

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING**

**April 11, 2016**

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday, April 11, 2016 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Dan Kadish presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2016, 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 Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel and Council President Dan Kadish. Also present were Mayor Harry Shortway, Administrator Charles Voelker, CFO Elke Yetter, and Township Attorney John Ursin.

**EXECUTIVE SESSION**

Council President Rizzuto read the following resolution for Executive Session.

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 permits the exclusion of the public in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are:  
{(N.J.S.A. 10:4-12b (7))}: Contract Negotiations: Property Acquisition – (Anticipated Time of Disclosure October 2016).  
{(N.J.S.A. 10:4-12b (8))}: Contract Negotiations-Attorney Client Privilege – No Net Loss Grant (Anticipated Time of Disclosure October 2016).
3. This resolution shall take effect immediately.

Council President Kadish asked for a motion to enter into executive session:

MOTION: Dick Wetzel  
SECOND: Jean Murphy  
All members were in favor.

The Council adjourned into executive session at 6:33 p.m..

Council President Kadish asked for a motion to adjourn the executive session at 7:18 pm and return to open session at 7:30 p.m.:

MOTION: Patrick Rizzuto  
SECOND: Jean Murphy  
All members were in favor.

The Council returned to open session at 7:30 p.m..

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2016, 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 Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel and Council President Dan Kadish. Also present were Mayor Harry Shortway, Administrator Charles Voelker, CFO Elke Yetter, and Township Attorney John Ursin.

**SALUTE TO THE FLAG**

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

**PRESENTATIONS**

Barry Lake Dam Assessment

Tax Assessor Lynn Schweighardt discussed the Barry Lakes Dam Assessment and presented same to the public. Tax Assessor Schweighardt reviewed the ordinance passed to allow the association to complete their project for dam repairs. Ms. Schweighardt noted that Vernon Township is not responsible for any repair of this dam; the cost is to be borne solely by Barry Lakes with Vernon listed as a co-borrower.

Council President Kadish requested for a motion to adopt resolution 16-87.

MOVED: Patrick Rizzuto

SECONDED: Jean Murphy

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 resolution 16-87.

**RESOLUTION #16-87**

**CONFIRMING THE SPECIAL ASSESSMENT OF THE BARRY LAKES DAM RESTORATION**

**WHEREAS**, a special assessment of property owners affected by improvements to the Barry Lakes Dam was adopted by the Township Council by Ordinance #15-25; and

**WHEREAS**, the project has been completed and the costs have been certified to the Tax Assessor, who conducted a meeting of affected persons as required by statute on March 1, 2016; and

**WHEREAS**, the Township has complied with all statutory requirements including consideration of the report of the Tax Assessor establishing the individual special assessments and finds same to be fair and equitable allocation of the special assessment among the affected properties.

**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 report of the Tax Assessor establishing the individual special assessments is hereby confirmed and adopted by the Township Council and the Tax Collector shall forthwith be served with a copy of this Resolution and the assessment report, certified by the Township Clerk as a true copy.
2. The Tax Collector is hereby authorized to invoice and collect said special assessment as hereafter set forth:
  - A. The total assessment per assessed lot is \$501.30, inclusive of interest, which shall be payable in equal yearly installments of \$50.13 for a period of 10 years (or until paid in full) to begin on March 15, 2016 and to be paid each subsequent year on the 15<sup>th</sup> day of March.

- B. Payments are subject to a 30 day grace period after which interest on an unpaid payment shall accrue at a rate of 8% per day of the first \$1,500.00 and 18% per day on the remaining balance.
  - C. The Tax Collector is instructed to record an assessment for benefits on each of the affected properties in the amount of \$501.30.
  - D. The assessment or any balance, and any accrued interest, may be paid in full at one time prior to the due date.
  - E. If any installment shall remain unpaid after 30 days of the due date for same, the entire assessment or balance of same remaining shall immediately become due and payable and shall accrue interest as set forth above and shall be collected in the same manner as provided by law for other past due assessments.
3. This Resolution shall take effect immediately upon adoption according to law.

