

Township of Vernon

TOWNSHIP COUNCIL MEETING

January 30, 2017

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday January 30, 2017 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 has been provided to the public and the press on January 26, 2017, 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 OF MEMBERS

Present were Council Members Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzal and Council President Jean Murphy. Also present were Mayor Harry Shortway, Administrator Charles Voelker, Township Attorney John Visconi.

SALUTE TO THE FLAG

Council Member Rizzuto led the assemblage to the salute of the flag.

PROCLAMATIONS:

Council Member Ooms read the following proclamation:

Cervical Health Awareness Month

WHEREAS, cervical cancer is a disease that strikes 12,000 American women each year; and

WHEREAS, cervical cancer most often affects women in the prime of life; and

WHEREAS, regular cervical cancer screening tests are effective in detecting the disease early when it can be effectively treated; and

WHEREAS, cervical cancer vaccines are available that - together with screening tests- provide a formidable and effective means of preventing this disease; and

WHEREAS, increasing awareness among patients and health care providers alike regarding the best use of these prevention tools is a key component is safe-guarding women's health;

NOW, THEREFORE, the Mayor and Council of the Township of Vernon, do hereby proclaim January 2017 as Cervical Health Awareness Month and encourage all our citizens to recognize that cervical cancer is preventable, and to encourage and support the women in our lives in taking charge of their health and availing themselves of the tests and vaccines that have proven so effective in preventing cervical cancer. We have the means to prevent this disease; it is incumbent on all of us to insure we have the will to do so.

January 2017

CERVICAL CANCER AWARENESS MONTH

In Vernon Township

Council Member Wetzal read the following proclamation –

Special Olympics Month

WHEREAS, the Special Olympics is founded on the belief that people with intellectual disabilities can, with proper instruction and encouragement, learn, enjoy and benefit from participation in individual and team sports, adapted as necessary to meet the needs of those with special intellectual and physical limitations; and

WHEREAS, Special Olympics Events provide youngsters with individual challenges and the inner satisfaction of success and accomplishments; and

WHEREAS, the Special Olympics have been competing in Vernon for three decades and Genuine Jersey Pride defines Special Olympics New Jersey which celebrates the impact they have on all who participate as well as those privileged to witness the magic every time an athlete with an intellectual disability takes to the slopes, reaches a goal, achieves a personal best time, or simply experiences the joy of participation; and

WHEREAS, Special Olympics helps each youngster learn to play hard and compete to the fullest so as to achieve a success cycle and overcome the patter of failure and frustration that often plagues mentally challenged youngsters who have not had the opportunity to play, practice, compete and achieve; and

WHEREAS, the Special Olympics helps each youngster develop self respect, self discipline, self confidence, physical, social, emotional and mental fitness; positive values such as sportsmanship, responsibility to team and respect for others; the will to succeed; and the ability to achieve their maximum potential.

NOW, THEREFORE, the Council of the Township of Vernon, do hereby proclaim **February as Special Olympics Month in Vernon Township** and we thank the participants of the Special Olympics for choosing Vernon to hold their events.

Given under my hand in these free United States in the Township of Vernon, on this 23rd day of January two thousand seventeen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

PUBLIC COMMENTS

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

MOVED: Sandra Ooms

SECOND: Dan Kadish

All members voted in favor.

There being no members from public wishing to speak, Council President Murphy asked for a motion to close Public Comments.

MOVED: Sandra Ooms

SECONDED: Dan Kadish

All members voted in favor.

MAYOR'S REPORT

Mayor Shortway stated that during discussions with Mountain Creek involving water and sewer they informed Vernon of a possible water study grant that Vernon was eligible for during the previous administration. We researched this matter and found that Vernon was eligible for an \$80,000 Water Use and Conservation Management Plan grant since September 15, 2015 of which the prior administration did not apply.

Mayor Shortway added that this administration is engaged with the Highlands Council regarding issues of water and economic development and Council President Murphy, Councilperson Ooms, Environmental Commission Chairperson and he met with the Highlands Council on January 17th.

Mayor Shortway explained this is important because Vernon was part of a pilot analysis of net water availability and the results were delivered to the former administration in August 2015. Vernon was found to need a deficit mitigation strategy plan but the sub watershed studied was Highland Lakes. Mayor Shortway noted that Highland Lakes is densely populated in some areas and it must be noted that billions of gallons of water are removed from this area to supply the City of Newark with water and this water is not recharged back into our area.

