

**TOWNSHIP OF VERNON  
COUNCIL MEETING MINUTES**

**APRIL 9, 2018**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on April 9, 2018 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2018 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.

**ROLL CALL**

Present were Council Members Sandra Ooms, Dan Kadish, Mark Van Tassel, John Auberger and Council President Murphy and Township Attorney Marlin Townes. Also present were Business Administrator Charles Voelker and CFO Elke Yetter, Township Auditor William Schroeder.

**SALUTE TO THE FLAG**

Council President Murphy led the assemblage in the salute to the flag.

Council President Murphy announced there will be no Public Hearing for Ordinance #18-10 at meeting tonight.

**PROCLAMATIONS:**

Council President Murphy read the following Proclamation for Earth Day.

Proclamation



**Township of Vernon**

**WHEREAS**, the first Earth Day was celebrated on April 22, 1970, with the goal of inspiring environmental awareness and encouraging the conservation, and appreciation of our nation's natural resources; and

**WHEREAS**, it is the responsibility of each of use to safeguard the environment, by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being, and development; and

**WHEREAS**, the steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions should be encouraged in Vernon; and

**WHEREAS**, the residents of the Township of Vernon are committed not only to the protection and preservation of our environment, but also to the restoration of ecosystems and habitat; and

**WHEREAS**, the residents of the Township of Vernon, staff, and elected officials have worked closely with federal, state, and local governments, and with non-governmental organizations to develop and implement regulations and ordinances specifically designed to preserve and improve Vernon's fragile ecosystems and the quality of life therein; and

**WHEREAS**, Vernon proudly recognizes all who participate in Earth Day, for their dedication to taking a proactive role in shaping the future of our environment and in protecting Vernon's precious natural resource.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon, County of Sussex , State of New Jersey, have hereby proclaim April 22, 2018 to be

**EARTH DAY**

**FURTHER**, the Council urges all citizens to be mindful of local, state and national laws which protect our environment, and to join in efforts to preserve the beauty and wonder of the lands, skies, and water of the Earth in all its diversity.

Council Member Kadish read the following Proclamation for Parkinson's Disease Awareness .

## Parkinson's Disease Awareness Month

**WHEREAS**, Parkinson's disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

**WHEREAS**, according to the Parkinson's Action Network, the Parkinson's Disease Foundation, the National Parkinson Foundation, the American Parkinson Disease Association and the National Institutes of Health, there are over one million Americans diagnosed with Parkinson's disease; and

**WHEREAS**, symptoms include slowness, tremor, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

**WHEREAS**, although new medicines and therapies may enhance life for some time for people with Parkinson's, more work is needed for a cure; and

**WHEREAS**, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson's disease; and

**WHEREAS**, a multidisciplinary approach to Parkinson's disease care includes local wellness, support, and caregiver groups; and

**WHEREAS**, April has been proclaimed as World Wide Parkinson's Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's disease.

**NOW, THEREFORE**, the Mayor and Council of the Township of Vernon, do hereby proclaim **April 2018 as Parkinson's Disease Awareness Month in Vernon Township**.

Given under my hand in these free United States in the Township of Vernon, on this 9th day of April two thousand eighteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

### **PUBLIC COMMENTS (On Current Agenda Items Only)**

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

MOTION: John Auberger

SECOND: Dan Kadish

All members were in favor.

Seeing no members of the Public wishing to come forward, Council President Murphy asked for a motion to close the meeting for Public Comments.

MOTION: Dan Kadish

SECOND: Mark Van Tassel

All members were in favor.

### **MINUTES**

Council President Murphy asked for a motion to approve the Executive Session Minutes of March 12, 2018, and the Regular Meeting Minutes of March 12, 2018.

MOTION: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion Carried to approve all Minutes.

### **2018 MUNICIPAL BUDGET**

Council President Murphy asked for a motion to approve Resolution #18-118.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: None  
Motion Carried to approve Resolution #18-118.

## **RESOLUTION #18-118**

### **A RESOLUTION TO READ THE 2018 MUNICIPAL BUDGET BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, as well as posting of same; and

WHEREAS, the conditions required by N.J.S.A. 40A:4-8 have been satisfied for the 2018 Municipal Budget by Township Officials.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of Vernon, New Jersey that the 2018 Municipal Budget shall be read by title only at the Public Hearing (scheduled on April 9, 2018).

