25-99: (Block 576 Lot 87 (Gatton) - Revised Cancelling Taxes for Total Disabled Veteran

Resolution #25-100: Refund for Totally Disabled Veteran (Block 576 Lot 87 (Gatton) – Revised Refund to Cancel Taxes

Resolution #25-101: (Block 596 Lot 6 (Sims) – Cancelling Taxes for Total Disabled Veteran

Resolution #25-102: Resolution to Award HVAC Maintenance Services Bid to Air Group LLC for Bid 1-1025

Resolution #25-103: Approving Active Volunteer Firefighter for Membership in the New Jersey State Firemen’s Association (Curatolo)

Resolution #25-104: Refund Overpayment (Block 350 Lot 5 – Jenkins)

Resolution #25-105: Refund Overpayment (Block 527 Lot 303 – Sokolowski)

Resolution #25-106: Refund Overpayment (Block 457 Lot 8 – Christiana Trust As Cust.)

Resolution #25-107: Emergency Temporary Appropriations

Resolution #25-110: Resolution of the Township of Vernon Appointing a Municipal Prosecutor

11. INTRODUCTION OF 2025 MUNICIPAL BUDGET

Resolution #25-108: Introduction of the 2025 Budget

12. PUBLIC HEARING/ADOPTION OF ORDINANCE

Ordinance #25-03: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending Chapter 330, “Nonconforming Buildings and Uses” of the Code of the Township of Vernon to Allow for the Reconstruction of Existing Dwellings within the Existing Footprint

13. PUBLIC COMMENT (Limited to 5 Minutes On Any Topic)

14. COUNCIL COMMENTS

15. COUNCIL PRESIDENT COMMENTS

16. ADJOURNMENT

VERNON TOWNSHIP

RESOLUTION #25-109

RESOLUTION TO ENTER INTO AN EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- ☐ Matters made confidential by state, federal law or rule by court
- ☐ Matters in which the release of information would impair the right to receive funds from the Government
- ☐ Matters involving individual privacy
- ☐ Collective bargaining
- ☐ Purchase, lease or acquisition of real property with public funds, setting of bank rates, investment of public funds if disclosure would harm the public interest
- ☐ Public safety
- ☐ Attorney-Client privilege
- ☒ Pending, ongoing or anticipated litigation or negotiation contracts (Legends)
- ☐ Personnel matters
- ☐ Civil penalty or loss of license

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Meeting held on March 24, 2025 at 6:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

TOWNSHIP OF VERNON

RESOLUTION #25-99

**(Block 576 Lot 87 (Gatton) - Revised
CANCELLING TAXES FOR TOTAL DISABLED VETERAN**

WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS on
awarded Michael Scott Gatton a 100% permanent and total disabled veteran; and

WHEREAS, as of said date the law exempts said property from taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of
Vernon authorizes the Tax Collector to cancel the taxes for 2025 in the amount of
\$3,856.78.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be
forwarded to the Tax Collector.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township
of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon
Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

TOWNSHIP OF VERNON

RESOLUTION #25-100

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 576 Lot 87 (Gatton) – Revised Refund to Cancel Taxes**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS
Awarded Michael Scott Gatton a 100% permanent and totally disabled veteran: and,

WHEREAS, the law exempts said property from taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon hereby authorizes the Tax Collector to refund 2025 property tax in the amount of \$1,928.39 to Michael Scott Gatton.

FINALLY, BE IT RESOLVED, that a certified copy of this Resolution be forwarded to the Township Tax Collector.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MO- TION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

TOWNSHIP OF VERNON

RESOLUTION #25-101

**(Block 596 Lot 6 (Sims))
CANCELLING TAXES FOR TOTAL DISABLED VETERAN**

WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS on awarded Derrick Sims a 100% permanent and total disabled veteran; and

WHEREAS, as of said date the law exempts said property from taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2025 in the amount of \$3.201.37

