



## VERNON TOWNSHIP COUNCIL MEETING AGENDA

APRIL 14, 2025

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

### 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. **PROCLAMATIONS**  
Autism Month

6. **PRESENTATION**  
State of the Township

7. **DISCUSSION ITEM**  
2025 Municipal Budget

### 8. MAYOR COMMENTS

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

### 10. REVIEW OF BILLS LIST

11. **APPROVAL OF MINUTES**  
March 24, 2025 – Executive Session  
March 24, 2025 – Regular Meeting

### 12. CONSENT AGENDA

Resolution #25-111: Appointing of Vernon Township Acting Zoning Officer

**Resolution #25-112:** Amended Resolution Authorizing a Grant Application to the New Jersey Department of Community Affairs for the FY 2025 Local Recreation Improvements Grant Program

**Resolution #25-113:** Side Bar Agreement Between the Township of Vernon and U.A.W. Local No. 2326

**Resolution #25-114:** Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Awarding Refreshments Vendor at the Maple Grange Park Snack Stand Concession to “The Scoop”

**Resolution #25-115:** Refund for Totally Disabled Veteran Block 557 Lot 5 (Apodaca)

**Resolution #25-116:** Refund Overpayment (Block 464 Lot 2 – Hohn)

**Resolution #25-117:** Refund Overpayment (Block 526 Lot 381 – Bhatia)

### **13. INTRODUCTION OF ORDINANCE**

**Ordinance #25-05:** An Ordinance Amending Chapter 374 of the Township Code Entitled “Nuisances, Public Health” to Prohibit Intrusive Outdoor Lighting

### **14. PUBLIC COMMENT (Limited to 5 Minutes On Any Topic)**

### **15. COUNCIL COMMENTS**

### **16. COUNCIL PRESIDENT COMMENTS**

### **17. ADJOURNMENT**

## Proclamation



### Child Abuse Prevention Month

**WHEREAS**, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

**WHEREAS**, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

**WHEREAS**, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior; and

**WHEREAS**, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community.

**NOW THEREFORE**, be it resolved that the Mayor and Council of the Township of Vernon does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

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Anthony Rossi, Mayor

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Patrick Rizzuto, Council President

# TOWNSHIP OF VERNON

## RESOLUTION #25-111

### APPOINTMENT OF VERNON TOWNSHIP ACTING ZONING OFFICER

**WHEREAS**, the Township is in need of a Zoning Officer, Mindy Martin, has been serving as the Acting Zoning Officer since March 17, 2025; and

**WHEREAS**, Mindy Martin is in the process of obtaining her zoning administration and enforcement certification to become Zoning Officer.

**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. Mindy Martin is hereby appointed Acting Zoning Officer of Vernon Township as of March 17, 2025.
2. This Resolution shall take effect immediately upon adoption according to law.

### 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 April 14, 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 #25-112**

**AMENDED RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE  
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE FY 2025  
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 for approximately \$75,000 to carry out a project to construct a Community Gazebo in an already developed recreational facility to meet the needs of the community members who are looking for more passive recreation, art and entertainment; and to enable the greatest participation and use of the park offering a wider range of activities, workshops and educational opportunities;

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Marcy Gianattasio

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Anthony Rossi

\_\_\_\_\_  
Mayor

## CERTIFICATION

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

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DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						



**Local Recreation Improvement Grant Guidelines**  
**Fiscal Year 2025**

**State of New Jersey**  
**Philip D. Murphy, Governor**

**Department of Community Affairs**  
**Jacquelyn A. Suárez, Commissioner**

**New Jersey Department of Community Affairs**  
**101 S. Broad Street**  
**Trenton, NJ 08625**  
**P.O. Box 803**  
**LRIG@DCA.NJ.GOV**

## **PROGRAM OVERVIEW**

The Local Recreation Improvement Grant is a competitive grant that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, public school recreational facilities and local stadiums. Ensuring public access to community facilities is imperative since access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no access to quality outdoor space or private recreational opportunities.

Local Recreation Improvement Grant funds will be allocated to each grant recipient to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities; project development professional services costs; equipment costs including playground and recreation facilities equipment; and environmental remediation costs required to prepare recreation sites for use.