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

### **PUBLIC HEARING FOR THE 2018 BUDGET**

Council President Murphy read the 2018 Budget by title.

Council President Murphy asked for a motion to open the public hearing on the 2018 Budget.

MOTION: John Auberger

SECOND: Dan Kadish

All members were in favor.

There was no comment.

Seeing no members of the Public wishing to come forward, Council President Murphy asked for a motion to close the public hearing on the 2018 Budget.

MOTION: Dan Kadish

SECOND: John Auberger

All members were in favor.

### **ADOPTION OF THE 2018 BUDGET**

Council President Murphy asked for a motion to approve the 2018 Budget.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: Sandra Ooms

ABSTAIN: None

ABSENT: None

Motion Carried to approve the 2018 Municipal Budget.

**CONSENT AGENDA**

Council President Murphy read a brief explanation of and asked for a motion to approve Resolutions #18-119 to #18-128.

Council Member Ooms requested that Resolution #18-125 and #18-128 be removed for separate vote.

Council President Murphy asked for a motion to adopt Resolutions #18-119 to #18-127 excluding #18-125.

MOVED: John Auberger

SECOND: Dan Kadish

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion Carried to approve Resolutions #18-119 to #18-127 excluding #18-125.

**Resolution #18-119**

**REFUND FOR TOTALLY DISABLED VETERAN (Pluchino)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on January 1, 2018 awarded John Pluchino 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 1<sup>st</sup> quarter in the amount of \$1,500.53 to Corelogic for Block 200.04 Lot 35 also known as [REDACTED]

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

**RESOLUTION #18-120**

**TOTAL DISABLED VETERAN (Bl. 200.04 Lot 35)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on January 1, 2018 awarded John Pluchino 100% permanent and totally disabled veteran: and,

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

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Township of Vernon hereby authorizes the Tax Collector to cancel the taxes for 2018 in the amount of \$1,500.52 for Block 200.04 Lot 35 also known as [REDACTED]

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

**Resolution #18-121**

**RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH JONATHAN E. MCMEEN OF LADDY, CLARK & RYAN, LLP FOR LEGAL SERVICES**

**WHEREAS,** the Township of Vernon has a need for a Conflict Prosecutor to prosecute the appeal in a matter entitled State v. Morrison; and

**WHEREAS,** the Township of Vernon has a need to acquire such professional services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS,** Jonathan E. McMeen, Esq. of Laddy, Clark & Ryan, LLP has submitted a proposed contract indicating that he will provide the professional services; and

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

**WHEREAS**, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the Chief Financial Officer; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection; and

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

1. That the Mayor and Clerk are hereby authorized to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with Jonathan E. McMeen, Esq. of Laddy, Clark & Ryan, LLP for Professional Services for legal services to provide Conflict Prosecutor services not to exceed \$2,000.00.
2. That this Agreement is awarded without competitive bidding as a Professional Services in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. The required Business Entity Disclosure Certification and Political Contribution Disclosure Form shall be provided before execution of the contract and be placed on file with the Resolution.
4. That a Notice of this action shall be printed once in the Township's official newspaper.

#### **RESOLUTION #18-122**

#### **RESOLUTION AUTHORIZING THE APPLICATION TO THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR A SEATBELT ENFORCEMENT PROGRAM, "CLICK IT OR TICKET"**

**WHEREAS**, the most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt; and

**WHEREAS**, when used consistently, seat belts save lives and reduce serious injuries and according to NHTSA, seat belt use saved more than 14,000 lives nationally in 2015 alone; and

**WHEREAS**, the State of New Jersey will participate in the nationwide seat belt enforcement campaign "*Click It or Ticket*" from May 21– June 3, 2018 with the main focus of these patrols to stop and issue summonses to motorists, front, and rear seat passengers who are not complying with the state's seat belt laws and to enforce the child safety restraint law as appropriate; and

**WHEREAS**, Vernon Township will initially incur the cost of the program, not to exceed \$5,500.00 and then submit the necessary documentation to the Division of Highway Traffic Safety for total reimbursement.

**THEREFORE, BE IT RESOLVED**, that Vernon Township declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 21– June 3, 2018 and pledges to increase awareness of the mobilization and the benefits of safety belt use, and

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor, CFO and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the New Jersey Division of Highway Traffic Safety for Seatbelt Enforcement in the amount of \$5,500.00.

The effective dates for this program will be from May 21, 2018 through June 3, 2018.