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

TOWNSHIP OF VERNON

RESOLUTION #25-102

RESOLUTION TO AWARD HVAC MAINTENANCE SERVICES BID TO AIR GROUP LLC FOR BID 1-2025

WHEREAS the Township of Vernon has a need for HVAC Maintenance Services for the daily operations of the Township; and

WHEREAS, the Township received bids in a public fair and open manner in accordance with N.J.S.A. 19:44A-20.5 on March 13, 2025; and

WHEREAS the Township received four (4) bids to wit:

	TM Brennan Service Inc	Pow/R/Sav Inc	AirGroup LLC	McCloskey Mechanical
YEAR 1 LUMP SUM	\$42,000.00	\$25,250.00	\$15,675.00	\$34,400.00
YEAR 2 LUMP SUM	\$48,000.00	\$26,960.00	\$16,458.00	\$36,200.00
TOTAL	\$90,000.00	\$52,210.00	\$32,133.00	\$70,600.00

WHEREAS, AirGroup LLC, 1 Prince Road, Whippany NJ 07981 was determined to be the lowest responsible bidder in accordance with N.J.S.A 40A:11-4A; and

WHEREAS subject to the approval of future budgets the Chief Financial Officer certifies funding is available from line items 5-01-26-310-20 and 6-01-26-310-20 Buildings and Grounds O/E.

CERTIFICATION OF FUNDS	
Buildings and Grounds O/E	
Account 5-01-26-310-20	\$15,675.00
6-01-26-310-20	\$16,458.00
CFO Signature: _____	
Subject to the adoption of 2025/2026 Municipal Budgets	

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

AirGroup LLC, 1 Prince Road, Whippany NJ 07981 is hereby awarded the contract to provide for HVAC Maintenance services for a period of two (2) years in the amount of:

Year 1	\$15,675.00
Year 2	\$16,458.00
Total	\$32,133.00

in accord with the tenets as contained within bids 1-2025; and

BE IT FURTHER RESOLVED the Mayor is authorized to executive contract of award.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

TOWNSHIP OF VERNON

RESOLUTION #25-103

**APPROVING ACTIVE VOLUNTEER FIREFIGHTER FOR MEMBERSHIP IN THE
NEW JERSEY STATE FIREMEN'S ASSOCIATION (Curatolo)**

WHEREAS, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

WHEREAS, Michael J Curatolo, an active firefighter and member of the Vernon Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen's Association.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Michael J Curatolo for membership in the New Jersey State Firemen's Association.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
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Rizzuto, P.						

ASSOCIATION #	COMPANY #	LINE #
FOR STATE OFFICE USE ONLY		

New Jersey State
Firefighter's Association
Application for Membership

Form 100 - REV 9/23

Date 3/9/2025

Relief Association Name Vernon Township Assoc. Number 416 Municipality Vernon County Sussex
Fire Company Name Vernon Company 1 Fire Department Name Vernon Township Fire Dept

Applicant Name Michael First J Middle Initial Curatolo Last Suffix
Home Address [REDACTED] Street [REDACTED] Municipality [REDACTED] Zip Code [REDACTED] # of years 1

Date of Birth [REDACTED] Birth Place [REDACTED] SS # [REDACTED] (REQUIRED)

Applicant Phone Number [REDACTED] Applicant Email Address [REDACTED]

Have you ever applied to be a member of the NJSFA? ☐ Yes ☒ No If yes, when _____ where _____

If you have a line number with another Relief Association: ☐ Stay with previous Association ☐ Move records to new Association
* It is the Applicant's responsibility to notify their Local Relief Secretary of any address change throughout their career/membership. *

Signature of Applicant (witnessed by a Notary Public): [Signature]

State of New Jersey, County of Passaic

On March 8, 2025 before me, Farhad Daruwala Notary Public in and for said county, personally appeared

Michael Curatolo (signer) who has satisfactorily identified himself/herself as the signer to the above referenced document.

My Commission Expires: 2/22/26 Notary Public Signature [Signature]



Signature of Relief Association Secretary _____ Signature of Chief of Department [Signature]

Type of Firefighter the Applicant will be: ☐ Career (full time paid) ☒ Volunteer

Municipal/Fire District Approval: I hereby certify that this applicant was admitted to active membership in the Department and has been approved by the governing body of _____ on the _____ day of _____, 20____.