**PROCLAMATIONS:**

Mayor Shortway read the following proclamation:

**Proclamation**

**WHEREAS**, the maltreatment, abuse, and neglect of children is a significant social problem that damages children physically, mentally, and emotionally, and inflicts immeasurable harm on society as a whole, and all children deserve to be nurtured, protected and free from physical or emotional harm; and

**WHEREAS**, the Mayor and Council of the Township of Vernon, as well as the State of New Jersey and the Department of Children and Families, believes that strong, healthy families are the best place to raise children; and

**WHEREAS**, the Mayor and Council of the Township of Vernon, as well as the State of New Jersey, are committed to building a continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered, and that achieve positive outcomes for parenting and family relationships as well as the empowerment of domestic violence victims and their children; and

**WHEREAS**, the Mayor and Council of the Township of Vernon, as well as the New Jersey Department of Children and Families, embraces the Standards for Prevention Programs developed by the New Jersey Task Force on Child Abuse and Neglect; and

**WHEREAS**, all sectors of the community, including law enforcement, medical professionals, schools, courts, and media outlets, as well as numerous public and private agencies, have joined forces to promote public awareness and community involvement in strengthening families during the month of April and continuing throughout the year.

**NOW, THEREFORE**, the Mayor and Council of the Township of Vernon, do hereby proclaim **April 2016 as Child Abuse Prevention and Awareness Month in Vernon Township**, and urge our residents to become involved in efforts aimed at strengthening families and communities and preventing our children from being abused and neglected.

Given under my hand in these free United States in the Township of Vernon, on this 11th day of April 2016, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

**PUBLIC COMMENT:**

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

MOTION: Jean Murphy

SECOND: Dick Wetzel

All members were in favor.

Beverly Budz, Chair, Environmental Commission, passed out a folder to the Council Members. Ms. Budz stated that she had been issued a Rice notice but she did not receive it within 48 hours as required. Ms. Budz claimed that any documents and records regarding the "No Net Loss Grant" should be in the Township archives however, since none of you know where to look or what to look for, she was providing each council member with a packet. Ms. Budz stated the Township received \$72,000 for work that has been completed to date which according to her calculations was at a cost to Vernon of \$46,000 including her fee for writing the grant, leaving a \$26,000 balance. Ms. Budz questioned where the money was. Ms. Budz claimed she was being prevented from maintaining the trees. Ms. Budz stated the recycling center water is washing out the trees. Ms. Budz stated that maintaining the trees is required. Ms. Budz stated she had called repeatedly and was ignored. Ms. Budz stated she was asking for a meeting with administration no later than Wednesday of next week. Ms. Budz stated that all the Council members received copies of this grant and if they didn't have the documents that Ms. Mills had a copy. Ms. Budz stated it included what was needed for the next two years. Ms. Budz commented to Council Member Murphy, people who live in "Rice" houses should not throw stones. Ms. Budz questioned if the Council President had asked for a raise. Ms. Budz suggested the Council review the documents that were provided by her. Ms. Budz claimed that the trees are suffering and she had fought so hard to get the trees which were now being ignored. Ms. Budz indicated the State of New Jersey would not be happy with the care of the trees. Ms. Budz asked for the trees to be taken care.

Doreen Edwards, Highland Lakes, member of the Environmental Committee, expressed concern with what was going; indicating that grants have guidelines. Ms. Edwards stated there is a need to better the environment. Ms. Edwards expressed concern that some things were being done for politics. Ms. Edwards stated she supported the Chair and noted her term ends on December 2016. Ms. Edwards stated she wanted the terms corrected for the other members in the record.

Ms. Paladini, [REDACTED] stated she had a question for Mayor Shortway, Council President Kadish, Council Member Ooms and Murphy. Ms. Paladini questioned if there was an end to their terroristic actions. Ms. Paladini accused the Council of plotting. Ms. Paladini stated that spite was being taken out on the trees. Ms. Paladini commented that she felt that Ms. Budz was a good chair person. Council President Kadish stated the Council was simply gathering facts; and did not know to what Ms. Paladini was referring. Ms. Paladini stated she hoped the Township had to pay back every dollar for the tree grant.

Diane Wexler, Environmental Commission, stated the Council was well aware of the grant and expressed that the Council should not say they were gathering facts.