If we are to develop our town center in the hope of creating services, jobs, ratables and EDUs to stabilize MUA rates, water is needed. Both Mountain Creek and our Township require additional water capacity and the infrastructure to deliver the much-needed resource which this study is required to develop strategies.

Mayor Shortway added that Vernon is also eligible to apply for a \$20,000 Sustainable Economic Development Plan which Vernon's engineer and planner are tasked to explore these opportunities.

In addition, Mayor Shortway was told by Margaret Nordstrom, Executive Director New Jersey Highlands Council the following: The Highlands Council recently released the first components of their current Regional Master Plan (RMP) Monitoring Program effort: a Fiscal Impact Assessment and Regional Factbook. The Fiscal Impact Assessment serves to analyze how the Highlands Act and Regional Master Plan may have influenced the economy of the Highlands Region. Both documents are available on the Highlands Council website. The Fiscal Impact Assessment provides an analysis of a wide range of economic and fiscal data for the Highlands Region and for comparison regions in New Jersey, New York, and Pennsylvania. It evaluates ways in which the Act and the

RMP may have influenced the economy and fiscal resources of Highlands Region municipalities. This is a service we will utilize to develop future strategies for growth. Another meeting is scheduled for Feb.1.

In 2011, Mayor Shortway explained, the Township was hit by Hurricane Irene and went through a series of FEMA representatives who gave various misinformation about how to receive reimbursement for repairs. The Township submitted to FEMA acquired expenses for reimbursement for the Township and the various lake communities under the Kelly Bill but the Township and qualified private communities were denied substantial reimbursement. The former administration submitted an appeal in December 2014, and was seeking reimbursement of \$250K and received a partial reimbursement in September 2015. Although the former mayor received the FEMA response in September 2015, he did not make it public or assign anyone to begin working on a second appeal.

In November 2015, after the election, about a week before the 60-day deadline to file a second appeal would expire, his staff was tasked to begin working on a second appeal. Mayor Shortway was told the CFO at Mr. Marotta's request, realizing there was not enough time, filed for an extension of time with FEMA, requesting a deadline of January 10, 2016. The former administration neglected to continue to work on this important matter and simply passed it on to the current administration with the deadline of January 10, 2016.

Upon taking office, Mayor stated he immediately created a team and got to work on this issue but it was clear that 10 days was not enough time. The Township sought a second extension until the end of February that was granted by FEMA. The Township Attorney, Engineer, Administrator, State Office of Emergency Management, CFO, Clerk and myself along with members of the lake communities met for 87 hours working on the appeal. This is in addition to the work we all did to prepare for those meetings that included writing and drafting arguments, engineering analysis of the road collapse, etc. and then submitted our response in February by the deadline. Vernon Township recently received FEMA's response advising us we were denied and did not review our analysis but simply claimed FEMA, in November 2015, had no right to grant an extension. Mayor Shortway stated he contacted Congressman Gottheimer's office for assistance to pursue this matter.

Mayor Shortway stated the MUA has approved the sewer connection permit for the Municipal building and noted the Township never hooked up to the sewers but have been paying for EDUs. The Township has been using the septic system and for several years, we have been figuratively flushing dollars down the toilet. Mayor Shortway added the township is now advertising for bids to complete the hook-up within the next several months.

Mayor Shortway informed the Council that the Sussex County Open Space Committee approved \$20,000 to be used in support of the purchase of 9 Wisteria Ct and a resolution will now be presented to the Freeholders.

