

**VERNON TOWNSHIP COUNCIL  
REGULAR MEETING MINUTES  
SEPTEMBER 26, 2022 7:00 PM**

This Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on September 26, 2022 via Zoom Webinar and in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Patrick Rizzuto presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting has been provided to the public and the press on January 14, 2022 and on July 29, 2022 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 Rizzuto led the assemblage in the salute to the flag.

**ROLL CALL**

Present were Council Members Natalie Buccieri, Michael Furrey, Brian Lynch, Harry Shortway and Council President Patrick Rizzuto. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker, Municipal Clerk Marcy Gianattasio and Township Attorney Josh Zielinski.

**REVIEW OF BILLS LIST**

The Council Reviewed the Bills List

**MAYOR COMMENTS**

After 926 days, or over two and a half years, of serving our Senior Center attendees only less than fully personal Grab & Go meals, once again the heavily attended Vernon Township Senior Center will return to serving our seniors via the full-service indoor sit-down dining method!

On March 14, 2020, due to the COVID crisis, the State and the County directed that full-service indoor sit-down dining be discontinued at our senior center, as well as at other senior centers throughout our state, where meals were provided through State and County programs.

This service is returning because the State and County has finally changed their COVID influenced policy on indoor sit-down dining at Congregate Nutrition Centers.

Returning to full-service indoor sit-down dining is a good thing, and a very important thing to our seniors.

It's good and important because our senior population benefits not just from the meals served at the Senior Center, but like all of us, they also benefit from the needed mental, emotional and physical stimulation that we humans get from socializing and interacting with each other.

Under the leadership of former Mayor Harry Shortway and Chief of Police Dan Young, Vernon's Police Department started its Coffee With A Cop program in 2019. This program has been widely successful in bringing together, over coffee, Vernon police officers and members of the community that they serve.

This has achieved the important task of allowing police officers and members of the community to discuss issues and to learning more about each other in a relaxed environment.

And now, Chief Young has chosen to expand this program in a way that will enable the Vernon Police Department to use this creative program as a community outreach initiative that will help younger children gain relationships with, and feel more comfortable around, their local police officers.

These younger individuals will have the opportunity to drink hot chocolate with local police officers, and ask officers any questions or voice any concerns that they may have.

This newly expanded program, which will be called Cocoa With A Cop, will begin this Friday, September 30.

To maximize the opportunity for police officers to interact with as many younger individuals as possible, Chief Young has worked close with the Vernon PAL, the Vernon Township Education Association, and the Vernon Township Recreation Department to include his first Cocoa With A Cop event as a part of

these organizations' Movie Night, which will be held at the Vernon PAL Building on Friday, September 30.

Let me hasten to note that this is but just the latest example of how the outstanding various Vernon organizations and volunteers come together, on a regular basis, to serve the best interest of Vernon's families.

Among the many things that make Vernon Township such a great place in which to live and raise a family, and to visit, are the 14 lake communities that are located partially or completely within our township's borders.

While most of these communities are private communities with their own homeowners or community associations, they are still a vibrant and essential part of what makes our town the beautiful, attractive, and compelling place of interest that it is.

It is for these and other key reasons that I have asked Business Administrator Voelker to take the lead on the Mayor and Council's efforts to create the kind of public-private partnership that will present our lake communities with opportunities to benefit from an economic standpoint, as well as from a quality-of-life standpoint, from the very strong relationship that the municipality has developed with the Highlands Water Protection and Planning Council.

On September 14, Business Administrator Voelker took a major step towards the achievement of this objective when he arranged for him and me to host a meeting with key members of the Highlands Water Protection and Planning Council and representatives of some of our municipality's lake communities.

The key members in attendance from the Highlands Water Protection and Planning Council included their Regional Planner and Land Preservation Coordinator, their Planning Manager, and their Science Manager.

Also at this important meeting was the Senior Project Manager for the organization Princeton Hydro, a Professional Services firm which, since 1998, has led 10,000+ water resource projects for over 2,000 clients, producing award-winning environmental planning concepts and solutions.

The value and importance of having a key representative from Princeton Hydro at this meeting rests on the fact that this firm has successfully developed the scope of work for planning studies which enabled the Highlands Region located towns of Ringwood, Rockaway, West Milford and Byram to earn planning grants from the Highlands Water Protection and Planning Council.

Another important factor is that Princeton Hydro is so confident in their work, that they sign agreements with Highlands Region located towns in which (1) they don't get paid unless their scope of work submission is approved for a grant by the Highlands Water Protection and Planning Council, and (2) all of the payment that they receive comes totally from the grant.

This allows us to get these important tasks accomplished without using any local taxpayer funds.

As an outcome from the September 14 meeting, Vernon Township plans to sign an agreement with Princeton Hydro for them to prepare a scope of work submission which will aid the municipality and each of our lake communities in our joint efforts:

1. To identify, quantify and prioritize the watershed-based factors and the lake-base factors that cause excessive richness of nutrients in lakes or other bodies of water, resulting in a dense growth of plant life and the death of animal life from a lack of oxygen;
2. To identify the watershed management measures needed to address general causes of water quality impairments; and
3. To identify the relative cost of the recommended watershed management measures.

An additional value of having this type of study completed is that it opens the door to the municipality and our lake communities to opportunities for grant funding to implement the recommend and needed watershed management improvements.

Tonight's agenda contains Resolution # 22-235, that was prepared by Business Administrator Voelker, which would provide me as Mayor the approval to sign an agreement with Princeton Hydro for them to prepare and submit the appropriate scope of work documents to the Highlands Water Protection and Planning Council, that are necessary to aid our municipality and each of our lake communities in our watershed management improvement efforts. I respectfully ask that the Council approve this resolution on tonight's agenda.