Signature of Municipal Clerk/Board of Fire Commissioners: _____

- A. Application portion should be completed by Applicant - Typed or Printed ONLY
- B. Application must have the Physical Test Record completed by a New Jersey Licensed Physician, Nurse Practitioner or Physician's Assistant
- C. The completed Application and Physical Test Record must be returned to the Local Relief Secretary
- D. The Local Relief Secretary shall review the application for completeness, attain the proper signatures, and forward to the NJSFA State office.

The Applicant is not a member of the NJSFA until the completed ORIGINAL hard-copy application is received AND approved at the NJSFA State office. Do NOT scan & email. Original hard-copy only will be processed.

TOWNSHIP OF VERNON

RESOLUTION #25-104

**REFUND OVERPAYMENT
(Block 350 Lot 5 – Jenkins)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Don Jenkins in the amount of \$2490.94 representing refund for overpayment of 4th qtr. 2024 property taxes for Block 350 Lot 5.

OWNER	BLOCK	LOT	REFUND AMOUNT
Jenkins	350	5	\$2490.94
		TOTAL:	\$2490.94

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

TOWNSHIP OF VERNON

RESOLUTION #25-105

**REFUND OVERPAYMENT
(Block 527 Lot 303 – Sokolowski)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Steven Sokolowski in the amount of \$1254.68 representing refund for overpayment of 1st qtr. 2025 property taxes for Block 527 Lot 303.

OWNER	BLOCK	LOT	REFUND AMOUNT
Sokolowski	527	303	\$1252.25
		TOTAL:	\$1252.25

CERTIFICATION

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Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

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Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

TOWNSHIP OF VERNON

RESOLUTION #25-106

**REFUND OVERPAYMENT
(Block 457 Lot 8 –CHRISTIANA TRUST AS CUST.)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Christiana Trust As Cust. in the amount of \$5902.83 representing refund for overpayment of 1st- 4th qtr. 2024 property taxes for Block 457 Lot 8.

OWNER	BLOCK	LOT	QUARTER- 2024	REFUND AMOUNT
Burrafato	457	8	1st	\$1485.02
Burrafato	457	8	2nd	\$1485.00
Burrafato	457	8	3rd	\$1528.53
Burrafato	457	8	4th	\$1404.28
		TOTAL:		\$5902.83

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
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Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

Township of Vernon

RESOLUTION #25-107

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 2025 budget and no adequate provision has been made in the 2024 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 2025 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

Current Fund: \$6,405,627.02

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	Temporary Emergency Appropriations	
GENERAL ADMINISTRATION - S&W	\$	30,800.00
GENERAL ADMINISTRATION - O/E	\$	26,500.00
MAYOR & COUNCIL - S&W	\$	7,500.00
MAYOR & COUNCIL - O/E	\$	1,050.00
CLERK - S&W	\$	33,700.00
CLERK - O/E	\$	7,400.00
FINANCE - S&W	\$	44,200.00
FINANCE - O/E	\$	5,400.00
TECHNOLOGY - O/E	\$	6,400.00
COLLECTION OF TAXES - S&W	\$	30,500.00
COLLECTION OF TAXES - O/E	\$	4,400.00
ASSESSMENT OF TAXES - S&W	\$	37,400.00
ASSESSMENT OF TAXES - O/E	\$	23,500.00
LEGAL SERVICES - O/E	\$	47,500.00
ENGINEERING SERVICES - O/E	\$	5,000.00
HISTORIC PRES. COMMISSION - S&W	\$	500.00
BEAUTIFICATION COMMITTEE - O/E	\$	1,000.00
LAND USE BOARD - S & W	\$	31,700.00
LAND USE BOARD - O/E	\$	8,750.00
BUILDING DEPARTMENT - S&W	\$	87,000.00
BUILDING DEPARTMENT - O/E	\$	7,000.00