Mayor Shortway explained the Township Code establishes a Department of Recreation and Community Development and that this Department shall be headed by a Director, who shall be appointed by the Mayor with the advice and consent of the Council. Mayor Shortway expressed his desire to appoint Mishelle Downtain to the position of Recreation and Community Development Director. He added that the Department of Recreation and Community Development is undergoing transition and Ms. Downtain's interpersonal, organizational and time management skills have played a key role in maintaining a positive work environment through the many challenges resulting in greater overall efficiency. He added that Ms. Downtain has established a positive and productive working relationship with all agencies that collaborate with the Department; including but not limited to: Vernon BOE, Vernon Police, all sports organizations, Vernon PAL, Sussex County Senior Services and local businesses. She is also coordinating efforts by the GAAC, Senior Citizens and Recreation Committees. The Arts Committee will also be added to this list with the council's anticipated approval for the Arts Committee. A Mayor notes that a portion of the director's previous duties have been allocated to the PAL Administration but Ms. Downtain is required to coordinate the PAL programs with other Township programs and committees. Mayor stresses that currently, Ms. Downtain's duties, exceed that of her civil service title and pay scale. Prior to this administration, the department consisted of two full time employees: the director, with a salary of \$65,000 and benefits valued at \$30,000; and a full-time aide, salary \$30,000 with a \$25,000 benefit package with the total equaling \$150,000. Mayor notes that with this appointment salaries and benefits equal \$70,000 and with the addition of the \$25,000 PAL contract would total of \$95,000 realizing a savings of \$55,000. Mayor Shortway requests the Council consent to Ms. Downtain's appointment to Director of Department of Recreation and Community Development.

APPROVAL OF MINUTES

It was moved and seconded as noted below to approve the following minutes:

Regular Meeting Minutes November 28, 2016
Regular Meeting Minutes December 12, 2016

Motion: Dan Kadish with correction

Second: Sandra Ooms

Council Member Kadish made motion with a correction to the December 12, 2016 specifically where it stated his private home should have been his tenant's building.

Roll Call:

A roll call vote was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve minutes with correction as noted.

ITEMS FOR DISCUSSION

An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Prohibiting Commercial Vehicles From Using Vernon View Drive Bridge

Township Council received letter from Mr. Zaretsky with an update on matter and that the application has been submitted and bridge repair should be done by end of June. The Council noted that the Brook Hollow owners have taken responsibility for this issue and that repair is in best interest of owners. The Council discussed that the owners had assured the bridge would be repaired in shortest time frame possible. The Brook Hollow owners presented the Council with the copies of the application submitted to DOT and DEP.

CONSENT AGENDA

Council President Murphy gave a brief explanation of Resolutions #17-36 - #17-53.

Council Member Ooms asked to pull 17-50 and #17-53 from consent agenda.

Council President Murphy asked for a motion to approve Resolutions #17-36 through #17-49 and #17-52.

MOVED: Sandra Ooms

SECONDED: Dan Kadish

A roll call vote was taken:

AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to adopt resolutions #17-36 through #17-49 and #17-52.

RESOLUTION # 17-36

2017 SALARY FOR NON-UNION PART TIME EMPLOYEES (Safety Telecommunicator)

WHEREAS, Ordinance #16-03 amended salary ranges for non-union full time and part time employees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that the following persons be compensated at the hourly salary or wage, the same being consistent with Ordinance #16-03 retroactive to January 1, 2017.

Position	Name	2017 Base Salary
<u>Ordinance 16-03</u>		
Part Time Public Safety Telecommunicator	Ellen Rome	\$20.50 per hour
Part Time Public Safety Telecommunicator	Victoria Gomez	\$17.00 per hour

RESOLUTION #17-37

RESOLUTION AUTHORIZING REFUND FOR TOTALLY DISABLED VETERAN (Perkins)

WHEREAS, the Department Of Veterans Affairs on October 3, 2016 awarded William Perkins a 100% permanent and total disabled Veteran; and

WHEREAS, William Perkins made application to the tax office for exempt status on November 30, 2016; and

WHEREAS, the law exempts said property from taxation.

NOW, THEREFORE, BE IT RESOLVED, the Council of the Township of Vernon authorizes the Tax Collector to refund the amount of \$1,705.45 representing the prorated amount of the 4th Quarter 2016 taxes paid.

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

RESOLUTION #17-38

CANCELING TAXES FOR TOTALLY DISABLED VETERAN (Perkins 2017)

WHEREAS THE DEPARTMENT OF VETERANS AFFAIRS on October 3, 2016 awarded William Perkins a 100% permanent and totally disabled veteran;

WHEREAS, William Perkins made application to the tax office for exempt status on November 30, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2017 in the amount of \$3,398.79 for Block 31.01 Lot 21 also known as [REDACTED]

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

RESOLUTION #17-39

CANCELING TAXES FOR TOTALLY DISABLED VETERAN (Perkins 2016)

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS on October 3, 2016 awarded William Perkins a 100% permanent and totally disabled veteran;