Council Member Lynch addressed they Mayor asking if he was going to follow through on the agreement to have Chuck Voelker suspended.

Mayor Burrell said that there was no agreement. He made a proposal and the Council did not accept it. He said that what the Council did was they took some of his comments and put together a resolution. The Mayor feels that some of his statements were taken out of context. The Mayor said he specifically did not want the report made public because of the fact that the report singled out Mr. Voelker as well as three other individuals that the report said had the information, the knowledge and the opportunity to ensure that the property was not sold. Mayor Burrell knew that the individual that the Council was aiming at was Mr. Voelker therefore there was no need for the other individuals to be collateral damage.

Council Member Lynch feels that it is a pattern for the Mayor to disrespect resolutions that the Council approves. He said that the Mayor was the one who came up with the discipline for Mr. Voelker and now he is not following through.

Council President Rizzuto feels that the agreement was in the proclamation. He said that most proclamations that come from the Council are a decision that the Council arrives at, for example the budget. This particular situation the Council received the Mayor's letter, the Council spent quite a bit of time reviewing the letter to develop the proclamation. The only thing that we did not except, was not handing out the report because it was funded by taxpayer dollars. However, we did take into consideration the employees and we are arranging to have a redacted version of the report made available. Council President Rizzuto's concern is that during the course the Mayor's deliberations with the Council, the Mayor continuously mentioned that the employees that brough information forward would be brought to their detriment. Council President Rizzuto said that this could not be further from the truth. He feels that the arbiter of this whole situation is the taxpayer. The taxpayers are concerned that there was an issue and it was resolved but there was significant wrong doing to get there.

Council Member Buccieri read part of the Mayor's letter to the Council: "#5 Eliminate the expressed growing sense of fear on the part of many of the municipal staff that they will be fired by the Council if the Council does not "like them" for some reason".

Council President Rizzuto explained that the Council has no ability to fire anyone unless we went through a lengthy process. The Council was hoping the Mayor would be able to short track that process by exercising the powers that were given to him under the Falkner Form of Government. The fact remains that the individual taxpayers have concerns as do many of us. The Council tried to take the Mayor's recommendations, proposal and compromise and include this into a proclamation and accept it. The only thing the council did not accept was the report but everything else was what the Mayor wanted.

Mayor Burrell feels that the Council's proclamation was just a long statement of their opinion. He said if the Council feels that there are other actions that they can take, they should take them.

Council Member Buccieri said that the resolution was worked on by the Council and we voted unanimously to support it. The Mayor disagreed with making the report public for the reasons he stated. The report is going to be public and the taxpayers are out the money. Council Member Buccieri told the Mayor that rather than continuing to negotiate with the Council, concede that point and allow the suspicion to occur as the mayor suggested so that the taxpayer can get that relief back. She said that because the Mayor did not get everything in his proposal, he not going to negotiate with the Council.

Mayor Burrell said that the time to negotiate should have been when they received the proposal.

Mayor Burrell said he is not going to negotiate.

Council Members Shortway and Furrey feel that should have been discussed in executive session.

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

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

MOVED: Lynch  
SECOND: Buccieri

All members were in favor.

Jessica Paladini – Vernon Township, commented that in 2009-2010 a forensic audit of the town center and sewer was done and made public. Ms. Paladini asked if the issue is that the Mayor does not want the report to be made public. She feels that if the report was paid for by taxpayer funds than the taxpayers have right to know what happened and how it happened.

Michele Chirichiello – Vernon Township, feels that as a member of the public everyone needs to promote transparency and accountability.

Thomas McClachrie – Vernon Township, asked if the report is OPRAable. He also mentioned that the proper roof company should be hired to fix the municipal building roof.

Ann Larson – Vernon Township, feels that it is unfair to the taxpayers who are absorbing a sum of money and the report needs to be made public.

Peg Distasi – Vernon Township, feels that if the Mayor does not want to penalize the business administrator, maybe the Mayor's salary should be reduced by \$10,000.

Seeing no one else from the public wishing to come forward, Council President Rizzuto asked for a motion to close the meeting to Public Comments.

MOVED: Lynch  
SECOND: Furrey

All members were in favor.

#### **CONSENT AGENDA**

**Resolution #22-227:** Refund Overpayment for Totally Disabled Veteran (Block 375 Lot 3-Corelogic)

**Resolution #22-228:** Refund Overpayment (Block 121 Lot 8-Belmont Title and Settlement Services, LLC)

**Resolution #22-229:** Refund Overpayment (Block 448 Lot 7-Corelogic)

**Resolution #22-230:** Refund Overpayment (Block 202 Lot 45-Amrock)

**Resolution #22-231:** Refund Overpayment (Block 541 Lot 7-Servicelink)

**Resolution #22-232:** Refund Overpayment (Block 508 Lot 6-Corelogic)

**Resolution #22-233:** Refund Overpayment (Block 126 Lot 11-Kevin Canova)

**Resolution #22-234:** Authorizing Verizon Wireless Pursuant to New Jersey State Contract/NASBO Contract Division of Purchase and Property Contract Number T216A/MA152

**Resolution #22-238:** Authorizing the Extension of Award of a Required Disclosure Contract for Container Service at the Township's Public Works and Animal Control Facilities

**Resolution #22-239:** Authorizing the Execution of an Agreement Between the Township of Vernon and Township of Wantage for Use of Communication Tower

**Resolution #22-240:** A Resolution Authorizing Emergency Roof Repair of Municipal Building Facilities

Council President Rizzuto asked to place resolutions #22-227 #22-228, #22-229, #22-230, #22-231, #22-232, #22-233, #22-234, #22-238, #22-239, and #22-240 on the floor.

