

VERNON TOWNSHIP COUNCIL

REGULAR MEETING MINUTES

JANUARY 11, 2021

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on January 11, 2021 via Zoom Webinar in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Harry Shortway presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 6, 2021 and on January 7, 2021 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 John Auberger, Andrew Pitsker, Kelly Weller and Council President Shortway. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker and Township Attorney Josh Zielinski.

SALUTE TO THE FLAG

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

Council President Shortway asked for a moment of silence for Capital Police Officers Brian D. Sicknick and Howard Liebengood for the loss of their lives.

APPOINTMENT TO THE VERNON TOWNSHIP COUNCIL

Resolution #21-55: Resolution Appointing to the Vernon Township Council for an Unexpired Term Ending December 31, 2021

Council President Shortway asked Council Member Weller to read the names of the people that submitted letters of interest to be on the Township Council.

Council Member Weller said we wanted to take a moment to recognize the people who showed an interest in filling the vacant Council seat. Peg Distasi, Toni Cilli and Brian Lynch thank you for offering your services to the town and throwing your hats in the ring.

Council Member Shortway asked if any Council Members would like to make a nomination to the appointment on the Vernon Township Council.

Council Member Pitsker made a motion for a nomination of Toni Cilli to the seat that has been vacated by Council Member Murphy on January 1, 2021.

Council Member Weller seconded the motion.

MOVED: Andrew Pitsker
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve Toni Cilli to the Vernon Township Council for an unexpired term ending December 31, 2021.

Council President Shortway congratulated Toni Cilli.

Council President asked for a motion for a 5-minute recess.

MOVED: John Auberger
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried for a short recess.

Council Member Auberger made a motion to come out of recess. Seconded by Council Member Weller.

All members were in favor.

Mayor Burrell administered the Oath of Office to Council Member Toni Cilli.

Township Attorney Josh Zielinski explained that under the vacancy statute, a vacancy in the membership of the Governing Body, can be filled by a majority vote of the remaining members of the Governing Body. In this instance we had a motion for Ms. Cilli to fill the vacancy of Council Member Murphy and that was passed by a majority vote of the Governing Body, therefore, Ms. Cilli fills the vacancy.

APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY

Council Member Auberger made a motion for Harry Shortway to fill the Alternate #2 Seat on the MUA. Seconded by Council Member Pitsker.

MOVED: John Auberger
SECOND: Andrew Pitsker

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to appoint Harry Shortway to the MUA as Alternate #2.

PUBLIC COMMENTS (*For Current Agenda Items Only, Limited to 3 minutes per person*)

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

MOVED: John Auberger

SECOND: Kelly Weller

All members present voted in favor.

Sean Clarkin – Vernon Township, chatted in Zoom, the advanced notice of the meeting is not appropriate for the year of 2021 nor does it use common sense technology available to us. How are you selecting the replacement? Have you advertised the candidates' qualification to the citizens of Vernon? Can the member of the Council publically state for the record why they voted for the individual they voted for? During their statement, please have them state how long they have known the individual and how many times they met with the candidate about filling the position. How many candidates meet with the Town Council Members about this position?

John Stevens – Vernon Township, addressed Ordinance 21-04 which abolishes the Historic Preservation Commission. He said through reading of documentation he saw removing the HPC Chairperson but what you are doing is getting rid of the Historic Preservation Commission. He had a discussion with the Mayor and he feels that we need the HPC for our community not only to preserve history but to demonstrate our attributes to all, whether to township citizens or outside visitors. Mr. Stevens said the Mayor responded saying that destroying the HPC is not something that he nor any member of the Council desire to do. Mr. Stevens pointed out that Jessica Caldwell in 2019 prepared the Sustainable Economic Development Plan and it sited history in Vernon at least half a dozen times. He said part of what the report indicated is that history is an important part of Vernon. Mr. Stevens said during his time on the EDC Jessi attended meetings as a town citizen. She was instrumental in the Western Highlands Scenic Byway, which has gone nowhere. He asked not to do away with the Historic Preservation Commission and asked the Council to consider an Historic Preservation Committee and he asked if this ordinance could be tabled to have more discussion on this subject.

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

MOTION: Andrew Pitsker

SECOND: Kelly Weller

All members were in favor.