WHEREAS, William Perkins made application to the tax office for exempt status on November 30, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, the Council of the Township of Vernon authorizes the Tax Collector to cancel the taxes for 2016 in the amount of \$1,705.45 for Block 31.01 Lot 21 also known as [REDACTED]

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

RESOLUTION #17-40

APPROVING ACTIVE VOLUNTEER FIREMAN FOR TRANSFER OF MEMBERSHIP IN THE

NEW JERSEY STATE FIREMEN'S ASSOCIATION (Ferry)

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

WHEREAS, Thomas J. Ferry, an active firefighter and member of the Highland Lakes Fire Department Company, is requesting to transfer his membership from Wood Ridge to Highland Lakes Fire Department in the New Jersey State Firemen's Association.

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

RESOLUTION # 17-41

AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR PAVING SAMMIS ROAD IMPROVEMENTS WITH TILCON NEW YORK INC.

WHEREAS, on October 24, 2016, by way of adoption of Resolution #16-225, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc. for Paving for Sammis Road which contract provided for an expenditure of \$251,324.80; and

WHEREAS, in a memo dated December 22, 2016, the Township Engineer states that the contract requires a Change Order #1 by the addition of one extra item in amount of \$1,025.76 and the subtraction of two reductions totaling \$29,920.91 resulting in an adjusted total contract amount of \$222,429.65; and

WHEREAS, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will decrease the total contract amount by \$28,895.15 to an adjusted total contract amount of \$222,429.65.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project decreasing the total contract amount with Tilcon New York, Inc. to \$222,429.65; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Tilcon New York, Inc. and the Township Engineer.

RESOLUTION #17-42

AUTHORIZING CHANGE ORDER #1 OF CONTRACT WITH DENVILLE LINE PAINTING FOR ROAD IMPROVEMENTS TO SAMMIS ROAD LINE STRIPING

WHEREAS, on October 24, 2016 by way of adoption of Resolution #16-226, the Council of the Township of Vernon awarded a contract to Denville Line Painting for Traffic Striping for Road Improvements to Sammis Road which contract provided for an expenditure of \$12,372.90; and

WHEREAS, in a memo dated January 3, 2017 the Township Engineer states that the contract requires a Change Order #1 of two extra items in amount of \$1,394.04 and one reduction totaling \$1,068.00 resulting in an adjusted total contract amount of \$12,698.94; and

WHEREAS, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase the total contract amount by \$326.04 to an adjusted total contract amount of \$12,698.94.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project increasing the total contract amount with Denville Line Painting to \$12,698.94; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Denville Line Painting and the Township Engineer.

RESOLUTION #17-43

**RESOLUTION AUTHORIZING
GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2014-JUNE 2019
FORM 1B**

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 fiscal year 2018 in the amount of:

DEDR	\$ 20,457.00
Cash Match	\$ 5,117.00
In-Kind	\$ 15,350.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #17-44

**RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED
ON FEBRUARY 6, 2017 WITHIN THE TOWNSHIP OF VERNON**

WHEREAS, N.J.S.A.21:3-1et seq. Explosive and Fireworks, provides that a Municipal Governing Body must authorize the display of fireworks within its boundaries as a pre-condition to such display in accordance with the New Jersey Fire Prevention Code; and

WHEREAS, Mountain Creek Resort has submitted an application to Vernon Township to conduct a fireworks display for Special Olympics on February 6, 2017; and

WHEREAS, the proposed fireworks display will take place at 200 Route 94, in the Waterpark area; and

WHEREAS, Mountain Creek Resort has engaged in a contract with Garden State Fireworks, Millington, NJ, to perform the public fireworks and special effects display and has provided the required certificate of liability insurance to the Township.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display, performed by Garden State Fireworks Inc. on February 6, 2017, at Mountain Creek Resort, located at 200 Route 94, Vernon upon satisfaction of all statutory and departmental requirements.

Resolution #17-45

**RESOLUTION TO CREATE THE VERNON TOWNSHIP
ARTS ADVISORY COMMITTEE**

WHEREAS, the Mayor and Council of Vernon Township wish to provide visual and performing cultural activities for Vernon; and

WHEREAS, the Mayor and Council of Vernon Township wish to express the educational benefits and impact of the arts, specifically the contribution they make to student achievement and a civilized, sustainable society; and

Whereas, the Mayor and Council of Vernon Township wish to create and strengthen partnerships among schools, arts and community organizations to enhance arts education and arts participation of all citizens; and

WHEREAS, cultural activities are critical to Vernon's economy and the regional economy and vitality; and

WHEREAS, tourism is identified in Vernon' Master Plan as its main industry.