#### **RESOLUTION #18-123**

#### **Resolution Accepting Bid of Integrated Microsystems**

**for Information Technology Services**

**WHEREAS**, there is a need for an Information Technology Services contractor in the Township of Vernon; and

**WHEREAS**, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) encourages the use of public bidding to benefit taxpayers by ensuring that goods and services are procured in a safe, timely and cost-effective manner; and

**WHEREAS**, the Township of Vernon received bids for Information Technology Services under bid 1-2018 duly advertised and held a public bid opening on March 29, 2018 at 10:30am; and

**WHEREAS**, the Township Council has reviewed the recommendations of the appropriate Township Officials in connection with the proposals that were submitted; and

**WHEREAS**, Integrated Micro Systems 74 Lee Ave. Haledon N.J., has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

**WHEREAS**, the Qualified Purchasing Agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et seq.); and

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

1. The contract for Information Technology Services is hereby awarded to Integrated Micro Systems.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a two (2) year contract with Integrated Micro Systems for Information Technology Services in accord with the tenets of contract found within Bid 1-2018, commencing May 1, 2018:
  - 2018 May 1 – December 31, 2018 - \$8,000.00
  - 2019 January 1- December 31, 2019 - \$12,000.00
  - 2020 January 1 – April 30, 2020 - \$4,000.00

**RESOLUTION #18-124**

**RESOLUTION ACCEPTING BID OF ECHELON SERVICES FOR PLUMBING SERVICES**

**WHEREAS**, there is a need for an Plumbing Services contractor in the Township of Vernon; and

**WHEREAS**, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) encourages the use of public bidding to benefit taxpayers by ensuring that projects are completed in a safe, timely and cost-effective manner; and

**WHEREAS**, the Township of Vernon received bids for Plumbing Services under Bid 6-2018 duly advertised and held a public bid opening on March 29, 2018 at 11:00am; and

**WHEREAS**, the Township Council has reviewed the recommendations of the appropriate Township Officials in connection with the proposals that were submitted; and

**WHEREAS**, Echelon Services 159 Merriam Ave. Newton, NJ 07860, has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

**WHEREAS**, the Qualified Purchasing Agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et seq.); and

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

1. The contract for Plumbing Services is hereby awarded to Echelon Services 159 Merriam Ave. Newton, NJ 07860.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a two (2) year contract with Echelon Services 159 Merriam Ave. Newton, NJ 07860, for Plumbing Services in accord with the tenets of contract found within Bid 6-2018.

**BE IT FURTHER RESOLVED**, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

#### **RESOLUTION #18-126**

#### **AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH “SURETY TITLE COMPANY LLC” FOR TITLE INSURANCE SERVICES**

**WHEREAS**, the Township of Vernon has a need for public auction of property to the public, and the requirement for Title Insurance Services for purchasers of public property, through Surety Title Company LLC, 11 Eves Drive Suite 150, Marlton, N.J. 08053, as a Required Disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

**WHEREAS**, the Qualified Purchasing Agent, Sean Canning, Q.P.A., of the Canning Group, LLC has determined and certified in writing that the anticipated value of the receipt of funds for Surety Title Company LLC, will exceed \$17,500; and,

**WHEREAS**, Insurance services are exempt under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-5(m)) from public bidding requirements; and

**WHEREAS**, The anticipated term of this contract is for the year of 2018; and

**WHEREAS**, *Surety Title Company LLC*, in the aggregate is expected to receive in the excess of the pay to play threshold of \$17,500.00 from private funds, through its presence at a public event; and

**WHEREAS**, Surety Title Company LLC, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Surety Title Company LLC, has not made any reportable contributions to a political or candidate committee in the *Township of Vernon* in the previous one year, and that the contract will prohibit Surety Title Company LLC from making any reportable contributions through the term of the contract, and

**WHEREAS**, Surety Title Company LLC is benefitting through the offering of a title insurance service on behalf of the Township, the Chief Financial Officer hereby certifies that no public funds are to be expended

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Vernon authorizes the Business Administrator to enter into a contract with Surety Title Company LLC; and,

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

#### **Resolution #18-127**

#### **RESOLUTION RATIFYING AND REAFFIRMING RESOLUTION #06-106 DESIGNATING A PORTION OF MCAFEE VILLAGE AS AN AREA IN NEED OF REDEVELOPMENT**