MINUTES

December 3, 2020 – Special Workshop Meeting
December 14, 2020 – Executive Session
December 14, 2020 – Regular Meeting
December 22, 2020 – Special Meeting

Council President Shortway asked for a motion to approve the December 3, 2020 – Special Workshop Meeting Minutes, December 14, 2020 – Executive Session Minutes, December 14, 2020 – Regular Meeting Minutes

MOVED: Andrew Pitsker
SECOND: Kelly Weller

A roll call vote was taken:

December 3, 2020 Minutes
AYES: Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: Auberger
ABSENT: None

December 14, 2020 – Executive Session Minutes
AYES: Auberger, Pitsker, Shortway
NAYES: None
ABSTAIN: Weller
ABSENT: None

December 14, 2020 Regular Minutes
AYES: Auberger, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Council President Shortway asked for a motion to approve the December 22, 2020 as corrected.

MOVED: John Auberger
SECOND: Andrew Pitsker

A roll call vote was taken December 22, 2020 Minutes
AYES: Auberger, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve the above meeting minutes.

RESOLUTIONS

Resolution #21-47: Resolution Authorizing Settlement

Council President Shortway read the title of resolution #21-47

Council President Shortway asked for a motion to approve resolution #21-47.

MOVED: Kelly Weller

SECOND: Andrew Pitsker

A roll call vote was taken:

AYES: Auberger, Weller, Pitsker, Shortway

NAYES:

ABSTAIN: Cilli

ABSENT:

Motion carried to approve resolution #21-47

RESOLUTION #21-47

RESOLUTION AUTHORIZING SETTLEMENT

WHEREAS, the Township preferred disciplinary charges against Lina Petrone; and

WHEREAS, the Township of Vernon and Ms. Petrone and U.A.W. Local 2326 reached a settlement to resolve the charges in lieu of a disciplinary hearing; and

WHEREAS, The Township has determined that it is in best interests of the Township to resolve the matter in lieu of disciplinary proceedings and potential appeals, in accordance with the terms of the negotiated Settlement Agreement.

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

1. The Township Council authorizes the Mayor to execute the Settlement Agreement negotiated and executed by Ms. Petrone, which is deemed to be in the best interests of the Township.
2. This resolution shall take effect immediately.

A copy of this Resolution will be placed on file with the Clerk of the Township.

Resolution #21-48: Authorizing Contracts with Certain Approved Educational Services Commission of New Jersey Cooperative Contract Vendor Daktronics Sign Installation and Equipment, ESCNJ Contract #AEPA IFB #020-F

Council President Shortway read the title of resolution #21-48.

Council President Shortway asked for a motion to approve resolution #21-48.

Council Member Pitsker asked where this is going to be located and if the installation was going to be done by Daktronics.

Administrator Voelker explained that it will be located on the front lawn of the Municipal Building and that Daktronics is doing the installation.

MOVED: Andrew Pitsker

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Pitsker, Weller, Cilli, Shortway

NAYES:

ABSTAIN:

ABSENT:

Motion carried to approve resolution #21-48

RESOLUTION #21-48

AUTHORIZING CONTRACTS

WITH CERTAIN APPROVED EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE CONTRACT VENDOR DAKTRONICS SIGN INSTALLATION AND EQUIPMENT, ESCNJ CONTRACT #AEPA IFB #020-F.

WHEREAS, the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the Educational Services Commission of New Jersey Cooperative Pricing System; and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing Educational Service Commission of New Jersey Contracts, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS Daktronics currently holds the ESCNJ contract AEPA IFB #020-F for such procurements; and

WHEREAS, the Township intends to enter into contract for procurement and installation of a Galaxy Outdoor Electronic Message Center -GS6 Series with accessories and installation through Daktronics 201 Daktronics Drive PO Box 5128 Brookings, South Dakota 57006-5128 in the amount of \$33,051.00; and

WHEREAS, the Chief Municipal Financial Officer has certified that funds in the amount of \$33,051.00 are available in: Line Item: C-04-20-011-18.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon, authorizes the Mayor to enter into a contract into contract for procurement and installation of a Galaxy Outdoor Electronic Message Center -GS6 Series with accessories and installation through Daktronics 201 Daktronics Drive PO Box 5128 Brookings, South Dakota 57006-5128 in the amount of: \$33,051.00; through ESCNJ contract AEPA IFB #020-F.

Resolution #21-49: Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2021- June 2025

Council President Shortway read the title of resolution #21-49.

Council President Shortway asked for a motion to approve resolution #21-49.