NOW THEREFORE BE IT RESOLVED, that the Township Council of Vernon Township hereby approves and adopts the following:

Vernon Township establishes a Arts Advisory Committee consisting of 7 to 9 members, to be appointed by the Mayor, as follows:

1. Mayor or member of governing body
2. Council Member
3. Township Administrator (or designee)
4. School Representative (Tenured Teacher or Member of BOE or Administration)
5. Member of Public
6. Member of Public
7. Member of Public
8. Member of Public
9. Member of Public

BE IT FURTHER RESOLVED THAT, each member shall serve for a term of one (1) year, which will expire on December 31 of the year of their appointment. Initial members shall serve for the remainder of the year appointed. Any vacancy occurring on the committee otherwise than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

RESOLUTION #17-46

AUTHORIZING THE MAYOR TO OFFER AN INCENTIVE TO EMPLOYEES WHO ENROLL IN AN ALTERNATE HEALTH OR PRESCRIPTION PLAN

WHEREAS, Health and Prescription Costs for employees and retirees are rising year after year and account for approximately 14% of the municipal budget; and

WHEREAS, the Township is offering two alternative health insurance plans and one alternative prescription plan for its employees; and

WHEREAS, the Township and employee will see a savings for switching to the optional plan; and

WHEREAS, the Township desires to offer an incentive of 1/3 of the Township's net savings for each employee who elects to switch to an alternate health or prescription plan for the plan year January 1, 2017 to December 31, 2017; and

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

1. The Mayor of the Township of Vernon is hereby authorized to sign Memorandum of Understanding with the PBA Local No 285 and the UAW Local 2326 to create the mechanism of which to allow the incentive to be paid.
2. The Personnel Policy and Procedure Manual will add the addendum to offer this incentive to non-union employees.
2. This Resolution shall take effect immediately upon passage in accordance with law.

RESOLUTION #17-47

APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN'S ASSOCIATION (Alba)

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

WHEREAS, Jason M. Alba, an active firefighter and member of the Vernon Township Volunteer Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen's Association.

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

RESOLUTION #17-48

RESOLUTION AUTHORIZING REFUND (Bl. 83.06, Lot 3)

WHEREAS, Resolution #16-252 was adopted on November 28, 2016 and whereas an additional \$20.00 refund is owed.

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Wells Fargo Real Estate Tax Services in the amount of \$20.00 representing refund for additional overpayment of 4th qtr. 2016 property taxes for Block 83.06 Lot 3, also known as [REDACTED], [REDACTED]

RESOLUTION #17-49

AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR APPEAL, APPRAISAL AND CONSULTING SERVICES

WHEREAS, there is a need for Professional Services to the Township of Vernon for Tax Appeal, Appraisal and Consulting Services for the term January 1, 2017 through December 31, 2017; and

WHEREAS, N.J.S.A. 40A:11-5 specifically exempts professional services from provisions of public bidding as provided in the Local Public Contracts Law; and

WHEREAS, said specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession, and whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced field of learning acquired by a prolonged formal course of specialized training and study as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, the Township of Vernon is desirous to enter into an agreement with this professional as a fair and open contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the Chief Finance Officer has certified in writing that the value of this contract is available for these purposes subject to the adoption of the 2017 Municipal Budget; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that they hereby authorize and approve the award of contract for Realty Appraisal to Holzhauer & Holenstein, LLC, for the term January 1, 2017 through December 31, 2017 pursuant to a non-fair and open contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A.-1 et seq. to provide Tax Appeal, Appraisal and Consulting Services in accordance with the attached contract for Professional Services.