The Local Recreation Improvement Grant (LRIG) exists to:

- Fund improvements to recreational facilities
- Provide quality outdoor recreational space to underserved communities
- Assist local units in achieving unmet recreational obligations

The grant review process will prioritize communities with a demonstrated need and commitment to enhancing recreational services. Communities that rank highest as mostly distressed within their respective county and/or have underserved populations and/or unmet recreational improvement needs will be prioritized.

Funds can support a variety of local government recreational improvement activities including, but not limited to:

- Updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities
- Professional services costs (example: engineering and architectural costs)
- Equipment (example: cost of playgrounds or bleachers for stadiums or community theatres)
- Remediation costs associated with preparing recreation sites for use
- Other directly related costs

All costs must be articulated in the grant budget proposal and approved by DLGS.

### **APPLICANT ELIGIBILITY**

New Jersey counties, municipalities, and school districts are eligible to apply.

### **PROJECT ELIGIBILITY CRITERIA**

To qualify for Local Recreation Improvement Grant funding, each eligible applicant must:

- Describe the intended use of grant funding for improvement or repair of a specific local recreation site and identify any previously encountered obstacles to repair or improve.
- Demonstrate the applicant's capacity to complete the proposed project and provide project management and oversight for all activities and fiscal operations.
- List key personnel and/or the outside consultant that will be managing the grant funds and proposed project.
- Provide a cost breakdown to allow DLGS to prioritize the costs and consider partial funding.
- Submit a governing body resolution acknowledging and approving any grant application and the proposed plan or design for the recreation space or community facility for which funding is sought. Including and accepting grant award in the same resolutions will expedite execution of a grant should one be awarded. A sample resolution can be found on the DLGS website at: <https://www.nj.gov/dca/dlgs/programs/lriggrants.shtml>.
- Certify that the property where improvements will be made is owned by the county, municipality, or school district.

### **FUNDING AVAILABLE**

The State's FY2025 budget appropriated \$20 million for the Local Recreation Improvement Grant to support improvements and repairs to public recreation facilities. The Division of Local Government Services (DLGS) within the Department of Community Affairs (DCA) will administer the Local Recreation Improvement Grant awards, which may be adjusted or capped based upon the number of viable applications submitted. A recommended maximum award of

\$100,000 shall govern; however, awards in excess of the cap may be authorized, if warranted, and depending upon program demand. **A LRIG may supplement new and existing projects, but funding duplication is not permitted and cannot supplant allocated grant funding from other sources.** This means that a grantee cannot replace funding that has already been allocated for the project either through a capital ordinance, bonding, or appropriation in the annual budget. **Therefore, any purchase orders, vendor invoices and proof of payment documentation dated prior to the award announcement date are not eligible for reimbursement.** Priority will be given to underserved populations and projects and those that include a local match component.

### **APPLICATION PROCESS**

Applicants must submit applications utilizing the NJDCA SAGE Portal. Each application submitted to DLGS shall include a description of the intended use of grant funding for the approved local recreation improvement project; demonstrate the applicant's capacity to complete the proposed project, provide project management and oversight for all activities and fiscal operations; and list key personnel that will be managing the grant funds and/or proposed project, including a grant coordinator, administrator, or other primary contact.

The following forms must be uploaded in the application:

- a. Statement of Board President
- b. Statement of Mayor / County Official
- c. Certification Sheets Schedule G, H and I
  - Certification Regarding Debarment and Suspension
  - Certification Regarding Lobbying
  - Governing Body Resolution
- d. Letter certifying that the applicant maintains ownership of property where improvements are being made. Uploaded at the bottom of the certification sheets page.

Additional information can be found at <https://www.nj.gov/dca/dlgs/programs/lriggrants.shtml>.

You can also review the application instructions on the application menu tab.

## **NJDCA SAGE PORTAL**

All applications must be submitted through the NJDCA SAGE Portal located at:  
<https://dcasage.intelligrants.com/portal.asp>.

\*\*All applicants are to ensure that their SAGE Agency information contains up-to-date information including all email contacts of personnel responsible for administering the grant.