MOVED: John Auberger

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Pitsker, Weller, Cilli, Shortway

NAYES:

ABSTAIN:

ABSENT:

Motion carried to approve resolution #21-49

RESOLUTION #21-49

GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE

FISCAL GRANT CYCLE JULY 2021- JUNE 2025

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Vernon, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Vernon, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Vernon Municipal Alliance grant for the period October 1, 2020 through June 30, 2021 in the amount of:

DEDR	\$ 5,584.00
Cash Match	\$ 1,396.00
In-Kind	\$ 4,188.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution #21-50: Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Granting Authority for Approval of Certain Purchases in Excess of the Bid Threshold through New Jersey State Contracts and/or Purchasing Cooperatives for 2021

Council President Shortway read the title of resolution #21-50.

Council President Shortway asked for a motion to approve resolution #21-50.

MOVED: Andrew Pitsker

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Pitsker, Weller, Shortway

NAYES:

ABSTAIN: Cilli

ABSENT:

Motion carried to approve resolution #21-50

RESOLUTION #21-50

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, GRANTING AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES IN EXCESS OF THE BID THRESHOLD THROUGH NEW JERSEY STATE CONTRACTS AND/OR PURCHASING COOPERATIVES FOR 2021

WHEREAS, a need exists for the acquisition of various goods and services contained within cooperative contracts and over the bid threshold as aggregation of commodities, for the daily operations of the Township of Vernon; and

WHEREAS, the Township of Vernon may, without advertising for bids, purchase such materials through the New Jersey State Purchase and Property State Contracts and other approved Regional Cooperative Purchasing Systems of which the Township of Vernon is a member, pursuant to N.J.S.A. 40A:11-11, N.J.S.A. 40A:11-12, and N.J.A.C. 5:34-7.29 et. Seq., and

WHEREAS, under the state cooperative contract, or designated regional cooperative contract award, the following vendors hold valid cooperative contracts in accord with the New Jersey Local Publics Contract Law.

Vendor	Contract #	T-Number	Title	Term Expiration
MORTON SALT	Sussex County		ROAD SALT/ GRITS	6/30/2021
NORTH CHURCH GRAVEL	Sussex County		ROAD SALT/ GRITS	6/30/2021
DENVILLE LINE PAINTING	MCCPC #36		LINE STRIPING	12/31/2021
TILCON	MCCPC #5		PAVING	12/31/2021

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

1. The Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Township is hereby authorized to approve purchases in the aggregate over the bid threshold from the list of approved cooperative contract, through New Jersey State Contracts and/or Purchasing Cooperatives to which the Township of Vernon is a member without further action from Council, provided that funds are available to cover the expenditure.

Resolution #21-51: Referring 525 Route 515 Redevelopment Plan for Block 413, Lot 10 to the Land Use Board (This Resolution concerns review by the LUB to include a gas station in the Town Center)

Council President Shortway read the title of resolution #21-51.

Mayor Burrell explained that over the past several months, I have been working with the current owner of the D&S Mall located across from the Acme Plaza. In addition to my discussions/meetings with the

current owner, at his request, I have also had several meetings with him and three members of a company that have signed an agreement with him to purchase the D&S Mall property.

This company plans to:

1. Renovate and provide a facelift for the building on the property.
 2. Use a portion of the building as part of a high end Circle K convenience store and fuel station;
 3. Renovate the other sections of the building into units that will attract other businesses that would benefit at this location by the customer traffic that the Circle K convenience store and fuel station would generate; and ...
 4. Add another story to a portion of the building which would accommodate two 2-bedroom apartments.
- My due diligence and research of the Circle K convenience store and fuel station operations revealed that they are a successful, fast growing company, with currently 7,230 convenience and fuel station stores in the United States, a number of convenience stores that's second only to 7-Eleven's 9,348 stores.

The same company that has signed an agreement to purchase the D&S Mall property has recently completed and opened a beautiful new Circle K convenience and fuel station store on Route 23 in Hardyston.

They are enthusiastic about Vernon, and stated that they view Vernon as a prime location because:

1. They believe that it is a town that's in need of the services and conveniences that they provide; and ...
2. They view Vernon as a town that has positive growth potential.

This Redevelopment Plan that I hereby submit to the Council is designed to serve specifically as the zoning for the 1.28 acers D&S Mall site. It provides guidelines for new construction and rehabilitation of the existing building on the site.

This Redevelopment Plan provides for a mix of uses - - i.e., commercial (a convenience store and a fuel station) and residential (the two 2-bedroom apartments) - - which will serve to enliven this underutilized parcel in the Town Center section of our Township.