MOVED: Lynch

SECOND: Shortway

A roll call vote was taken:

AYES: Buccieri, Furrey, Lynch, Shortway, Rizzuto

NAYES:

ABSTAIN:

ABSENT:

Motion carries to pass resolutions #22-227 #22-228, #22-229, #22-230, #22-231, #22-232, #22-233, #22-234, #22-238, #22-239, and #22-240 on the floor.

**RESOLUTION #22-227**

**REFUND OVERPAYMENT FOR TOTALLY DISABLED VETERAN  
(Block 375 Lot 3- 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 \$3,398.16 representing refund for payment of 3rd qtr. 2022 property taxes for a totally disabled Veteran 100% exempt, for Block 375 Lot also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Bonfiglio	375	3	\$3,398.16
		<b>TOTAL:</b>	<b>\$3,398.16</b>

**RESOLUTION #22-228**

**REFUND OVERPAYMENT  
(Block 121 Lot 8 – Belmont Title and Settlement Services, LLC)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Belmont Title and Settlement Services, LLC in the amount of \$1,252.18 representing refund for overpayment of 3rd qtr. 2018 property taxes for Block 121 Lot 8 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Mach	121	8	\$1,252.18
		<b>TOTAL:</b>	<b>\$1,252.18</b>

**RESOLUTION #22-229**

**REFUND OVERPAYMENT  
(Block 448 Lot 7- 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 \$1,635.34 representing refund for overpayment of 3<sup>rd</sup> qtr. 2016 property taxes for Block 448 Lot 7 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Germinario	448	7	\$1,635.34
		<b>TOTAL:</b>	<b>\$1,635.34</b>

**RESOLUTION #22-230**

**REFUND OVERPAYMENT  
(Block 202 Lot 45-AMROCK)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to AMROCK in the amount of \$2,524.69 representing refund for overpayment of 2nd qtr. 2019 property taxes for Block 202 Lot 45 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Whitten	202	45	\$2,524.69
		<b>TOTAL:</b>	<b>\$2,524.69</b>

**RESOLUTION #22-231**

**REFUND OVERPAYMENT  
(Block 541 Lot 7- SERVICELINK)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to SERVICELINK in the amount of \$1,551.66 representing refund for overpayment of 2nd qtr. 2016 property taxes for Block 541 Lot 7 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Dahl	541	7	\$1,551.66
		<b>TOTAL:</b>	<b>\$1,551.66</b>

**RESOLUTION #22-232**

**REFUND OVERPAYMENT  
(Block 508 Lot 6- 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 \$1,172.42 representing refund for overpayment of 1st qtr. 2017 property taxes for Block 508 Lot 6 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Moschella	508	6	\$1,172.42
		<b>TOTAL:</b>	<b>\$1,172.42</b>

**RESOLUTION #22-233**

**REFUND OVERPAYMENT  
(Block 126 Lot 11- Kevin Canova)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Kevin Canova in the amount of \$2,201.15 representing refund for overpayment of 3rd qtr. 2022 property taxes for Block 126 Lot 11 also known as [REDACTED]

OWNER	BLOCK	LOT	REFUND AMOUNT
Canova	126	11	\$2,201.15
		<b>TOTAL:</b>	<b>\$2,201.15</b>

**RESOLUTION #22-234**

**AUTHORIZING VERIZON WIRELESS  
PURSUANT TO NEW JERSEY STATE CONTRACT/ NASBO CONTRACT  
DIVISION OF PURCHASE AND PROPERTY  
CONTRACT NUMBER T216A/MA152**

**WHEREAS** a need exists for the acquisition of wireless communication technology products through Verizon Wireless for the daily operations of the Township of Vernon Departmental operations; and

**WHEREAS**, the Township of Vernon may, without advertising for bids, purchase such materials through the New Jersey State Purchase and Property State Contracts pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et. Seq., and

**WHEREAS**, under the state contract award, the following vendors hold New Jersey State Purchase and Property State Contracts:

Verizon Wireless state contract number MA152(NASBO)/ T216A

**WHEREAS**, funds have been certified by the Chief Financial Officer in Account: 2(3)-01-31-430-20

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Vernon, pursuant to N.J.S.A.40A:11-12 & N.J.A.C. 5:34-7.29 that it authorizes the use of Verizon Wireless contract numbers T216A and NASBO MA152 for the purchase/ lease of wireless communications devices for its operations.

**RESOLUTION #22-238**

**AUTHORIZING THE EXTENSION OF AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR CONTAINER SERVICE AT THE TOWNSHIP’S PUBLIC WORKS AND ANIMAL CONTROL FACILITIES**

**WHEREAS**, there exists a need to haul and dispose of solid waste (type 10) containers at the Township’s Public Works and Animal Control facilities and;

**WHEREAS**, the quotations were sought in accord with N.J.S.A.19:44A-20.5 as a required disclosure contract; and

**WHEREAS**, the Township has sought to receive quotations for monthly services and on September 22, 2021, received two (2) quotes, to wit:

<b>NAME OF BIDDER</b>	Gaeta Recycling Co. Inc	MCI Logistics
<b>ADDRESS</b>	278 W Railway Ave	491 Tonnele Ave
<b>CITY, STATE, ZIP</b>	Paterson, NJ 07503	Jersey City, New Jersey, 07307
<b>CONTACT</b>		
<b>TELEPHONE</b>	(201) 206-6114 Cell	551 399 1085
<b>EMAIL</b>	<a href="mailto:ralphs@gaeta recycling.com">ralphs@gaeta recycling.com</a>	<a href="mailto:dan@mcilogistics.com">dan@mcilogistics.com</a>
<b>NAME OF BIDDER</b>	<b>Gaeta Recycling Co. Inc</b>	<b>MCI Logistics</b>
<b>COST PER MONTH</b>	\$1,579.00	\$3,382.00

And;