BE IT FURTHER RESOLVED, that the award of contract shall be contingent upon the completion and receipt of the following:

- (a) A fully-executed professional services contract detailing the scope of services, established fees for said professional services, mandatory Equal Opportunity Language and Affirmative Action Certificate; and
- (b) Receipt of all statutorily mandated "pay to play" political contribution forms pursuant to N.J.S.A. 19:44A-20.4 et seq.; and
- (c) New Jersey Business Registration Certificate; and
- (d) Upon the aforementioned professional being a member in good standing in his respective profession.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute, seal and deliver the attached Contract for Professional Services on behalf of and in the name of the Township of Vernon and that the Municipal Clerk shall publish the award of contract as required by law with ten (10) days of passage of this Resolution.

RESOLUTION #17-52

AUTHORIZING PLACEMENT OF SIGNS FOR VERNON HIGH SCHOOL

WHEREAS, the Vernon High School, has requested permission from the Township Council to place 15 signs for 3 separate bingo nights on public and private property located around Vernon Township to promote the Bingo fundraisers and

WHEREAS the Vernon High School has requested to place 15 signs around Vernon and the signs will be 18' long by 24' wide from through February 4,2017 to February 12,2017 and from March 25, 2017 to April 2, 2017 and from April 22, 2017 to April 30, 2017, thereafter they will promptly remove them; and

WHEREAS, the Township Code Enforcement Officer has advised that pursuant to the Vernon Township Code 330-180 that the placing of signs of this size and character requires permission of the Council for their placement.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that the Vernon Chamber of Commerce is granted permission to place 15 signs around Vernon Township to promote 3 separate bingo nights to promote the Bingo fundraiser from February 4, 2017 to February 12,2017 and from March 25, 2017 to April 2, 2017 and from April 22, 2017 to April 30, 2017, provided all other requirements of Township Code 330-180 are followed.

RESOLUTIONS REQUIRING SEPARATE ACTION

Resolution #17-50: Appointment of Director of Recreation and Community Development

Council Member Rizzuto opined that this should be discussed in executive session since it is a personnel matter. Attorney Visconi explained that Council did not advertise for a closed session but added that council may discuss now publicly.

A motion to table this resolution and have same discussed in executive session on February 16, 2017 was made and seconded as listed below:

Motion: Patrick Rizzuto
Second: Sandra Ooms

A roll call vote was taken.

Roll Call:
AYES: Sandra Ooms, Patrick Rizzuto, Dick Wetzel
NAYES: Dan Kadish, Jean Murphy
ABSTAIN: None
ABSENT: None

Motion carried to table the resolution and discuss for executive session on February 16, 2017.

Resolution #17-53: Authorizing The Execution Of An Agreement Between The Township Of Vernon And Saint Clare's, LLC For Basic Life Support Ambulance Services

Mr. Voelker explained that in June 2016, the Vernon and Pochuck Valley Ambulance Squads voiced their concerns to the Township of difficulty having volunteers to provide emergency services consistently and suggested to look for alternatives as soon as possible. The squads unanimously decided the coverage needed was on Wednesdays, Thursdays, and Fridays between the hours of 6:00 am – 6:00 pm. Mr. Voelker and squad members met with Atlantic Health and St. Clare's to determine services they could provide to assist Vernon. The squads felt the best choice was St. Clare's because they were willing to promise to assign an ambulance to be kept in Vernon during the designated hours and not pull it out to other areas for mutual aid. Mr. Voelker explained that they would also provide mutual aid to Vernon during times not included in the contract as needed. Squad members also felt St. Clare's had better coordination with paramedics and communication regarding Basic Life Support (BLS) and Advanced Life Support (ALS). Mr. Voelker stated the contract can be short term to explore other options and noted that St. Clare's has been willing to be a mutual aid responder since talks started in November 2016 He adds that this contract assists our dedicated volunteers to serve the community without being stressed about coverage difficulties. Council Member Ooms asks if this is 24-hour coverage and if residents will

be soft-billed. Mr. Voelker stated it is only 6:00am – 6:00pm and patient’s insurance will be billed and per the contract the Township will not be liable for any costs.

Council Member Kadish asked where the St. Clare’s ambulance will be stationed which Mr. Voelker stated is still being worked out with the squads. Council Member Wetzel asked if service is available to transport out of state which Mr. Voelker states it will be based on urgency of call, location to emergency room and for residents to receive best medical attention.

Motion: Sandra Ooms

Second: Dan Kadish

Roll Call:

A roll call was taken:

AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution#17-53.