This Redevelopment Plan is also designed to encourage the integration of enhanced building design, parking, landscaping, and signage elements in order to improve the appearance of the streetscape of this site that's located in our Town Center.

In addition, this Redevelopment Plan supports the following four Master Plan goals and objectives:

1. To provide for economic development through enhanced commercial development.
2. To encourage mixed-use development.
3. To direct the majority of future growth in the Township to the Vernon Town Center and Redevelopment Areas of the Township.
4. To create land use and development plans, policies and ordinances that are predominantly consistent with the goals and policies of the State Development and Redevelopment Plan.

I ask that you introduce and forward this Redevelopment Plan to the Land Use Board for their review and comments.

By doing so, you will be supporting our collective efforts to:

1. Enhance needed economic development in our town.
2. Bring in more commercial entities to help our residential taxpayers pay the cost of operating a cost effective and efficient municipal government; and ...
3. Bring our residents more of the services and conveniences that they want, need and deserve.

Council Member Cilli asked if this resolution is to bring this to the Land Use Board for their approval.

Mayor Burrell said yes and the Land Use Board meets on January 13, 2021.

Council Member Pitsker asked what evaluations and investigations have been done so far for traffic control, the building, water and sewer requirements and needs.

Jessica Caldwell, Principal Planner of J. Caldwell & Associates, LLC answered saying we have not evaluated at this point. She said at this point is basically providing the zoning for this site and following that the potential developer would submit a site plan to the Land Use Board and those items would be reviewed at that time. Ms. Caldwell is not sure if the applicant has worked with the MUA as far as what the sewer requirements would be. This is outside of the purview of the redevelopment plan and the Land Use Board review.

Council Member Pitsker asked if there is any County input that is required at the start of this.

Ms. Caldwell replied not for the plan but they will need a County permit for any access points or anything that happens on County Route 515.

Council President Shortway asked for a motion to approve resolution #21-51.

MOVED: Andrew Pitsker

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Pitsker, Weller, Shortway

NAYES:

ABSTAIN: Auberger, Cilli

ABSENT:

Motion carried to approve resolution #21-51

RESOLUTION #21-51

REFERRING 525 ROUTE 515 REDEVELOPMENT PLAN FOR BLOCK 413, LOT 10 TO THE LAND USE BOARD

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), sets forth the procedures for the Township of Vernon ("Township") to determine whether certain properties are areas in need of redevelopment, along with the development and effectuation of a redevelopment plan for such properties; and

WHEREAS, the Township has determined that Block 413, Lot 10 in the Town Center District is an area in need of redevelopment; and

WHEREAS, the Township Planner, Jessica Caldwell has prepared the 525 Route 515 Redevelopment Plan for Block 413, Lot 10; and

WHEREAS, the Township Council desires the Land Use Board to review and make a report and/or recommendation regarding the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length;
2. The Land Use Board shall review and make a report and/or recommendation regarding the Redevelopment Plan in accordance with N.J.S.A. 40A:12A-7, including Master Plan consistency; and
3. This Resolution shall take effect immediately.

Resolution #21-52: Renewal of Inactive Liquor License (T&Z Holding Co. LLC) Requiring Special Ruling in the Township of Vernon for the 2020-2021 Licensing Term (This license has been in pocket for 2 years and requires a Special Ruling)

Council President Shortway read the title of resolution #21-52.

Council President Shortway explained that for the last five years he has been very critical of ABC licenses that are kept “in pocket”. When he was Mayor he would get inquiries on purchasing them. They are limited to the municipalities by population. He said the licenses that are kept “in pocket” are not generating business, jobs or EDUs.

Council President Shortway would like more precise information as to what their plan is to make this active before he votes yes to this resolution.

Council Member Weller agrees with Council President Shortway saying she would also like some more information about what is being done to make this liquor license active.

Mayor Burrell said he will speak to the owner of this liquor license and see what the status is to get this license active.

Council President Shortway made a motion to table this resolution until the next Township Council meeting. Seconded by Council Member Weller.

MOVED: Harry Shortway

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Pitsker. Weller, Cilli, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion carried to table resolution #21-52 till the next Township Council meeting.

Resolution #21-53: Resolution of the Township Council of the Township of Vernon Authorizing the Award of Payroll Management Services and Software Vendor through the Competitive Contracting Process CC# 4-2019

Council President Shortway read the title of resolution #21-53.

Council President Shortway asked for a motion to approve resolution #21-53.