## **VENDOR ID REQUEST**

Applicants who do not already have a NJSTART Vendor ID number are required to complete a [W9 form](#). You will also need to complete an [ACH form](#) for electronic receipt of grant funds. Please email complete forms to [AAIUNIT@treas.nj.gov](mailto:AAIUNIT@treas.nj.gov). For assistance, please call (609) 984-5210. Once you receive your vendor number, please update your agency profile.

## **SUBMISSION DEADLINE**

DLGS must be in receipt of one electronic copy of the completed application in SAGE by 5:00 P.M. EST on **January 31, 2025**, for the applicant(s) to be eligible for grant funding.

Incomplete applications will not be considered for funding. Applications not submitted on or before 5:00 P.M. EST on **January 31, 2025**, will be rejected.

## **GRANT REVIEW AND SELECTION PROCESS**

DLGS will evaluate all applications. Grant applications will be ranked by distressed community ranking, financial need, feasibility, local unit match commitment, and scope of impact. Grant application decisions are final and not subject to appeal.

## **APPLICATION SCORING CRITERIA**

Applications will be scored based on the following criteria, on a scale of 100 points:

1. Scope of Community Impact (up to 30 points)
  - a. Demonstrated need for project
  - b. Degree of transformation
  - c. Projected attendance/use of facility

2. Quality and Feasibility of Work Plan (up to 20 points).
  - a. Quality
  - b. Feasibility
  - c. Expense eligibility
3. Demonstration of Applicant Commitment to Recreation (up to 20 points).
  - a. Local Match
  - b. Existing and forward-looking plan for recreational opportunity creation and maintenance
4. Ranking Within County (up to 30 points)
  - a. Distressed City Ranking within County
    - Applications for LRIG funding must be consistent with the policies and priorities of any relevant State agency which has jurisdiction or supervisory responsibility over the project site or function (e.g. Department of Environmental Protection, Department of Education). Applications for grants may be reviewed in part by, and are subject to the comments of, such agencies.
    - Funds will be awarded to grantees only if they are in good standing and in compliance with all programs, statutory, and regulatory requirements.
    - Recipients must use funds awarded to support costs associated with the authorized project activities.

## **GRANT FUNDING PROCESS**

All awards are subject to the continuing availability of appropriated funds.

Upon completion of grant review and award notification, DLGS will enter into an agreement with applicants approved for funding. Following execution of the agreement, the grantee can seek reimbursement of eligible costs, provided that all award conditions have been satisfied.

Grantees shall maintain and retain accounting and other grant-related records and information for the duration of the project funded by the grant, as required by applicable state and local laws and

regulations, for no less than two (2) calendar years.

Such records shall be subject to examination, audit, and inspection by DLGS and/or any other federal, state, or local agency that has jurisdictional authority.

DLGS reserves the right to rescind or reclaim funds, withhold future grant funding and/or disqualify a grantee from participating in future grant awards if any condition of the grant program is unmet, including if grant funds received by the grantee are not properly accounted for, or if the grantee fails to meet reporting or certification requirements.

Following execution of the agreement, the grantee is permitted to move funds between authorized categories within these guidelines for eligible items without requesting prior approval from the Division.

### **REIMBURSEMENT PROCESS**

Local Recreation Improvement Grants are reimbursement based. There will be no advance payment of grant funds. Reimbursements may be made semi-annually when semi-annually progress reports are due. Eligible costs are reimbursed to the grantee upon submission of evidence of payment by the grantee. Requests for payment must be made through NJDCA SAGE portal by submitting a Financial Status Report (FSR), Expense Report, Payment Voucher, and Project Progress Report. The recipient must also attach copies of fully executed purchase orders, invoices and copies of cancelled checks (front & back) documenting the expenditure of funds for which reimbursement is sought. Requests for reimbursement can be submitted at any time but cannot be more than once every six months.

### **WHEN FULL AWARD AMOUNT WILL NOT BE EXPENDED**

Prior to submitting a final Financial Status Report (FSR) when exact award amount is not fully expended, which results in a grant balance, the grantee must 1<sup>st</sup> file a grant amendment to amend the grant amount to the amount equal to grant funds expended. Once the grant amendment is approved by DLGS, the grantee may file the final Financial Status Report (FSR).

Reimbursement requests are required to be received by the division no later than two (2) months

after the expiration of the agreement.