**WHEREAS**, on July 18, 2005, the Township Council of the Township of Vernon adopted a resolution (#RO5-125) authorizing and directing the Vernon Planning Board to undertake a preliminary investigation to determine whether the properties in a proposed redevelopment area, a portion of the area which is commonly referred to as **McAfee Village (or Herold Square)** is a redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, on May 31, 2006 the Vernon Planning Board, following a public hearing and due diligence, unanimously adopted a Resolution finding that said area qualified under N.J.S.A. 40A:12A-1 et seq. as an area in need of redevelopment; and

**WHEREAS**, on June 12, 2016, the Township Council of the Township of Vernon adopted resolution #06-106 designating the properties referenced in the Planning Board Resolution as an area in need of redevelopment; and

**WHEREAS**, due to a clerical error, resolution #06-106 was never signed; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon hereby ratifies and reaffirms resolution #06-106 and reaffirms the designation of the aforementioned properties as an area in need of redevelopment.

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized to execute resolution #06-106.

#### **Resolution #R06-106**

#### **RESOLUTION DESIGNATING A PORTION OF MCAFEE VILLAGE AS AN AREA IN NEED OF REDEVELOPMENT**

**WHEREAS**, on July 18, 2005, the Township Council of the Township of Vernon adopted a resolution (#RO5-125) authorizing and directing the Vernon Planning Board to undertake a preliminary investigation to determine whether the properties in a proposed redevelopment area, a portion of the area which is commonly referred to as **McAfee Village (or Herold Square)** is a redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law ( N.J.S.A 40A:12A-1 et seq.); and

**WHEREAS**, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated, or in the alternative may help achieve the policy and planning goals and objectives of the State of New Jersey Development and Redevelopment Plan (SDRP) which states that “new development should be guided into centers to preserve open space, farmland, and natural resources... and strengthen beneficial economic development opportunities.”; and

**WHEREAS**, the Vernon Planning Board, WHICH INCLUDES THE Mayor, a Councilmember, and the Township Manager, thoroughly investigated and discussed the issue of redevelopment and the process of investigating an area in need of redevelopment. This investigation included a review of the criteria set forth in the LRHL (N.J.S.A. 40A:12A-5) to determine if said area of Vernon qualifies as an area in need of redevelopment; and

**WHEREAS**, the Township Council has also reviewed the issue of redevelopment to become familiar with the process of redevelopment and to better determine whether such a redevelopment designation is in the best interests of the residents and taxpayers of the Township of Vernon. In furtherance of this process the Council heard a presentation, on July 18, 2005 and November 28, 2005, by the Township Planner, Fred Suljic and Robert Benecke, Economic Consultant, regarding the criteria set forth in the LRHL and the background required to designate an area in need of redevelopment; and

**WHEREAS**, the Vernon Planning Board authorized the Township Planner to conduct a study of the potential redevelopment area and make a recommendation as to whether the area identified by the Council meets and fits within the criteria of the LRHL, the Township Council also made available the professional services of Mr. Benecke to assist the Planning Board with the redevelopment process and economic issues, and Stan Slachetka, P.P., A.I.C.P., to assist the Planning Board with SDRP issues; and

**WHEREAS**, on October 26, 2005 the Planning Board conducted a public hearing pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation, posting, and distribution of a map of the potential area in need of redevelopment; and



**WHEREAS**, the Planning Board considered the Redevelopment Report, dated October 26, 2005 prepared by Mr. Suljic, said report having been provided to the property owners and made available to the general public; and

**WHEREAS**, the Planning Board heard testimony and received feedback from the affected property owners and the general public at the October 26, 2005 hearing; and

**WHEREAS**, the Planning Board discussion, both at hearing and in other deliberations, focused on the public purpose of redevelopment and the specific criteria of the LRHL; and

**WHEREAS**, the Planning Board requested that the Township Planner re-examine each property under study and investigation and provide a more extensive report to provide further guidance to the Planning Board; and

**WHEREAS**, the Township Planner, Mr. Suljic and Mr. Benecke prepared a follow-up Redevelopment Report, the final report dated April 25, 2006 which said report was presented at the April 26, 2006 Vernon Planning Board meeting; and

**WHEREAS**, the April 25, 2006 Redevelopment Report includes a property-by-property description of characteristics and conditions found by the Planner and the conditions by which the properties meet the criteria of the LRHL as included on Table 1 and Table 2 of the Redevelopment Report so as to qualify the modified area, as recommended by the Planner, as an area in need of redevelopment; and