MOVED: Andrew Pitsker
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Pitsker. Weller, Shortway
NAYES:
ABSTAIN: Cilli
ABSENT:

Motion carried to approve resolution #21-53

RESOLUTION #21-53

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON AUTHORIZING THE AWARD OF PAYROLL MANAGEMENT SERVICES AND SOFTWARE VENDOR THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 4-2019

WHEREAS, the Township of Vernon has a desire to provide for provide for payroll management services and software offerings for the operation of its financial matters in accord with the New Jersey Local Fiscal Affairs Law; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.1, and for a period of five (5) years under N.J.S.A 40A:11-4.1 et. Seq., and

WHEREAS, the Township received Competitive Contract proposals, CC# 4-2019 on May 21, 2019 at 11:00 A.M.; and

WHEREAS, the Township authorized the competitive contract process though council approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1 through resolution #19-95; and

WHEREAS, the Township established a rating committee rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, Action Data Services Inc., 17 Sherwood Lane, Fairfield, N.J. 07004, has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending Action Data Services Inc, was made available to the public and governing body at least 48 hours prior to the meeting of the governing body in accord with N.J.S.A 40A:11-4.1 and N.J.A.C 5:34-4; and

WHEREAS, subject to the yearly extension of contract for a maximum of five (5) years, the governing body approval of the 2021budget the amount of contract is not to exceed:

2021	\$3,000.00
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Subject to any yearly increases in accord with N.J.S.A.40A:11-15(a) thru (d); and

WHEREAS, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$3,000.00 as follows:

2021 Current Budget - 1-01-20-130-20 FINANCE O/E

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Township of VERNON, County of Sussex, State of New Jersey, as follows:

The Township Business Administrator is hereby authorized to enter into a contract with Action Data Services Inc., 17 Sherwood Lane, Fairfield, N.J. 07004. for 2021 with renewals through resolution not to exceed five (5) years encompassing the scope of work and cost proposal as outlined within CC# 4-2019.

Resolution #21-54: Appointment of Municipal Court Judge

Council President Shortway read the title of resolution #21-54.

Council President Shortway asked for a motion to approve resolution #21-54.

MOVED: John Auberger
SECOND: Andrew Pitsker

A roll call vote was taken:
AYES: Auberger, Pitsker, Weller, Cilli Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion carried to approve resolution #21-54

RESOLUTION #21-54

APPOINTMENT OF MUNICIPAL COURT JUDGE

WHEREAS, pursuant to N.J.S.A. 2B:12-4 and Chapter 5, §Section 37-4 of the Vernon Township Administrative Code, a municipal judge shall be appointed by the Township Council and serve for a term of three years from the date of appointment and until a successor is appointed or qualified; and

WHEREAS, the Hon. James G. Devine, J.M.C., has been serving as Municipal Court Judge for the Township since January 1, 2009; and

WHEREAS, the Township Council has determined that Judge Devine is qualified to be re-appointed to the position of Municipal Court Judge for the Township of Vernon.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, New Jersey, that the Hon. James G. Devine, J.M.C., is hereby re-appointed to serve as Municipal Court Judge for the Township of Vernon, New Jersey, for a term of three (3) years commencing on January 1, 2021, and ending on December 31, 2023, to be compensated at an annual salary of \$39,416.00 for the year 2021; \$40,204.00 (2% increase) for the year 2022; \$41,008.00 (2% increase) for the year 2023.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #21-01: Ordinance Approving Redevelopment Plan – 525 Route 515, Block 413 Lot 10

Council President Shortway read by title Ordinance #21-01.

Council President Shortway explained that due to some of the verbiage he would like to table this ordinance until the next Township Council meeting. He feels that the January 13, 2021 Land Use Board meeting, based on Resolution #21-51, will make recommendations which can be reviewed at the next Township Council meeting.

Council President Shortway made a motion table Ordinance #21-01 until the next Township Council meeting. Seconded by Council Member Pitsker.

MOVED: Harry Shortway

SECOND: Andrew Pitsker

A roll call vote was taken:

AYES: Pitsker, Weller, Cilli, Shortway

NAYES:

ABSTAIN: Auberger

ABSENT:

Motion passed to table Ordinance #21-01 until the next Township Council meeting.

Ordinance #21-02: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Amending and Supplementing Chapter 130 of the Code of the Township of Vernon Regarding Vacant and Abandoned Property Registration Fees

Council President Shortway read by title Ordinance #21-02.