WORKERS COMP. INSURANCE - O/E	\$	128,800.00
GROUP INSURANCE - O/E	\$	750,000.00
GROUP INS. - HEALTH BENEFIT WAIVERS	\$	8,000.00
OTHER INSURANCE - O/E	\$	165,000.00
POLICE DEPARTMENT - S&W	\$	735,000.00
POLICE DEPARTMENT - O/E	\$	28,000.00
RADIO COMMUNICATIONS - S&W	\$	70,350.00
RADIO COMMUNICATIONS - O/E	\$	1,500.00
911 COMM. - S&W SHARED SRVC	\$	2,500.00
OEM DEPARTMENT - O/E	\$	3,100.00
VOLUNTEER EMERGENCY SERVICES	\$	57,500.00
FIRE PREVENTION - S&W	\$	35,200.00
FIRE PREVENTION - O/E	\$	3,000.00
TWP. PROSECUTOR - O&E	\$	8,500.00
ROAD REPAIRS & MAINT. - S&W	\$	268,000.00
ROAD REPAIRS & MAINT. - O/E	\$	150,000.00
RECYCLING S&W	\$	5,000.00
RECYCLING - O/E	\$	5,000.00
BUILDINGS & GROUNDS - S&W	\$	9,500.00
BUILDINGS & GROUNDS - O/E	\$	24,750.00
FLEET MANAGEMENT - S&W	\$	50,000.00
FLEET MANAGEMENT - O/E	\$	70,000.00
ANIMAL CONTROL - S&W	\$	15,700.00
ANIMAL CONTROL - O/E	\$	5,000.00
SEN CITIZENS - S&W	\$	15,000.00
SEN. CITIZENS - ACTIVITIES -O/E	\$	11,500.00
RECREATION - S&W	\$	15,350.00
RECREATION - O/E	\$	12,500.00
MAINTENANCE OF PARKS - S&W	\$	52,000.00
MAINTENANCE OF PARKS - O/E	\$	7,500.00
MUNICIPAL COURT - S&W	\$	33,500.00
MUNICIPAL COURT - O/E	\$	1,300.00
UTILITIES O/E	\$	92,500.00
SEWER UTILITY-SCMUA	\$	705,000.00
SOCIAL SECURITY - O/E	\$	120,000.00
DEFINED CONTRIB RETIRE PROGRAM	\$	1,200.00
MUNICIPAL SERVICES ACT O/E	\$	60,000.00
SHARED SERVICE - ANIMAL CONTROL	\$	14,500.00
SHARED SERVICE - FINANCIAL ADMIN.	\$	16,500.00
SHARED SERVICES - SENIOR CITIZENS	\$	4,650.00
2025 TEMP BUDGET IN CAP APPROPRIATIONS	\$	4,209,600.00
CAPITAL PURCHASE OF VEHICLES		\$ 80,000.00
2025 TEMP BUDGET O/S CAP APPROPRIATIONS		80,000.00
2025 TEMP BUDGET TOTAL APPROPRIATIONS		4,289,600.00

2. Said emergency temporary appropriations will be provided for in the 2025 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

TOWNSHIP OF VERNON

RESOLUTION #25-108

INTRODUCTION OF 2025 BUDGET

BE IT RESOLVED that the Local Municipal budget of the Township of Vernon, County of Sussex, New Jersey for the fiscal year 2025 be approved by the Governing Body of the Township of Vernon, and the Clerk is hereby instructed to advertise in the New Jersey Herald on April 4, 2025 and that a final public hearing before passage will be held on April 28, 2025 at 7:00 P.M. at the Municipal Building 21 Church Street, Vernon and via Zoom Webinar, that said budget shall authorize total general appropriations of \$32,531,635.64 and the anticipated revenues of \$11,860,516.18 leaving an amount to be raised by taxes for municipal purposes of \$20,671,119.46.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
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Higgins, W.						
Sparta, B.						
Rizzuto, P.						