**WHEREAS**, the primary goals of the Township of Vernon redevelopment effort is to improve the quality of life of township residents and improve the economic foundation of the Township so that long-term property tax stability is addressed for all Vernon taxpayers as indicated in the aforesaid Council resolution; and

**WHEREAS**, the Planning Board authorized a new public hearing on this matter held on May 31, 2006, so as to consider the new April 25, 2006 Redevelopment Report and hear the public, said public hearing being conducted pursuant to the LRHL; and

**WHEREAS**, on May 31, 2006 the Vernon Planning Board, following the public hearing, unanimously adopted a Resolution finding that the area referenced therein qualifies under N.J.S.A. 40A:12A-1 et seq. as an area in need of redevelopment and fulfills a clear and convincing public purpose so as to achieve the aforesaid goals of the Township Council;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that the Redevelopment Report, dated April 25, 2006, prepared by Fred Suljic, PP, and Robert Benecke, is hereby accepted and the Vernon Planning Board Resolution is hereby accepted and attached hereto; and

**BE IT FURTHER RESOLVED** that the Township Council of the Township of Vernon hereby designates the properties referenced in the attached Planning Board Resolution as an area in need of redevelopment. That area being a portion of McAfee Village and further identified in the attached Redevelopment Report, dated April 25, 2006, (specifically Table 1 and Table 2) which describes the substantial evidence and conditions in existence to include those properties in an area in need of redevelopment.

**RESOLUTIONS ADOPTED SEPARATELY:**

Council President Murphy asked for a motion to approve Resolution #18-125.

Council Member Ooms questioned the budget for this committee. Council Member Kadish explained that an ad hoc committee has no budget. Council Member Ooms commented that a set budget should be set for this committee. Council Member Ooms stated that a council member who is a member of the committee could not vote on redevelopment as a council member. Township Attorney Townes indicated that was incorrect; there is no conflict as this was an ad hoc committee.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: Sandra Ooms

ABSENT: None

Motion Carried to approve Resolution #18-125.

**RESOLUTION #18-125**

**ESTABLISHING REDEVELOPMENT COMMITTEE**

**WHEREAS**, there is a need for a special ad hoc committee to advise the Mayor in matters of redevelopment and economics within the Township of Vernon and;

**WHEREAS**, it is the desire of the Mayor and Council to establish said committee which shall consist of seven (7) voting members, with each member to serve for a one year term commencing on January 1 of each year; and

**WHEREAS**, the Mayor or Mayor’s designee shall serve as the Chairman of the Committee and as a non-voting member except in the time of a tie at which time the Mayor or his designee shall cast the deciding vote.

**BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY**, that there shall be an ad hoc committee established, as noted above, which shall be called the Redevelopment Committee that shall report to the Office of the Mayor and provide advice to the Mayor and Council; and

**BE IT FURTHER RESOLVED** that the committee shall be comprised of following members:

|   |             |        |
|---|-------------|--------|
| Mayor of Mayor Designee (Non-Voting Member) | Chairperson | Seat 1 |
| Township Council Member                     |             | Seat 2 |
| Township Council Member                     |             | Seat 3 |
| Township Engineer                           |             | Seat 4 |
| Land Use Board Member                       |             | Seat 5 |
| Special Attorney                            |             | Seat 6 |
| Water Specialist                            |             | Seat 7 |
| Planner                                     |             | Seat 8 |

**BE IT FURTHER RESOLVED THAT**, the Township Clerk shall send a copy of this resolution to the following:

- a. Chairperson of the Redevelopment Committee

**RESOLUTION #18-128:**

Council President Murphy asked for a motion to approve Resolution #18-128.

Council Member Ooms questioned what had changed with this property. Council Member Ooms indicated that she believed that and all new contract should be created. Council Member Ooms requested clarification of the costs. CFO Yetter explained the costs noting the Township was only doing testing not soil removal.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Dan Kadish, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: Sandra Ooms

ABSENT: None

Motion Carried to approve Resolution #18-128.