Council President Shortway asked for a motion to introduce Ordinance #21-02.

MOVED: John Auberger

SECOND: Andrew Pitsker

A roll call vote was taken:

AYES: Auberger, Pitsker, Weller, Shortway

NAYES:

ABSTAIN: Cilli

ABSENT:

Motion carried to introduce Ordinance #21-02.

Ordinance #21-03: Capital Ordinance Providing for Various Improvements by the Township of Vernon, in the County of Sussex, New Jersey, Appropriating Therefore the Sum of \$300,000.00 and Providing that Such Sum So Appropriated Shall Be Raised from the Capital Improvement Fund of the Township

Council President Shortway read by title Ordinance #21-03.

Council President Shortway read an explanation for Ordinance #21-03 from CFO Donelle Bright:

The capital ordinance is for the police and DPW vehicle order for 2021.

With everything that happened with the budget delays in 2019, we weren't able to order vehicles until the 3rd qtr as the model year ended and the factories stopped production for the models we wanted to order.

In 2020, the factories shut down for months due to COVID and that delayed our orders for 2021 models. As a result of both these situations, we were down police vehicles for a period of time (even more so because one was totaled from a tree limb).

The turnaround time for these new vehicles is not immediate. With the 2021 models still open for order/purchase, I'd like to get the orders in now so we can have them come summer (and so we can remove the aging fleet out).

I put into the temporary budget a capital improvement fund line item for \$300k to cover the expenses of the DPW and Police fleet in order to move forward on this order. I know the DPW is down a couple of 550's as they were in the same situation as the Police with order times/cutoffs.

The ordinance enables us to move forward on purchasing, but there are additional resolutions we would still need to approve in order to move on the vehicles themselves. If you recall, we do Enterprise fleet resolutions for each vehicle we purchase.

Council President Shortway asked for a motion to introduce Ordinance #21-03.

MOVED: Kelly Weller
SECOND: John Auberger

A roll call vote was taken:
AYES: Auberger, Pitsker, Weller, Cilli, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion carried to introduce Ordinance #21-03.

Ordinance #21-04: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, amending and Supplementing the Municipal Code to Abolish the Historic Preservation Commission

Council President Shortway read the title of Ordinance #21-04.

Council President Shortway asked for a motion to introduce Ordinance #21-04.

MOVED: Andrew Pitsker
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Pitsker, Weller, Cilli, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion carried to introduce Ordinance #21-04.

PUBLIC COMMENTS (*Limited to 3 Minutes On Any Topic*)

Council President Shortway asked for a motion to opened the meeting for Public Comments.

MOTION: John Auberger

SECOND: Andrew Pitsker

All members were in favor.

Sean Clarkin – Vernon Township, emailed comments;

Good evening members of the Vernon Town Council

Looking at the methods being used to alert the citizens of Vernon Township about the meetings and workings of our governing body, it appears that the methods are in need to updating.

These methods may have worked very well in the 1960's and 1980's but today's date is January 2021 and there are far more effective ways of communicating with the citizens of Vernon Township than those currently being used.

I understand that the current methods may meet the current minimum requirements of the State of New Jersey, but as our local town elected officials I encourage you to employ modern technology for informing the citizens of our community about your work and scheduled activities.

In fact, I would encourage the members of the Town Council to take to the internet and post their views about the subjects at hand. I know that hearing their voices, hear their positions and understanding the thought process of our elected officials would be wonderful in assisting us, the voting public in deciding whether or not to re-elect them when their terns are up.

Modern technology allows for transparency and the best form of government is one that informs and cares for its citizens concerns.

Peg Distasi – Vernon Township, thanked the Council for giving her the opportunity to apply for the position but she questioned the procedure as she was never contacted for an interview and yet Ms. Cilli said she was. Ms. Distasi asked how the determination was made and what are Ms. Cilli's qualifications to be on the Council.

Ms. Distasi commented on Ordinance 21-01 saying it is a disgrace that an ordinance has been published prior to the date of it being heard. She feels this shows that decisions have been made before the Land Use Board even meets and does its job.

Ms. Distasi commented on the disbanding of the Historic Preservation Commission and she feel that every Council Member who voted yes for this should be ashamed of themselves because you are doing

it out of retaliation and you are harassing a 30-year volunteer who has done more for the town than any of the Council put together.

Ms. Distasi feels that the town is becoming a one-man-show and Harry Shortway is on everything and also selecting anybody who has been appointed to commissions or committees and she questions if this is not a conflict of interest.