**WHEREAS** Gaeta Recycling Company has provided for the lowest quote based upon price and other factors for these services proposed for the time frame of November 1, 2021 through October 31, 2022; and

**WHEREAS**, on September 13, 2022 Gaeta Recycling Company has agreed to hold prices quoted in 2021 for the 2022-2023 contract year in accord with N.J.S.A. 40A:11-15; and

**WHEREAS**, the Qualified Purchasing Agent has solicited informal quotes for these services, of which Gaeta Recycling Company was the lowest cost of the quotes sought and determined that the cost will exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, Gaeta Recycling has provided for a Business Entity Disclosure and Political Contribution Disclosure form in accord with pay to play law;

**WHEREAS**, the Qualified Purchasing Agent recommends awarding a contract to Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson, New Jersey 07053 who submitted the pricing of \$1,579.00 per month for a total of \$18,948.00 for the extension of contract period of November 1, 2022 through October 31, 2023; and

**WHEREAS**, the Chief Financial Officer subject to the approval of the 2023 Municipal Budget certifies \$18,948.00 is available in:

2022 Municipal Budget (\$2,896.00): 2-01-26-310-20 Buildings and Grounds O/E

2023 Municipal Budget (subject to approval): 3-01-26-310-20 Buildings and Grounds O/E

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to extend the contract by one (1) year and execute a contract with Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson NJ 07053 not to exceed \$18,948.00; and

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure and Political Contribution Forms shall be on file and available for public inspection at the office of the Municipal Clerk.

#### **RESOLUTION #22-239**

### **AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND TOWNSHIP OF WANTAGE FOR USE OF COMMUNICATIONS TOWER**

**WHEREAS**, the Township of Vernon is the owner of real property and a communications tower built thereon at Lake Panorama within the Township; and

**WHEREAS**, the Township of Vernon and the Township of Wantage previously entered into an agreement authorizing use of the communications tower by the Township of Wantage for the placement of an antenna and ancillary equipment that permits communications by the Wantage Fire Department; and

**WHEREAS**, a determination has been made that the location of the communications tower is also a suitable location for an antenna and ancillary equipment to permit communication by Wantage EMS; and

**WHEREAS**, the existing agreement between the parties ends on December 31, 2022. There exists a desire by both parties to enter another agreement that also permits the installation of an antenna and ancillary equipment to permit communication by Wantage EMS for a period of 5 years commencing January 1, 2023 through December 31, 2027; and

**WHEREAS**, a determination has been made that it is in the best interests of the Township of Vernon to enter a new agreement with the Township of Wantage.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, County of Sussex, State of New Jersey that the Mayor is authorized to execute an agreement in a form similar to that attached hereto between the Township of Vernon and the Township of Wantage for 5 years, starting January 1, 2023 at an annual amount of \$15,000.00 to be paid by the Township of Wantage quarterly.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to the Mayor and Clerk of the Township of Wantage.

#### **RESOLUTION #22-240**

### **A RESOLUTION AUTHORIZING EMERGENCY ROOF REPAIR OF MUNICIPAL BUILDING FACILITIES**

**WHEREAS**, the Township has a need for continuity of public business operations in serving the public; and

**WHEREAS**, the offices of the municipal building suffered damage threatening the continuation of public services affecting the public health, safety and well-being of the public and

**WHEREAS**, the vendor Simpson Roofing LLC. has provided for emergency repair at the cost of \$13,700.00; and

**WHEREAS**, N.J.S.A.40A:11-6 provides for the creation on an emergency appropriation and emergency procurement, for the public safety health and welfare of the community, for the purpose mentioned above, and,

**WHEREAS**, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$13,700.00 as follows:

Account Number: 2-01-26-310-20 Buildings and Grounds O/E

**NOW, THEREFORE, BE IT RESOLVED**, an emergency appropriation is hereby made for the emergency repair of municipal building suffered damage threatening operations in accord with N.J.S.A. 40A:11-6 in an amount not to exceed \$13,700.00 to Simpson Roofing LLC.

**Resolution #22-235:** Authorize the Award of a Professional Services Contract with Chris L Mikolajczyk, CLM, of Princeton Hydro for Development of Scope of Work for Highlands Council Grant

Council President Rizzuto asked to place resolution #22-235 on the floor.

MOVED: Furrey  
SECOND: Buccieri

Council Member Furrey asked if there are any plans to support some of the efforts that we are trying to make related to septic systems.

Administrator Voelker explained that this will be address in the watershed grant but the members of the Highland Council recommends that we do a separate grant that will be just for septic systems. This would be throughout the town and not just the lake communities. We would apply for a separate grant for septic systems.

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

Motion carries to pass resolution #22-235.

**RESOLUTION #22-235**

**AUTHORIZE THE AWARD OF A PROFESSIONAL SERVICES CONTRACT  
WITH CHRIS L MIKOLAJCZYK, CLM, OF PRINCETON HYDRO FOR DEVELOPMENT  
OF SCOPE OF WORK FOR HIGHLANDS COUNCIL GRANT**

**WHEREAS**, the Township of Vernon has a need for development and completion of a watershed management plan and scopes of work, in accord with Highlands Council grant requirements; and

**WHEREAS**, the procurement of professional services without public bidding is permitted under the New Jersey Local Public Contracts Law at N.J.S.A. 40A:11-5a; and

**WHEREAS** it is the desire of the Township of Vernon to appoint Chris L. Mikolajczyk, CLM, Senior Project Manager, for Princeton Hydro, who qualifies as a professional service; and

**WHEREAS**, the cost for the development of scope of work to the Township of Vernon is zero (\$0.00); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Vernon authorizes the Mayor to enter into a contract with Chris L. Mikolajczyk, CLM, Senior Project Manager, for Princeton Hydro, for the cost of \$0.00, for the development and completion of a watershed management plan and scope of work in accord with Highlands Council grant requirements;

**Resolution #22-236:** Resolution Waiving All Required Application Fees for the Vernon Township Police Athletic League, Inc. before the Vernon Land Use Board

Council President Rizzuto asked to place resolution #22-236 on the floor.