TOWNSHIP OF VERNON

RESOLUTION #25-110

RESOLUTION OF THE TOWNSHIP OF VERNON APPOINTING A MUNICIPAL PROSECUTOR

WHEREAS, the Township of Vernon ("Township") has a need for a Municipal Prosecutor; and

WHEREAS, pursuant to N.J.S.A. 2B:12-27, a municipality may employ an attorney-at-law as the 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, Maxwell J. Smith, Esq. has the necessary experience and qualifications to perform the duties of 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 Maxwell J. Smith, Esq. as the 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, Maxwell J. Smith, Esq. will complete and submit a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Maxwell J. Smith, Esq. 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 Maxwell J. Smith, 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. Maxwell J. Smith, Esq. is hereby appointed as Municipal Prosecutor until January 14, 2026 and the Mayor is authorized to execute a non-fair and open contract with Maxwell J. Smith, Esq. 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.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their Regular Meeting held on March 24, 2025 at 7:00 pm in the Vernon Municipal Center.

Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Maxwell J. Smith, Esq.

WORK EXPERIENCE

Han & Smith LLP

Fort Lee, NJ

July 2024- Present

Partner

- Advocate on behalf of families in disputes with public school districts in matters involving special education, discipline, civil rights, and residency.
- Represent individuals charged with traffic and quasi-criminal offenses, such as moving violations and DWI.
- Direct all aspects of litigation from case inception through appeals.
- Participate in mediation, settlement conferences, and direct negotiations to resolve legal disputes.

Frankford Joint Municipal Court

Augusta, NJ

January 2025-Present

Municipal Prosecutor

- Handle all phases of the prosecution of traffic, local ordinance, and disorderly persons offenses on behalf of six municipalities and the State of New Jersey.
- Develop litigation strategy for prosecution of ordinance violations in collaboration with municipal enforcement officers.
- Coordinate with New Jersey State Police and records clerks to ensure timely production of discovery.
- Negotiate plea agreements with pro se and represented defendants.

Weiner Law Group

Parsippany, NJ

February 2024 – July 2024

Associate Attorney

- Represented local governmental entities throughout the state in matters involving local governance, ethics, planning and zoning, affordable housing, public education, and regulatory compliance.
- Handled pretrial litigation such as drafting responsive pleadings, managing discovery, and arguing motions.
- Counseled client administrative teams on employment matters including discipline, complaint investigation procedures, and state and federal leave entitlements.

Machado Law Group

Springfield, NJ

September 2021 – February 2024

Associate Attorney

- Counseled school boards throughout the state in public education, employment, and labor matters.
- Pursued and defended against appeals of administrative agency decisions filed in state and federal courts.
- Conducted research and drafted memoranda of law related to the New Jersey Law Against Discrimination, the Family Leave Medical Act, and the New Jersey Employer-Employee Relations Act.

EDUCATION

Rutgers Law School

Newark, NJ

Juris Doctor, *magna cum laude*

May 2020

William Paterson University

Wayne, NJ

Bachelor of Arts in Political Science, *cum laude*

August 2016

BAR ADMISSIONS

State of New Jersey

United States District Court, District of New Jersey

United States Tax Court

TOWNSHIP OF VERNON

ORDINANCE #25-03

ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 330, "NONCONFORMING BUILDINGS AND USES" OF THE CODE OF THE TOWNSHIP OF VERNON TO ALLOW FOR THE RECONSTRUCTION OF EXISTING DWELLINGS WITHIN THE EXISTING FOOTPRINT

WHEREAS, the Township Council of the Township of Vernon ("Township") has reviewed the existing language of the Township Code regarding pre-existing, non-conforming uses, specifically, residences that were constructed prior to the adoption of the Township Code; and

WHEREAS, The Township Council has determined that it is in the best interests of the Township to permit the demolition and reconstruction of certain residential structures without the need for a variance application.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Vernon that the code of the Township of Vernon is hereby amended as follows:

SECTION 1. Article XI, "Zoning," is hereby supplemented as follows:

§ 330-181 Nonconforming buildings and uses.