Mike Vintzileous – [REDACTED] Vernon Township, explained that he is a medical marijuana patient and he is not part of any organization or company. He is an advocate of medical marijuana and uses it to stay off of opioids. He was on different drugs for over twelve years and at the end of March he will be clean for three years. His message is not only in hopes of helping others who may be having similar addictions but he also shares in order to be a resource to let others who may not know that opioid use disorder is a qualifying condition or roll in New Jersey's medical marijuana program. He said that sharing his recovery story has been extremely therapeutic for him as well. He has shared his story with over thirty towns in the last few years. He asked the Council what their opinions are if a medical marijuana facility came to Vernon.

Jessica Paladini – Vernon Township, finds it very disturbing that an Ordinance is written and published that indicated things that haven't even happened yet and could potentially happen two days from now. She is glad this was tabled.

Ms. Paladini said that Robert's Rules of Order says when you have a motion for a nomination, you have to then ask if there are any other nominations. She feels that this appointment was sighted before tonight and John Auberger should have been able to make his nomination.

James Santonastaso – Hampton Township, thanked everyone for their professionalism at this meeting. He feels that the Council is very professional at their meetings. He congratulated Councilwoman Cilli and he hopes she doesn't have to hard of a job ahead of her and that everyone is welcoming. Mr. Santonastso said that Vernon has a special place in his heart and he feels that the way the Council is pushing the town forward especially with economic development is very promising. He said there is support for all of the hard work that the Council is doing for the community and the more the merrier.

Sandra Ooms – Vernon Township, wished everyone a Happy New Year and hopes it is a better 2021. She agrees with Ms. Distasi in reference to Council Members having seats on boards and committees. Ms. Ooms feel these seats should be open for residents to represent a better cross section for the community. She feels that decisions can be biased knowing that there are Council Members on the committees or things can be swayed.

Ms. Ooms explained that several years ago when she was on the Council they voted to disband the Environmental Commission because we did not like the behavior of a few. Ms. Ooms feels that this was one of the worst decisions she has made and she regrets it to this day. She feels that because of disbanding the commission out of spite, the toxic waste landfill on top of Drew Mountain went on longer than it should have. Ms. Ooms said the HPC has done a lot of work over the years and she does not agree with disbanding it.

Martin O'Donnell – Vernon Township, feels it would be a good idea to revisit the idea of Councilmembers being on boards and commissions. If you have other people on these committees, it brings in outside ideas and opinions. Mr. O'Donnell feels this could be a conflict of interest because a person who has voting privileges on the Council being on a committee is trying to influence the Council.

Mr. O'Donnell congratulated Council Member Cilli on her appointment to the Council. He also thanked the Town Council for making the tough decisions when tough decisions need to be made.

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

MOTION: John Auberger

SECOND: Kelly Weller

All members were in favor.

MAYOR COMMENTS

Members of the Council, and other members of the Vernon Family, as we all know, we live in a great country that's stitched together by groups of people from various races and creeds; from various colors and religions; and from various ethnicities and national origins.

And while we have never had 100% agreement on every issue in our country, and have always had some degree of protest in our country, I view most of the disagreements and protests as:

1. Our citizens' expressions of their First Amendment rights under the Constitution; and ...
2. Part of our nation's ongoing efforts to achieve that "more perfect union" that's expressed as an objective in the preamble to our nation's Constitution.

However, as I have observed and pondered much of the hostile toned political and civic language, and many of the less than friendly political and civic events over the past several months, I have begun to wonder if those seams that have held our nation stitched together for decades were beginning to come apart.

And I know from the host of communications that I have received, plus the host of conversations that I have had with many of you, especially over the past five days, that I am not alone in these wonderings. For in these communications and conversations, a significant number of you have told me that after you, like millions of other Americans, watched in horror on January 6 as rioters attacked our nation's capital - - breaking windows, breaking down doors, destroying offices, desecrating some historic and sacred spaces, and bludgeoning to death a U.S. Capitol Police Officer with a fire extinguisher - - / after watching this unbelievable horror, many of you have begun to wonder the same thing that I am wondering.

And it's those many communications and conversations that I have had with so many of Vernon Township residents over the past five days, that have influenced and shaped my Mayor's Comments tonight.

While we are fortunate to live in a town where the overwhelming number of residents are good, decent people who act in a respectful manner towards each other, we should not take this good fortune for granted.