MOVED: Buccieri  
SECOND: Furrey

Council President Rizzuto asked what the basis for funding was for this project.

Administrator Voelker said that this was not discussed.

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

Motion carries to pass resolution #22-236.

#### **RESOLUTION #22-236**

#### **RESOLUTION WAIVING ALL REQUIRED APPLICATION FEES FOR THE VERNON TOWNSHIP POLICE ATHLETIC LEAGUE, INC. BEFORE THE VERNON LAND USE BOARD**

**WHEREAS**, a request was received from the Vernon Township Police Athletic League, Inc. (“PAL”) for a waiver of application fees associated with a Land Use Board application in conjunction with the PAL’s proposed installation of indoor fields; and

**WHEREAS**, the Township Council finds that the PAL acts for the betterment of the community and is a recognized non-profit entity; and

**WHEREAS**, the Township Council believes it would be in the best interest of the Township to waive the application fees associated with the aforementioned application before the Vernon Land Use Board.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the request of the Vernon Township Police Athletic League, Inc. for a waiver of its application fees for its application to the Vernon Land Use Board be and is hereby granted.

**Resolution #22-237:** Resolution Authorizing the Sale of Surplus Vehicles No Longer Needed for Public use on an Online Auction Website

Council President Rizzuto asked to place resolution #22-237 on the floor.

MOVED: Lynch  
SECOND: Buccieri

Council Member Lynch asked if an inventory was made of the items being auctioned and also if anything is added to the list will the Council be notified.

Administer Voelker answered yes.

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

ABSENT:

Motion carries to pass resolution #22-237.

**RESOLUTION #22-237**

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS VEHICLES NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township has the need on a timely basis to provide for auction of its surplus property; and

**WHEREAS**, the Township of Vernon has determined that the surplus property described on Schedule “A” attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Township of Vernon through this Resolution gives notice by the intention to the public, that the sale will be by the means of an online auction with Municibid through State Contract T2581 - Auctioneering Services: Internet Auctions to Sell Surplus Property, applicable to all the conditions to current State contracts.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon, authorizes the Business Administrator to use the services of Municibid through state contract T2581 to sell the surplus property as indicated on Schedule “A” on an online auction; and

**BE IT FURTHER RESOLVED**, pursuant to N.J.S.A. 40A:11-36 that formal public notification will be provided by the publication of a Legal Notice in the official newspaper, the New Jersey Herald, not less than seven (7) or more than fourteen (14) days prior to the scheduled auction.

This Resolution will take effect immediately according to law.

**Resolution #22-241:** Resolution Designating Block 525, Lot 19, 161 NJSH Route 94 as a Non-Condemnation Area in Need of Redevelopment Pursuant to the New Jersey Local Development and Housing Law (N.J.S.A. 40A:12A-1 ET SEQ.)

Council President Rizzuto asked to place resolution #22-241 on the floor.

MOVED: Shortway

SECOND: Furrey

Council Member Shortway did research on the block 525 lot 19, and this parcel is owned by Rachel/Metairie. Metairie is the principal owner of Legends. As of June 30<sup>th</sup>, Metairie’s municipal liens total \$4,000,632. Their outside liens total almost 3.5 million and they have not paid anything, as of last week, of their municipal taxes. As of June, they owed \$233,481.96. Unpaid property back taxes by Metairie affect all of the Vernon taxpayers through reserve for uncollected taxes or the RUT. We who fulfill our tax obligations must cover the Board of Education and the County taxes for Metairie which is about \$300,000. Council Member Shortway feels that we need to send a clear message to Metairie and vote no.

Council Member Furrey read the report and listened to the presentation and there is no mention of the owner of the property. He supports what Council Member Shortway said and he feels that this Council has to take action.

Council President Rizzuto cautioned that this is two separate pieces of property. He was told that they are seeking financing and that this is almost complete. He shares the frustration and he questions why our planner did not bring this information to us.

Attorney Zielinski explained that the Land Use Board approved this area to be declared an area in need of redevelopment and as part of the statutory process they are asking the Council to accept their recommendation.

Council Member Lynch made a motion to table resolution #22-241. Seconded by Council Member Buccieri.

A roll call vote was taken:

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

Motion carries to table resolution #22-241.

Council President Rizzuto explained that he and Council Member Lynch were on the Council when there was talk about condemnation. At the time, nothing had been done and now perhaps there is a little more interest. Due to the current financial situation, it may be more problematic for the owners. Council President Rizzuto cautioned the Council saying that once we condemn and we own this piece of property, what do we do with it. We need to look at a way and contact the people who are moving this along and see if there is some way that we can get a definitive timeline. Perhaps the Mayor could look into this.

Council Member Shortway feels that we need an expert study to show us the best way to go.

## INTRODUCTION OF ORDINANCES

**Ordinance #22-19** – 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)

Council President Rizzuto asked for a motion to introduce ordinance #22-19

MOVED: Lynch  
SECOND: Shortway

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

Motion passed to introduce ordinance #22-19.

**Ordinance #22-20** – An Ordinance to Amend and Supplement the Code of the Township of Vernon, Chapter 350, “Long-Term Rentals”

Council President Rizzuto asked for a motion to introduce ordinance #22-20

MOVED: Buccieri  
SECOND: Shortway

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

Motion passed to introduce ordinance #22-20.