**RESOLUTION 18-128**

**RESOLUTION OF THE TOWNSHIP OF VERNON COUNTY OF SUSSEX STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A THIRD ADDENDUM TO A CONTRACT FOR THE SALE OF REAL PROPERTY**

**WHEREAS**, the Township entered into a Contract to purchase 9 Wisteria Court from Classiclake Enterprises, LLC which Contract was dated July 6, 2016; and

**WHEREAS**, there was a need to amend the Contract in order to extend the due diligence period and to include an appraisal contingency clause (the “First Addendum”); and

**WHEREAS**, there was a need to further extend the due diligence period in order to provide for an additional time to perform a Phase 2 environmental assessment (the “Second Addendum”); and

**WHEREAS**, there is a need to further extend the due diligence period to perform said Phase 2 environmental assessment; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council, Township of Vernon, County of Sussex, State of New Jersey that the Mayor and Clerk are hereby authorized to execute and attest to the Third Addendum in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

**INTRODUCTION/1<sup>ST</sup> READING OF PROPOSED ORDINANCES**

Council Member Murphy read Ordinance #18-16 by title only and brief explanation of purpose.

**Ordinance #18-16:** Bond Ordinance Providing For The Improvement Of The Sanitary Sewerage System In And By The Township Of Vernon, In The County Of Sussex, New Jersey, Appropriating \$140,000 Therefor And Authorizing The Issuance Of \$140,000 Bonds Or Notes Of The Township For Financing Such Appropriation

Council President Murphy asked for a motion to introduce Ordinance #18-16 with public hearing to be held on April 23, 2018.

MOVED: John Auberger

SECOND: Dan Kadish

A roll call vote was taken:

AYES: John Auberger, Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to Introduce Ordinance #18-16 with public hearing to be held on April 23, 2018.

Council Member Murphy read Ordinance #18-17 by title:

**Ordinance #18-17:** Bond Ordinance Appropriating \$2,380,870, And Authorizing The Issuance Of \$1,453,000 Bonds Or Notes Of The Township, For Various Improvements Or Purposes Authorized To Be Undertaken By The Township Of Vernon, In The County Of Sussex, New Jersey

Council President Murphy asked for a motion to introduce Ordinance #18-17 with public hearing to be held on April 23, 2018.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: John Auberger

ABSENT: None

Motion carried to Introduce Ordinance #18-17 with public hearing to be held on April 23, 2018.

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

**Ordinance #18-12:** Ordinance To Amend And Supplement Chapter 89 Of The Code Of The Township Of Vernon Entitled “Personnel Policies”

Council President Murphy read Ordinance 18-12 by title only.

Council President Murphy asked for a motion to open the public hearing.

MOVED: Dan Kadish

SECOND: John Auberger

All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-12.

MOVED: Dan Kadish  
SECOND: Mark Van Tassel  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-12.

MOVED: Dan Kadish  
SECOND: John Auberger  
**A roll call vote was taken:**  
Ayes: John Auberger, Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy  
Nays: None  
Abstain: None  
Absent: None  
Motion carried to adopt Ordinance #18-12.

**Ordinance #18-13:** An Ordinance Of The Township Of Vernon In The County Of Sussex, New Jersey Authorizing The Purchase Of Various Equipment And Repairs In, By And For The Township Pursuant To N.J.S.A. 40:56-1 And Appropriating Therefore The Sum Of \$15,750.00 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Account Of The Township

Council President Murphy read Ordinance 18-13 by title only.  
Council President Murphy asked for a motion to open the public hearing.

MOVED: Dan Kadish  
SECOND: Mark Van Tassel  
All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-13.

MOVED: Dan Kadish  
SECOND: John Auberger  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-13.

MOVED: Dan Kadish  
SECOND: Mark Van Tassel  
**A roll call vote was taken:**  
Ayes: John Auberger, Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy  
Nays: None  
Abstain: None  
Absent: None  
Motion carried to adopt Ordinance #18-13.

**Ordinance #18-14:** An Ordinance To Repeal And Replace The Code Of The Township Of Vernon, Chapter 130, "Abandoned Properties; Unfit Buildings"

Council President Murphy read Ordinance 18-14 by title only.  
Council President Murphy asked for a motion to open the public hearing.

MOVED: Mark Van Tassel  
SECOND: Dan Kadish  
All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-14.

MOVED: Mark Van Tassel  
SECOND: Dan Kadish  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-14.

MOVED: Dan Kadish  
SECOND: John Auberger

**A roll call vote was taken:**

Ayes: John Auberger, Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy  
Nays: None  
Abstain: None  
Absent: None

Motion carried to adopt Ordinance #18-14.