We must be ever vigilant to ensure that none of the extreme, mean spirited, and negative feelings that seem to have taken control of the minds of some in our nation does not seep into our minds and cause us to lose that VERNON CARES spirit.

We must be ever vigilant to ensure that the type of “everybody but me and my group are wrong” attitude, that seems to have taken control of the reasoning process of a great many people in our nation, does not seep into our reasoning process and cause us to forget that divided we fall, but together we are VERNON STRONG.

I have been accused of being idealistic; I have been accused of showing respect to those who share different political or social views than I do; I have been accused of looking at the glass of life and seeing it as being half full rather than half empty; and I readily plead guilty to all of these charges!

I don’t live with a heavy dark and negative cloud over my head.

Because I believe in the people of Vernon; because I have lived in this town for over half of my life; I believe that if we want to, this little town in northwest New Jersey can be one of the lights of progress at the end of this current tunnel of national disunity.

For in Vernon Township, we live by the principals that tell us that if you want trust, you must trust others; if you want respect, you must respect others; and if you want good friends, you must be one.

I believe that by our attitudes and behavior, we can help our county, our state, our nation, and maybe even the world to understand that this is how it works.

Let’s stay ever vigilant, and continue our efforts to Move Vernon Forward, and to be one of those lights of progress at the end of this current tunnel of national disunity.

COUNCIL COMMENTS

Council Vice President Auberger thanked all of the people who put their hat in the ring and also Jean Murphy for all of her years of service to Vernon Township and good luck to our newest member. He wanted to remind the Council and the Mayor it is up to us for the financial and fiscal responsibility, we cannot control the school taxes or what the County spends. What we control we really have to make sure that we are responsible.

Council Weller thanked the Mayor for his comments saying now more than ever many of us need to be reminded many of those points. Council Member Weller thanked Toni Cilli for filling the vacancy and she thanked Jean Murphy for her services. She believes Toni brings some great experience to the Council. She has served and volunteered for many committees over the years and she will be a great value to the town and an asset to the Council. Council Member Weller looks forward to working with her to move Vernon Forward and bring great things to the town.

Council Member Pitsker congratulated Toni. Council Member Pitsker answered the question how the Council goes about their decisions saying Toni reached out to him to discuss this position and we took a lot time and he got to hear her perspective. He asked difficult questions and Toni showed great poise. Council Member Pitsker did an interview with Toni because she reached out to him. He said Toni has been active in the community for over 25 years, she has served as vice president of the SCA, she has been a relief coach for Girls on the Run, a member of the Greenway Advisory Committee and co-founder of the Vernon Farmer’s Market. Toni worked as a planner for 14 years, and did some independent work after that while managing six children.

Council Member Pitsker is going to request that those who write the resolutions and ordinances on the agenda be a little more transparent to the tax payers and residents so they have a better understanding of the resolutions and ordinances.

COUNCIL PRESIDENT COMMENTS

Council President Shortway welcomed Council Member Cilli and said he knows she will bring the same in site and energy to the GAC you will also bring to the Council.

I am greatly saddened by the events on January 6th at our Capitol.

My fellow Americans take heed:

Abraham Lincoln proclaimed "A house divided against itself, cannot stand."

The origins of President Lincoln's warning are found in the New Testament and later by Thomas Hobbes and Thomas Paine.

We must read and recognize the meaning of these words used by forward thinkers of the past.

Now, it is not an enemy we fight, it is ourselves. Violence against each other tears at the very soul of our Nation.

Let's build upon a foundation of human dignity that includes the acceptance and appreciation for diversity.

All elected officials have an obligation to protect and serve our constituents by creating pathways leading to happiness with harmony.

Failure to do so will lead to the demise of a Nation founded on the following;

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness.

Council Member Cilli thanked Council Members Weller and Pitsker and Council President Shortway for giving her this opportunity to serve with all of them. She promises that she will work hard for the people of Vernon and all of them. She told Council Member Auberger she truly looks forward to working with him and she sees that they have a lot of the same visions for Vernon and out town. Council Member Cilli told Mayor Burrell that she has great respect for him as a veteran and as Mayor and she feels privileged to be working with him. She loves Vernon and she promises the residents and the local businesses that she will learn, listen and work hard to not only bring Vernon forward but to watch it thrive.

ADJOURNMENT

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

The Meeting of the Township Council of the Township of Vernon was adjourned at 8:20 p.m.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Harry Shortway,
Council President

Minutes approved: January 25, 2021