**Ordinance #22-21** – Am Ordinance to Amend and Supplement the Code of the Township of Vernon, to Create Chapter 167 Entitled “Business Insurance Registration

Council President Rizzuto asked for a motion to introduce ordinance #22-21

MOVED: Lynch  
SECOND: Buccieri

A roll call vote was taken:

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

Motion passed to introduce ordinance #22-21.

**PUBLIC HEARING/2<sup>ND</sup> READING OF ORDINANCE**

**Ordinance #22-17** – An Ordinance to Amend and Supplement the Code of the Township of Vernon, Chapter 130, “Abandoned Properties; Unfit Buildings”

Council President Rizzuto read by title Ordinance #22-17.

Council President Rizzuto asked for a motion to place Ordinance #22-17 on the floor for consideration.

MOVED: Lynch  
SECOND: Buccieri

Council President Rizzuto asked for a motion to open Public Hearing for Ordinance #22-17.

MOVED: Lynch  
SECOND: Shortway

All Members were in Favor.

Seeing no one wishing to come forward, Council President Rizzuto asked for a motion to close Public Hearing for Ordinance #22-17

MOVED: Lynch  
SECOND: Shortway

All Members were in Favor.

A roll call vote was taken to adopt ordinance #22-17

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

Motion passed to adopt Ordinance #22-17.

**ORDINANCE #22-17**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF VERNON, CHAPTER 130, “ABANDONED PROPERTIES; UNFIT BUILDINGS”**

**WHEREAS**, on April 8, 2018, the Township Council of the Township of Vernon (“Township”) passed Ordinance No. 18-14 to further regulate vacant and abandoned residential structures and to create a registration program for these structures; and

**WHEREAS**, the State of New Jersey subsequently passed P.L. 2021, C. 444 which allows municipalities to also adopt ordinances to establish a property registration program to identify and monitor both residential and commercial vacant and abandoned properties within a municipality; and

**WHEREAS**, a determination has been made that there is a need to update the Township code concerning vacant and abandoned properties to comply with P.L. 2021, C. 444 and to allow for the regulation and registration of vacant and abandoned commercial properties.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Vernon that Chapter 130 of the Municipal Code is amended and supplemented as follows:

## **SECTION 1.**

### § 130-1. Definitions.

- A. "Creditor" means a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.
- B. "Vacant and Abandoned property" ~~residential property~~ means, consistent with section 4 of P.L. 2021, c. 444 ~~1 of P.L. 2012, c.70 (C.2A:50-73)~~, residential real estate, where a notice of violation has been issued pursuant to § 130-5 (A) and section 3 of P.L., 2021, c. 444 (C.40:48-2.12s3) ~~subsection b. of section 1 of P.L.2014, c.35 (C.40:48-2.12s)~~, or any residential or commercial property which any condition on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three (3) or more months.

Residential and commercial property shall further be deemed Vacant and Abandoned where a mortgaged property is not occupied by a mortgagor or tenant.

Such evidence would include, but is not limited to, evidence of the existence of two (2) or more of the following conditions at the property:

1. over grown or neglected vegetation;
2. the accumulation of newspapers, circulars, flyers or mail on the property;
3. disconnected gas, electric, or water utility services to the property;
4. the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
5. the accumulation of junk, litter, trash or debris on the property;
6. the absence of window treatments such as blinds, curtains or shutters;
7. the absence of furnishings and personal items;
8. statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;
9. windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
10. doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
11. a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property
12. an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
13. the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
14. a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
15. any other reasonable indicia of abandonment.

### § 130-2. Registration of Vacant and Abandoned Properties.

- A. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, or the Owner of a Vacant and Abandoned property, shall within thirty (30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Township for such purposes. Any failure to receive notice from the Township shall not constitute grounds for failing to register the Vacant and Abandoned property.
- B. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.
- C. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty one (21) years or older, designated by the Creditor or the Owner as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.
- D. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the Owner of the Vacant or Abandoned property or the firm's individual principal(s) responsible for maintaining the Abandoned and Vacant property. The Owner or the individual or representative of the firm responsible for maintaining the Abandoned and Vacant property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. In the case of a Creditor, both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- E. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The Owner of the property or the Creditor shall be required to renew the registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the amount prescribed in § 130-3 for each Vacant and Abandoned property registered. However, if a re-occupancy certificate is issued for a property designed as Vacant and Abandoned after the annual registration or renewal fee is paid, the municipality shall pro rate and return to the landowner the portion of the fee allocated to the remainder of the calendar year after the Re-Occupancy Certificate is issued.
- F. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be prorated for registration statements received less than ten (10) months prior to that date.
- G. The Owner of the property or the Creditor shall notify the municipal clerk within ~~ten (10)~~ ~~thirty (30)~~ calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.
- H. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the Creditor.

§ 130-3. Fee Schedule.

~~The initial registration fee for each Vacant and Abandoned property under the provisions of this Article shall be five hundred (\$500.00) dollars. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars. The fee for any subsequent annual renewal beyond the second renewal shall be three thousand (\$3,000.00) dollars.~~

A registration fee of five hundred dollars (\$500.00) per property shall be assessed annually for any property that is required to be registered because a summons and complaint in action to foreclose was filed by a creditor. An additional two thousand dollars (\$2,000.00) per property shall also be assessed annually for Vacant and Abandoned properties when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned as defined in § 130-1 (B).

**§ 130-4. Responsibility for Vacant and Abandoned Properties.**

- A. The Owner of the property or a Creditor filing a summons and complaint in an action to foreclose on a residential or commercial property within the Township shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned as defined in this Article.
- B. Where a Creditor is located out-of-state, the Creditor shall be responsible for appointing an in- State representative or agent to act on the Creditor’s behalf for the purpose of satisfying the requirements of § 130-4 (A). Notice of said representative or agent shall be provided to the municipal clerk pursuant to § 130-2 (C) and (D), ~~and pursuant to paragraph (1) of subsection a. of section 17 of P.L.2008, c.127 (C.46:10B-51),~~ and section 2 of P.L., 2021, c. 444 (C.40:48-2.12s2).