Payment will be made via electronic transfer of funds to the account and financial institution identified within the vendor number listed on your agency information page.

**GRANT CLOSEOUT PROCESS**

At the conclusion of the approved project period, which may coincide with the date upon which the grantee requests final payment but shall not be before the completion of the recreation improvement project for which funding was provided, except as otherwise provided in writing by DLGS, the recipients must submit a final report documenting that all administrative responsibilities and required activities under the grant agreement have been satisfactorily completed.

**ASSISTANCE**

Applicants may contact [LRIG@dca.nj.gov](mailto:LRIG@dca.nj.gov) to discuss program and project needs up to submission of the application.

**TOWNSHIP OF VERNON**

**RESOLUTION #25-113**

**SIDEBAR AGREEMENT BETWEEN THE  
TOWNSHIP OF  
VERNON AND  
U.A.W. LOCAL NO. 2326**

This Sidebar Agreement is made this day of **April 14, 2025**, by and between the TOWNSHIP OF VERNON (the "Township") and the U.A.W. LOCAL NO. 2326 (the "U.A.W.>").

WHEREAS, the Township and the U.A.W. are parties to a collective bargaining agreement (CBA), effective from **January 1, 2025 through December 31, 2029**; and

WHEREAS, the parties' CBA, Article V (Job Steps and Levels; Salaries) provides a list of titles at various Levels, from Level I to V, at Section A; and

WHEREAS, the parties' CBA, Article V (Job Steps and Levels; Salaries) provides a salary guide for the different levels at Section B, which refers to the salary schedule in the agreement at Schedule A; and

WHEREAS, the Township has determined that it has a need for a new position with the title of **Site Manager, Nutrition Program**; and

WHEREAS, the U.A.W. and the Township have agreed to create the position **Site Manager, Nutrition Program**, which will be a **Level IV position**.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the Township and the U.A.W. hereby agree as follows:

1. The parties agree that the position of **Site Manager, Nutrition Program** falls within the CBA's Recognition Provision, Article I, and the terms and conditions for an employee holding the position and title shall be based upon the CBA;
2. The CBA, Article V, Section A shall be amended to include a new title under **Level IV** for the title of **Site Manager, Nutrition Program**, with **CSC Title Code 03716**.
3. These amendments shall be effective as of **January 1, 2025**.

\_\_\_\_\_  
Township of Vernon

\_\_\_\_\_  
U.A.W. LOCAL NO. 2326

**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 April 14, 2025 at 7:00 pm in the Vernon Municipal Center.

\_\_\_\_\_  
Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

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



REGION 9  
1930 MARLTON PIKE EAST – SUITE W109  
CHERRY HILL, NJ 08003  
Phone: (215) 591-0830  
FAX: (215) 591-0837

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA. UAW  
INTERNATIONAL HEADQUARTERS, 8000 EAST JEFFERSON AVENUE, DETROIT, MICHIGAN 48214



SHAWN FAIN, *President*

MARGARET MOCK, *Secretary-Treasurer*

DANIEL VICENTE, *Regional Director*

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March 27, 2025

Donelle Bright  
Township of Vernon

Sent via email

Donelle,

Please be advised the union would like to modify our Collective Bargaining Agreement to include Jane Damstra, the Nutrition Site Manager.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Ashton". The signature is written in black ink and is positioned above the printed name and title.

Patrick Ashton  
UAW International Representative

PA/br  
OPEIU494afl-tio

**TOWNSHIP OF VERNON**

**RESOLUTION #25-114**

**RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE  
OF NEW JERSEY, AWARDED REFRESHMENTS VENDOR AT THE MAPLE  
GRANGE PARK SNACK STAND CONCESSION  
TO "THE SCOOP"**

**WHEREAS**, a proposal was submitted to the Township by The Scoop for a refreshments vendor at the Maple Grange Park snack stand for the 2025 summer season beginning May 1, 2025 and ending on Labor Day and

**WHEREAS** the Township received one (1) proposal for service and it falls within the parameters of quote procurement;

**WHEREAS** the Township Recreation Director has recommended The Scoop, 524 Old Homestead Dr., Highland Lakes, NJ 07422, as the most advantageous to the Township based upon Price and offered Community Services to be provided; and

**WHEREAS**, The Scoop has proposed paying the Township of Vernon \$200.00 per month as a concession fee to operate as refreshments vendor at the Maple Grange Park snack stand, as acceptable to the Township.