[no changes to Subsections A through E]

F. A principal building, accessory building or structure and/or deck including its foundation, which is conforming in use but violates the yard, coverage, setback, and/or height requirements of this article may not be extended, expanded, or enlarged within any required yard or setback area nor extended above the height limits of this article be demolished and reconstructed provided that the following standards are met:

(1) Any lawfully pre-existing, non-conforming residence constructed prior to 9-26-2005, may have constructed upon it a new dwelling, including a new foundation, and/or construction of an accessory building pursuant to subsection (2), below, without an appeal for variance relief and provided that:

- i. The existing uses on the lot conform to the permitted uses in that zone; and
- ii. The new building footprint is identical to or smaller than the existing building footprint; and
- iii. The new building does not exceed the permitted height in the zone.

(2) Any lawfully pre-existing, non-conforming accessory building or structure constructed prior to 9-26-2005 may be reconstructed provided that:

- i. The new accessory building or structure footprint is identical to or smaller than the existing building footprint; and

Strikeouts are deletions. Underlines are added material.

- ii. The new accessory building or structure does not exceed the maximum permitted height in the zone; and
 - iii. Any accessory building or structure shall not, for any length of time, exist on the property without the presence of a principal structure that has been issued a Certificate of Occupancy.
- (3) Any lawfully pre-existing, non-conforming residential deck or porch constructed prior to 9-26-2005 may be reconstructed provided that:
- i. The new deck or porch footprint is identical to or smaller than the pre-existing porch or deck footprint.

[no changes to Subsections G through K]

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on February 10, 2025, and the same came up for final passage and was adopted at the Meeting of the Township Council held on March 10, 2025 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: February 10, 2025

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.			X			X
Higgins, W.		X	X			
Sparta, B.	X		X			
Rizzuto, P.			X			

ADOPTED:

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Marcy Gianattasio

From: Kim Decker
Sent: Thursday, March 13, 2025 10:25 AM
To: Marcy Gianattasio
Subject: Ord 25-03 Master Plan Consistency Review
Attachments: Ord 25-03 Master Plan Consistency Review 3.7.25.pdf

Good Morning Marcy,

Attached please find Jessica Caldwell's review of ordinance 25-03. At the 3/12/25 Land Use Board meeting, the Board Members voted and agreed that the ordinance is consistent with the Master Plan and had no further comments.

Thank you,
Kim

Kimberley Decker
Vernon Township
Land Use Board Administrator
P ~ 973-764-4055 ext.2279
kdecker@vermontwp.com



March 7, 2025

MEMORANDUM TO: Vernon Township Land Use Board
FROM: Jessica C. Caldwell, P.P., A.I.C.P., LEED-GA, Board Planner
SUBJECT: Referral of Ordinance No. 25-03

According to Municipal Land Use Law, N.J.S.A. 40:55D-26, prior to the adoption of development regulations, revisions, or amendments thereto, the Planning Board shall make and transmit to the Governing Body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the Township's Master Plan.

Ordinance No. 25-03 was introduced by the Township Council on February 10, 2025 and transmitted to the LUB for review. The ordinance proposes an amendment to Chapter 330 Land Development, Nonconforming Buildings and Uses Section of the revised general ordinances of the Township of Vernon to allow reconstruction of principal and accessory structures which are lawfully pre-existing nonconforming in the same footprint or smaller subject to various standards being met. After reviewing the 2010 Vernon Master Plan and 2022 Master Plan Reexamination Report, I find that the proposed Ordinance promotes the following goals and objectives of the 2010 Land Use Element:

- Housing: To provide opportunities for rehabilitation and redevelopment of existing housing stock within the Township.
 - Support cost effective upgrades to ensure marketability of Private Lake Community housing and continued economic viability of those communities.

The Township Master Plan seeks to encourage rehabilitation and redevelopment of existing housing stock, which this ordinance promotes by permitting reconstruction of existing residential structures within the same or smaller footprint, without the need to apply for variances. Therefore, the proposed Ordinance is not inconsistent with the Township Master Plan.