RESOLUTION #17-53

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND SAINT CLARE’S, LLC FOR BASIC LIFE SUPPORT AMBULANCE SERVICES

WHEREAS, the Township of Vernon and St. Clare’s, LLC wish to enter into an agreement for emergency medical services; and

WHEREAS, St. Clare’s, LLC operates duly licensed acute care hospitals located in Denville and Dover, New Jersey and Satellite Emergency Department in Sussex, New Jersey, and, as part of its health care operations, St. Clare’s, LLC owns and operates an ambulance service; and

WHEREAS, St. Clare’s, LLC desires to provide Basic Life Support Services (hereinafter referred to as “BLS Ambulance Services”) during emergency responses **at no cost to the Township**; and

WHEREAS, St. Clare’s, LLC is duly licensed in the State of New Jersey to provide BLS Services and has the necessary equipment, training, expertise, and professional certifications, and licenses to provide such services.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey that the Mayor and Clerk are authorized to execute an agreement, which is attached hereto and made part hereof, between the Township of Vernon and St. Clare’s, LLC for providing Basic Life Support Ambulance Services, commencing January 30, 2017.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Council President Murphy read the Ordinance by title only.

Ordinance #17-01: Calendar Year 2017 Ordinance to Exceed the Municipal Budget Appropriation Limits and To Establish a Cap Bank (N.J.S.A. 40a: 4-45.14)

Council President Murphy asked for a motion to introduce Ordinance #17-01 with a public hearing to be held on February 16, 2017.

Motion: Dan Kadish

Second: Dick Wetzel

Roll Call:

AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to introduce ordinance 17-01 with a public hearing on February 16, 2017.

Council President Murphy read the Ordinance by title only

Ordinance #17-02: An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey Authorizing The Sale Of Property Owned By The Township And Not

Council President Murphy asked for a motion to introduce Ordinance #17-02.

Council Member Rizzuto states this property has been auctioned twice before and not sold and should this Ordinance be approved and another auction fail, could the sale of this parcel be negotiated by the Mayor? Mayor Shortway said the market will determine the value and the property is a blight. Council Member Rizzuto added that if no one chooses to buy in the auction it may drive the price further down. Attorney Visconi discussed that he is not aware of law if the parcel is not sold through auction it will go into private negotiations but will check further. Council President Murphy commented the Township bought the parcel for \$420,000 during Main Street project and in 2011 the parcel was auctioned for \$398,000 with no offers, in 2015 at \$100,000 with no offers. She adds there are eleven properties in the Town Center that do not pay taxes because they are the fire department, Board of Ed, churches or township owned properties and if we bring water costing \$2-3 million, these will not be contributing toward the tax base and costs. Council President Murphy opined that due to the existing condition the building will need to be taken down at a cost near \$20,000. Council Member Ooms suggested to loosen up the permitting process required by the ordinance to sell the property so the Township can get the most money. Council President Murphy confirmed that any contract for sale would need council approval and the Mayor could not sell the property alone. Mayor Shortway commented he has had interested parties but the median is a major fault and we need to have county remove it. Council President Murphy added as visitors enter town they see boarded vacant buildings and suggests the removal of the median could be done when water is installed in Town Center. Council Member Ooms indicated she would like to see an appraisal of the property done before it is put up for auction.

A motion to table this ordinance until the February 16, 2017 meeting was moved and seconded as noted:

Motion: Sandra Ooms
Second: Jean Murphy
Roll Call:
AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel Jean Murphy
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to table Ordinance#17-02 to February 16, 2017.

PUBLIC HEARING/2ND READING OF ORDINANCES

None

APPOINTMENTS

Resolution #17-51: Appointments to Municipal Utility Authority

Council President Murphy asked for a motion to approve Resolution #17-51 and confirmed this would move Ed Seger to a full member and Kristin Wheaton to the alternate spot.

Motion: Patrick Rizzuto
Second: Dan Kadish
Roll Call:
AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel Jean Murphy
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve Resolution#17-51.