**NOW, THEREFORE BE IT RESOLVED**, that the Vernon Township Council hereby approves concession procurement to The Scoop, 524 Old Homestead Dr., Highland Lakes, NJ 07422, in the amount of concession fee payable to the Township of Vernon in the amount of \$200.00 per month for the 2025 summer season ending on Labor Day.

**BE IT FURTHER RESOLVED THAT**; the Township Clerk shall send a certified copy of this resolution to The Scoop.

**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 April 14, 2025 at 7:00 pm in the Vernon Municipal Center.

---

Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

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Buccieri, N.						
DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

**TOWNSHIP OF VERNON**

**RESOLUTION #25-115**

**REFUND FOR TOTALLY DISABLED VETERAN  
Block 557 Lot 5 (Apodaca)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded Mara Apodaca 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 2024 property tax in the amount of \$4,750.51 to Mara Apodaca.

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

**CERTIFICATION**

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

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DeBenedetto, J.						
Higgins, W.						
Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #25-116**

**REFUND OVERPAYMENT  
(Block 464 Lot 2 – Kohn)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Terry Kohn in the amount of \$1764.06 representing refund for overpayment of 4<sup>th</sup> qtr. 2024 property taxes for Block 464 Lot 2.

<b>OWNER</b>	<b>BLOCK</b>	<b>LOT</b>	<b>REFUND AMOUNT</b>
<b>Kohn</b>	<b>464</b>	<b>2</b>	<b>\$1764.06</b>
		<b>TOTAL:</b>	<b>\$1764.06</b>

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Buccieri, N.						
DeBenedetto, J.						
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Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**RESOLUTION #25-117**

**REFUND OVERPAYMENT  
(Block 526 Lot 381 – Bhatia)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Aankur Bhatia in the amount of \$1422.23 representing refund for overpayment of 4<sup>th</sup> qtr. 2024 property taxes for Block 526 Lot 381.

<b>OWNER</b>	<b>BLOCK</b>	<b>LOT</b>	<b>REFUND AMOUNT</b>
<b>Bhatia</b>	<b>526</b>	<b>381</b>	<b>\$1422.23</b>
		<b>TOTAL:</b>	<b>\$1422.23</b>

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

**VERNON TOWNSHIP COUNCIL**

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Sparta, B.						
Rizzuto, P.						

Submitted by: Lisa A. Kimkowski, CTC

**TOWNSHIP OF VERNON**

**ORDINANCE #25-05**

**AN ORDINANCE AMENDING CHAPTER 374 OF THE TOWNSHIP CODE ENTITLED  
“NUISANCES, PUBLIC HEALTH” TO PROHIBIT INTRUSIVE OUTDOOR  
LIGHTING**

**WHEREAS**, the Township Nuisances Ordinance, Chapter 374 of the Code of the Township of Vernon, seeks to protect and promote the public health through the control, abatement and prevention of conditions injurious to the public health and safety;

**WHEREAS**, the Nuisance Ordinance prohibits conditions and activities deemed to be detrimental or a threat to the public health or environment or an annoyance interfering with the comfort and well-being of the residents of the Township;

**WHEREAS**, Township Council finds and determines that outdoor lighting fixtures that illuminate beyond the property on which they are installed, when left on during the late night and early morning hours, unreasonably disrupt the peace and privacy of neighboring residents and endanger public health;

**WHEREAS**, amending the Nuisance Ordinance to prohibit these conditions will provide a mechanism for abatement as well as enforcement when appropriate;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Vernon, that Chapter 374 of the Code of the Township of Vernon, at Section 374-5, is hereby amended to include the following prohibitions:

“374-5. Exterior Lighting standards.

- A. Outdoor lighting fixtures that are not shielded and constructed to prevent illumination beyond the property on which they are installed, including lights controlled by motion detectors, shall be turned off between 10 P.M. and sunrise. Lighting shall be presumed to prevent illumination beyond the property if it is shielded and directed downward and no direct light is emitted above a plane extending outward from the base of the light source parallel to the ground. Illumination beyond the property between 10:00 P.M. and sunrise is prohibited.”
- B. All lighting fixtures shall conform with all applicable state and federal requirements and industry standards, including, but not limited to, International Building Code/2021. NJ Edition, International Energy Conservation Code/2021, ASHRAE 90.1-2019, National Electrical Code 2020.