**§ 130-5. Notice.**

- A. The enforcement officers designated in this Article shall be authorized to issue a notice to the Owner of the property, or a Creditor that has filed a summons and complaint in an action to foreclose on a residential or commercial property within the Township, if the enforcement officer determines that the Owner of the property, or Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Township has violated this Article by failing to provide for the care, maintenance, security, and upkeep of the exterior of a Vacant and Abandoned property. Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to § 130-4 (B), ~~and paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51),~~ and section 2 of P.L., 2021, c. 444 (C.40:48-2.12s2).
- B. The notice referenced in § 130-5 (A) shall require the Owner or Creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.
- C. The issuance of a notice pursuant to § 130-5 (A) shall constitute proof that a residential property is Vacant and Abandoned for the purposes of this Article.

**SECTION 2. Severability of Ordinance Provisions**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

**SECTION 3. Conflict of Other Ordinance Provisions**

That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

**SECTION 4. Effective Date of Ordinance Provisions**

That this ordinance shall take effect upon final passage upon expiration of twenty (20) days following publication unless otherwise provided.

**PUBLIC COMMENTS (For Current Agenda Items Only, Limited to 5 Minutes Per Person)**

Thomas McClachrie – Vernon Township, commented that the township does not have the authority to order that septic pump be pumped every three years according to N.J.S.A. 58:10. Mr. McClachrie does not believe that this will help with the flow density or help residents save money. He feels that the town should do a cost benefit.

Council President Rizzuto explained that this was all spoken about on the basis of discussion and no plans have been made as of yet. Saying that we are going to do anything at this point is very premature. He feels that the issue does deserve to be considered.

Michele Chirichiello – Vernon Township, spoke in regards to resolution #22-235 saying that we cannot expect everyone to get a \$50,000 septic tank. He feels that the lake communities should be doing their own leg work because the residents pay high dues.

Council President Shortway explained that this is a grant for a study of septic tanks.

Council Member Lynch explained that Highland Lakes discussed this before the Council.

Council President Rizzuto said that they are still taxpayer residents.

Peg Distasi – Vernon Township, asked Council Member Furrey how he can present a plan regarding the MUA issue of transfer station/sewer pumping and trucking when the ad hoc committee has not met yet and has not had a work session. Ms. Distasi reminded Council Member Furrey that he is not on the MUA anymore and he does not have the right to speak for the MUA. Ms. Distasi asked who authorized the fees to have professionals at an ad hoc meeting. She also asked why Council Member Furrey is presenting a plan for the MUA now instead of when he was on the MUA.

Ann Larson – Vernon Township, agrees with Mr. McClachrie’s comments. In refence to the sewer issue Ms. Larson feels that the reason people overreact is because government is so heavy handed. Ms. Larson mentioned the Metairie issue and asked if anyone has called the purchasers attorney to see if Metairie can be located.

Shawn Mazur – Vernon Township, thanked the Council for approving the Vacant and Abandoned ordinance amendment.

Jessica Paladini – Vernon Township, clarified that she was not asking for an opinion or legal advice when she asked why the Mayor did not follow through with Mr. Voelker’s suspension. She feels that Mr. Zielinski should have responded to her question. Ms. Paladini commented that the MUA is an autonomous body and she does not believe that the Council can create a committee to do anything where the MUA is concerned. Ms. Paladini thanked Council Presdient Rizzuto for fixing the illegal vacant and abandoned property ordinance.

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

MOVED: Lynch  
SECOND: Shortway

All members were in favor.

### **COUNCIL COMMENTS**

Council Member Lynch asked that Council Member Furrey run his campaign well and without using the other Council Members on the dais as your reason for doing something. Council Member Lynch explained that he said good luck to Brad Sparta but never said he is for him.

Council Member Lynch commented that he has been a firefighter in the State on New Jersey for 45 years and 6 years ago he was appointed as Chairman of The State of New Jersey’s Fireman’s Association Memorial Committee. This committee met in Wildwood this previous weekend with 7,000 people in attendance. We had 7 people who died in the line of duty this year in the State of New Jersey and we honored them and their families. Council Member Lynch mentioned this because the first week of October is Fire Prevention Week and he is reminding everyone to fire safe their homes. The best thing to do is change the batteries in their smoke detectors and CO detectors, even if they are hardwired.

Council Member Lynch informed everyone that the Highland Lakes Fire Department is holding a beefsteak dinner on November 12<sup>th</sup>. This is the first time in two years. In April or May, the Dogs of Vernon will be holding their beefsteak at the Highland Lakes Fire Department.

Council Member Furrey read out loud comments that were sent to the Council by the Municipal Utility Authority Chairman, Paul Kearney:

I was recently asked by a neighbor about comments they heard at a council meeting that I personally did not hear but feel they need to be addressed. The comment, as I heard second hand, was that it seems as if the MUA hasn’t accomplished anything over the last six years or so. I feel I need to address this statement. One issue that had stalled and may seem to still be that way to casual observers is the expansion of the sewer service area. After not being satisfied with the pace of progress the MUA changed engineering firms. Currently any lag in forward motion sits squarely in the lap of Trenton and the NJDEP. The MUA, the Township, or our engineering firm can only do so much without receiving the go ahead from the states regulatory body. We are currently having regular meetings with NJDEP with the expectations that the expansion area will be settled soon.

As for fiscal responsibility; the MUA agreements are far from ideal. There is a large amount of debt that has to be paid and the entire MUA staff and board of commissioners has done the following to save money which in turn can be used towards the debt.