RESOLUTION #17-51

APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY

WHEREAS, the Vernon Township Municipal Utilities Authority (“VTMUA”) is a duly established utilities authority pursuant to the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1, et seq.; and

WHEREAS, the VTMUA has multiple vacancies in its membership that need to be filled.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individual is hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 2/02/2017, for a five-year term specified as follows:

EDWARD SEGER
Expiring 2/01/2022

Seat III

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individual is hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 1/30/2017, for an unexpired term specified as follows:

KRISTIN G. WHEATON
Expiring 2/01/2021

Alternate I

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

- a. Vernon Township Municipal Utilities Authority

COUNCIL COMMENTS

Council Member Wetzel state he is enthusiastic about the newly formed Arts Committee and hopes the newspapers will advertise more about students involved in DECA, theater, robotics, band rather than focus on sports. He added that Senator Oroho is sponsoring a bill regarding the Arts and that along with the proposed band shell will help to bring more culture to our town.

Council Member Rizzuto noted the earlier comments that water is needed as an available resource to provide growth. Council Member Rizzuto noted the effort a year ago, when the MUA requested approval for a study, was suspended. Council Member Rizzuto added the structure of the amortization schedule was designed with increasingly higher payments so when new users were brought on, costs could be shared. Council approved an expenditure of \$10,000 to Remington to prepare report about sewer contracts which was never presented to the Council and he feels it was waste as no new information was brought forward. Council Member Rizzuto added the MUA study would have provided the information needed at no cost and notes without increase of users and without study where to add sewers, the Township is at risk.

Council Member Rizzuto commented that Blaiirstown recently received a gift of a portable skating rink which benefits both adults and children and asked the Mayor to research it. Mayor Shortway explained the Greenway Action Advisory Committee is already considering that and added he has also met with Skylands. Council Member Rizzuto opined that in the strong Mayor form of government, it is a necessity that the Council take part in any negotiations and all members should be made aware. Council Member Rizzuto noted he wants to attend water meeting on February 1, 2017. Mayor Shortway explained the Mayor is responsible for negotiations and the water meeting was not a negotiation. Mayor Shortway stated that the Council subcommittee attended and an email was sent to all Council members with the information about the previous meeting.

Council Member Ooms asked Ms. Yetter if calculations from Resolution#17-46 could be reported to demonstrate savings of offering variety of employee health care plans. Ms. Yetter said 12 people took advantage at saving to Township of \$54,000 and added incentive plan may increase that savings. Ms. Ooms commented that the crosswalk sign must be put out at night in front of Municipal Building to prevent accidents. Ms. Ooms also would like to add notice about ambulance services on the website and suggest maybe a press release.

COUNCIL PRESIDENT COMMENTS

Council President Murphy responded to Council Member Rizzuto that the reason Res#15-190 was not approved and the Township contracted with Remington to do a sewer study was because of misinformation received from Health Department and MUA regarding areas in need. Council President Murphy added Mountain Creek is the cause of the holdover because they did not rebuild pump station which is detrimental to all users. Council President Murphy indicated that according to the 2012 contract, Mountain Creek owed 100 % shortfall for the MUA but that was amended to now owing only 60%. Council President Murphy added Mountain Creek know they are responsible but their plans have changed and cannot build pump house until they know what size is needed. Council Member Rizzuto commented Mountain Creek pays \$1.3 million in taxes and feels we should not force them out to which Council President Murphy indicated they are obligated under their contract.

Council President Murphy remarked that if Mayor Shortway invites her to meeting she will attend if able to listen to professionals and be involved for the people. Council Member Rizzuto feels he was not notified of meeting and is being ignored and information is being withheld. Mayor Shortway added a recap of the water meeting was emailed to all Council. Mayor Shortway explained to expand and increase development, water is needed and needs council support when proposed bonding comes before them.

Council President Murphy added the administration is researching a software program to allow residents and contractors to apply and view permit statuses online and may save the Township in hiring additional part-time employees. Council President Murphy added the council should review the sign ordinance to alleviate resolutions having to come before council to allow temporary signs for special events which zoning officer could approve.

There was then discussion among Council regarding times for upcoming Budget meetings and decided February 16th will begin at 5:00 with executive at 7:00pm and regular meeting at 7:30pm; February 27th will begin at 5:00 with regular meeting starting 7:30pm; and March 6th as a recommended work session beginning at 6:00pm. Ms. Yetter stated she will have budget to Council by Friday February 3rd.

Council President Murphy stated administration has provided copies of the revaluation proposals received and will be bringing recommendation to Council. She added she attended the interviews and addressed vacant home issues.

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 Rizzuto with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:56 p.m..

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: February 27, 2017