**AND BE IT FURTHER ORDAINED** that this Ordinance shall be effective upon its passage and publication as provided by law.

## Chapter 374. Nuisances, Public Health

[HISTORY: Initially adopted by the Board of Health of the Township of Vernon 6-1-1964; amended 5-10-1974; 11-13-2008 by Ord. No. 08-21; superseded in entirety 5-13-2010 by Ordinance No. 10-04.]

### GENERAL REFERENCES

Abandoned properties and unfit buildings — See Ch. 130.

Abandoned vehicles — See Ch. 531.

Dumping and littering — See Ch. 227.

Noise — See Ch. 363.

Pesticides — See Ch. 440.

Property maintenance — See Ch. 447.

Right to farm — See Ch. 240.

### § 374-1. Title of code adopted.

The said code established and adopted by this chapter is described and commonly known as the "Public Health Nuisance Code of New Jersey (1953)." The Code is adopted by reference without including the full text as permitted by N.J.S.A. 26:3-69.1 et seq.

### § 374-2. Copies on file.

Three copies of the said Public Health Nuisance Code of New Jersey (1953) have been placed on file in the office of the Vernon Township Building Department will remain on file there for the use and examination of the public.

### § 374-3. Commercial nuisance defined.

No person shall intentionally or willfully engage in conduct which interferes with, obstructs or otherwise unlawfully disrupts the lawful activities of any commercial or retail establishment or place of business.

### § 374-4. Violations and penalties.

Any person who creates or maintains a nuisance or a commercial nuisance as set forth in the chapter shall be in violation of this Code and be subject to the penalties set forth in Section 1-19.

### § 374-5. Exterior lighting standards.

[Added 6-24-2024 by Ord. No. 24-12]

- A. All exterior lighting shall be designed to provide a minimum lighting intensity of five-tenths lumen per square foot. Lighting shall be of a soft or glare-free type and shall not cast an illumination color which shall be distracting, obliterate or obscure the view, be ultraviolet, strobic, pulsating, flashing or of any unnatural kind or create a public nuisance, discomfort or hazard.

- B. All exterior lighting fixtures shall be designed, manufactured, installed, and aimed in such manner as to shield glare from reflecting onto adjacent streets, properties, residences, or public areas.
- C. All lighting fixtures shall conform with all applicable state and federal requirements and industry standards, including, but not limited to, International Building Code/2021, NJ Edition, International Energy Conservation Code/2021, ASHRAE 90.1-2019, National Electrical Code 2020.
- D. All site plans or other development plans proposing the use of exterior lighting, either freestanding or building-mounted, shall include complete data regarding the proposed intensity of illumination, as expressed either in horizontal footcandles or lumens per square foot; the hours of illumination; detail drawings and specifications of lighting fixtures, including, but not limited to, the type of lighting, fixture details, mounting details, mounting height and lighting isobar patterns; illumination areas as shown on the site plan; and provisions to shield glare from reflecting onto adjacent thoroughfares and properties; and in addition, any additional specific and special detailed data deemed appropriate for the particular lighting application as required by the Township Engineer, Construction Code Official, Zoning Officer, Planning Board, Environmental Commission, Electrical Subcode Official, Police Department, Zoning Board of Adjustment or other agency.

## § 374-5.1. Effect on other legislation.

[Added 6-24-2024 by Ord. No. 24-12]

The provisions and requirements of Article **VII** of Chapter **330**, Land Development, of the Code of the Township of Vernon shall not be affected by this chapter.

## § 374-5.2. Violations and penalties.

[Added 6-24-2024 by Ord. No. 24-12]

Any person violating the provisions of this chapter shall be subject to a fine of a minimum of \$100 to a maximum of \$1,000 for the first offense; \$250 to a maximum of \$1,000 for the second offense; and \$500 to a maximum of \$1,000 for the third offense and subsequent offense. In addition, any offense shall be deemed a separate and distinct offense for each and every day such offense occurs and is not abated by such person.