**Ordinance #18-15:** An Ordinance of The Township Of Vernon, County Of Sussex, State Of New Jersey, Creating Chapter 484 Of The Municipal Code Of The Township Of Vernon Entitled "Soil Fill Placement"& Amending Chapter 250 Of The Code Of The Municipal Code Of The Township Of Vernon To Include Soil Fill Permit Fees And Escrows

Council President Murphy read Ordinance 18-15 by title only.

Council President Murphy asked for a motion to open the public hearing.

MOVED: Dan Kadish  
SECOND: John Auberger  
All members voted in favor.

Pat Stassi, of [REDACTED] came forward. Ms. Stassi thanked the Township for taking the measures it had. Ms. Stassi indicated that the ordinance had a lot of thought and planning behind it and was the most important thing the Township had done. Ms. Stassi thanked the Council for the ordinance.

Seeing no more members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-15.

MOVED: Mark Van Tassel  
SECOND: Dan Kadish  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-15.

MOVED: Dan Kadish  
SECOND: John Auberger

**A roll call vote was taken:**

Ayes: John Auberger ,Sandra Ooms, Dan Kadish, Mark VanTassel, Jean Murphy  
Nays: None  
Abstain: None  
Absent: None

Motion carried to adopt Ordinance #18-15.

**PUBLIC COMMENTS (On Current Agenda Items Only)**

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

MOTION: John Auberger  
SECOND: Dan Kadish  
All members were in favor.

Scott Ghysels, Barry Lakes, expressed concern about the comments made by the Mayor and Council regarding the Kelly Bill reimbursements to the various communities. Mr. Ghysels discussed the various law suits and the costs that were required to be reimbursed. Mr. Ghysels expressed dissatisfaction that the township was looking to reevaluate the costs as the private communities comprise 40% of the Township. Council Member Kadish noted a road study done regarding salting and sanding and indicated when he was on the Council in the past, the amounts were evaluated each year. Mr. Ghysels indicated that if the Township reevaluated the costs and rate of reimbursement for Kelly Bill items that the private communities may pursue litigation.

Seeing no more members of the Public wishing to come forward, Council President Murphy asked for a motion to close the meeting for Public Comments.

MOTION: Dan Kadish  
SECOND: John Auberger  
All members were in favor.

**MAYORS REPORT**

Mayor Shortway was absent. Business Administrator Voelker announced that Kelly Brooks and Carolyn Cacace were appointed to the Board of Recreation.

## COUNCIL COMMENTS

Council Member Auberger stated that in regards to the cost of reimbursements for sand and salt that the Township needed to review the costs. Council Member Auberger noted that the Township is paying for the cost of the salt and sand; then for the labor to mix the salt and sand and reload the trucks and deliver it to the lake communities. Council Member Auberger wants to see what the costs associated with this including labor and time to determine what is better for the tax payers. Council Member Van Tassel noted the Township would also like to see that the places that are getting delivery have secured locations. Council Member Auberger noted that on Saturday he did a roadside cleanup for the Kiwanis Club. Council Member Auberger stated that cars were speeding excessively and hoped that people would slow down as there were signs posted indicating the clean up.

Council Member Van Tassel had no comment.

Council Member Kadish stated that on the 26<sup>th</sup> of April at Crystal Springs from 6-9 to discuss Senior Services, hospice, dog sitting while you are in the hospital. It is beign sponsored vy the American Association of University woman.

Council Member Ooms claimed that the Township can no longer limit public comments because one person spoke over time at the meeting. Council Member Ooms stated that to do otherwise is an ACLU violation. After Council President Murphy spoke Council Member Ooms spoke again. Council Member Ooms wanted to know what happened with the Board of Education ordinance and why it was not taken back from the table. Council President Murphy noted that it was tabled and the Township Attorney was reviewing the matter with the Township Engineer.

## COUNCIL PRESIDENT COMMENTS

Council President Murphy indicated that there was a report done about the snow plowing in 2011. Council President Murphy indicated that it determined the rates of reimbursement for the Kelly Bills. Council President Murphy noted that at some point all communities were paid at the same rate as the community that had the roads. Council President Murphy stated that no action was taken on that report from 2011. Council President Murphy also indicated that the building department is open at 7:00 am. Council President Murphy asked if the clean communities could have the Police come out. Council President Murphy indicated

## ADJOURNMENT

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Council Member Kadish, seconded by Council Member Van Tassel with all members voting in favor.

The Meeting of the Township Council of the Township of Vernon was adjourned at 7:54 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: May 14, 2018