Over 700 units EDU's, the calculated method for billing were found to be incorrect, the MUA corrected this resulting in over 110 additional EDU's. That would have been \$158,763 in user fees in 2022 alone. The adjustment for the third and 4<sup>th</sup> quarters will bring in an additional \$79K. Why these calculations were done this way the current Board does not know but in a 10-year period its well over a million dollars in lost fees that are now being collected.

The VFW: the VFW situation was an embarrassment to the community as it was being fought in the press. This board met with the VFW, had a simple conversation, and they connected. This resulted in \$1,443 in 2022 coming in.

In 2019 the MUA paid out \$200K in shared services with the DPPW. In 2020 the MUA changed this procedure by hiring part time workers and our own licensed operator. 2021 was the first full year and it produced a savings of \$115K.

Two properties were hooked up (green realty and Faline bldg.) for a total of \$14k in connection fees plus EDU's

MUA changed shared service agreement for finance and administration over \$30K a year  
Assumed EDUs for future: Housing of 55 1-bedroom units rated at 33EDUs equates to \$44K in user fees. The MUA is working with other proposed developers along the route 94 corridor.  
Mt Creek is required to pay for the renovation of pump station #2 as required in their 2019 agreement. It should be known that since the 2019 agreement Mt Creek has paid their financial obligations not just on time but early.

The MUA has received Township Center designation from the state planning commission in 2021. As it currently stands these properties could bring in over 1,000 connections. EDUs are not known at this time, should this development happen, it could result in 600 to possibly over 1000 EDUs depending on the usage of the properties.

The MUA has requested federal funding to cover the cost of expansion  
There are early discussions of possible development but it's far too early to speculate on them.  
These savings may not seem to be large but when added together it comes to a yearly savings of over \$335K per year. With the debt and payments that are looming this MUA will continue to try to save money wherever possible as well as grow the system to create more revenue.

I, along with all of the MUA personnel try to be positive and do the right thing. Each and every one of us was not on this MUA when poor financial deals and decisions were made but we collectively feel it's our obligation to fight this up-hill battle and continue being fiscally responsible and try to move forward and grow because growing this system is the only thing that may save it from financial disaster and the debt falling back to the town and all of the Vernon taxpayers.

Council Member Shortway had no comments.

Council Member Buccieri read a statement:

During Council comments of the August 22<sup>nd</sup> meeting, I made a comment referencing the increase of ER visits due to cannabis overdose. Later that week both Mr. Furrey and Mr. Shortway reached out to me asking for supporting studies for that data.

I supplied several. Later that week Mr. Shortway shared information regarding several issues on his Facebook blog "The Vernon Post". He referenced my comments, one of which was my use of the word overdose.

Yes, I did state that there has been an increase in Emergency Room visits due to cannabis, and cannabis overdose. Per the National Institutes of Health "An overdose is when you take more than the normal or recommended amount of something, often a drug. An overdose may result in serious, harmful symptoms or death." The NIH goes on to say that "an overdose may be mild, moderate or serious."

Webster's defines overdose as:

**1:** too great a dose (as of a therapeutic agent) *also:* a lethal or toxic amount (as of a drug)

**2:** an excessive quantity or amount

When someone uses recreational marijuana, the desired result is to be high. If a user begins hallucinating, becomes psychotic or experiences extreme vomiting (known as cannabinoid hyperemesis) and then seeks care at an emergency room, they are experiencing cannabis overdose.

You may not like the word overdose, but it is the correct word to use when someone has taken more than the recommended amount of a drug. Some may think that word is too harsh, and that's ok. We are all free to have our own opinions. But you cannot change language or definitions to make something more palatable or to fit your narrative.

Regarding the increase in ER visits due to cannabis, I did find several articles citing various studies supporting my comments. In a study published on the NIH website, ER visits for youths in Ontario Canada was examined. From 2003 to 2017 (when cannabis became legal) visits to the ER for those aged 10-24 increased 4-fold. I shared that report with both Mr. Shortway and Mr. Furrey.

In a Colorado study researchers found a 3-fold increase of ER visits between 2012 and 2016. Recreational marijuana became legal in Colorado in 2014.

While doing this research I found some other interesting statistics. The Rocky Mountain High Intensity Drug Trafficking Area Strategic Intelligence Unit released a report dated September 2018. Rec marijuana approved 2014.

Since recreational marijuana was legalized, marijuana related traffic deaths increased 151 percent while all Colorado traffic deaths increased 35 percent.

- Since recreational marijuana was legalized, traffic deaths involving drivers who tested positive for marijuana more than doubled from 55 in 2013 to 138 people killed in 2017. This equates to one person killed every 2 1/2 days compared to one person killed every 6 1/2 days. The percentage of all Colorado traffic deaths that were marijuana related increased from 11.43 percent in 2013 to 21.3 percent in 2017. That is almost double.

I realize I am in the minority in this council and that our town will have a retail cannabis business. I can respect others' views and I'm happy to discuss this issue in a respectful manner.

I won't debate my views on Facebook or post opinions on forums where others cannot comment.

Township Attorney Zielinski made a statement saying that there was a suggestion during public comment that the vacant and abandoned property ordinance was amended because it was illegal. The ordinance was amended to comply with State Legislation enacted in 2021, specifically Public Law 2021, Chapter 44, which became effective in January. This required municipalities with vacant and abandoned property ordinances to make certain amendments this year. This is why the ordinance was amended.

## **COUNCIL PRESIDENT COMMENTS**

Council President Rizzuto had no comments.

## **ADJOURNMENT**

At 8:49pm Council Member Lynch made a motion to adjourn the meeting. Seconded by Council Member Buccieri.

All were in favor.

Respectfully submitted,

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Marcy Gianattasio, RMC, CMR  
Municipal Clerk

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Patrick Rizzuto,  
Council President

Minutes approved: October 13, 2022