Gary Martinsen, stated ordinance 16-07 was up for a first reading. Mr. Martinsen stated he felt that the draft of the ordinance should be on the website before the first reading. Mr. Martinsen stated that upon review of the "facts" website (re: sewer) that there were many motions and discussion about the sewer expansion, resolution 15-190. Mr. Martinsen noted that Mr. Ursin was given a task to complete questions and submit them to the MUA to respond to. Mr. Martinsen noted a motion and vote was taken, waiting for the response for the MUA. Mr. Martinsen stated Mr. Ursin was in an earlier meeting requested to draft a new resolution 15-190. Mr. Martinsen stated the new resolution was supposed to be put on the agenda. Mr. Martinsen stated one thing was voted at one meeting and a second at the next meeting. Mr. Martinsen stated that the resolution as drafted had issues including that the endorsement of the map and its submission. Mr. Martinsen stated the alert of the suspension should be submitted as well. Mr. Martinsen said the schedule provided by the MUA had dates for various meetings. Mr. Martinsen stated it should be noted that the plan was suspended.

**CLOSED TO PUBLIC COMMENTS**

Seeing no more members of the public wishing to speak, Council President Kadish asked for a motion to close the public portion of the meeting.

MOTION: Jean Murphy

SECOND: Sandra Ooms

All Members were in favor.

## **MAYOR'S REPORT**

- Mayor Shortway stated that the Township received a grant for Sammis Road to repair and pave it. Mayor Shortway stated the Township had also received a lesser quote for the gypsy moth suppression program.
- Mayor Shortway noted he directed the planner to create a water management plan which is necessary for development and COAH obligations.
- Mayor Shortway stated that they were meeting with Suez (formerly United Water) to create a developers agreement to set up the water system for the municipal building, DPW and Animal Control.
- Mayor Shortway noted they had met with the MUA to discuss the sewer expansion and was hopeful that this would be addressed in the near future.
- Mayor Shortway stated there is a request for approval for two signs for the Earth fest and they are requesting for two signs to be placed on the resolution with the other sign resolution.
  - Council Member Rizzuto questioned if a vendor had been selected for the Gypsy moths. Mayor Shortway indicated that was done through the State and they would advise the Township. Council Member Rizzuto questioned the MUA subcommittee meeting asking if he could be advised when the meetings would be occurring.
  - Council Member Murphy clarified this is not a subcommittee; it was simply a meeting with no decisions made. Council Member Murphy stated to give the impression that this was a subcommittee was not accurate. Discussion ensued as to whether it was a subcommittee.

## **APPROVAL OF MINUTES**

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

Special Work Session Meeting Minutes of February 17, 2016

MOVED: Sandra Ooms  
SECONDED: Dick Wetzel

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.

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

Special Work Session Meeting Minutes of February 25, 2016

MOVED: Sandra Ooms  
SECONDED: Dick Wetzel

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.

## **CONSENT AGENDA**

Council President Kadish gave a brief explanation of Resolutions #16-99 - #16-112.

Council Member Kadish stated they were going to separately adopt Resolution #16-111.

Council Member Kadish asked for a motion to adopt #16-99 through #16-112 with the exception of 16-111.

MOVED: Sandra Ooms  
SECONDED: Dick Wetzel

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 adopt resolutions #16-99 through #16-112 with the exception of #16-111.

### **RESOLUTION #16-99**

#### **RESOLUTION RE-APPOINTING FUND COMMISSIONER**

**WHEREAS**, the Township of Vernon (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner; and

**WHEREAS**, the Township had appointed the Interim Administrator, as Fund Commissioner at the January 1, Re-organization meeting, who has since been replaced.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Vernon that the Township Administrator (Charles Voelker) is hereby appointed as the Fund Commissioner for the Local Unit for the remainder of the calendar year 2016; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

### **RESOLUTION #16-100**

#### **RE-APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER**

**WHEREAS** pursuant to the provisions of N.J.A.C. 17:27-1 the Township of Vernon is required to designate a Public Agency Compliance Officer on an annual basis; and

**WHEREAS** said Public Agency Compliance Officer shall act as the official liaison for all equal opportunity employment matters in the administration of public contracts; and

**WHEREAS** the Township designated the Interim Township Business Administrator as the Public Agency Compliance Officer for calendar year 2016 at the January 1, 2016 Re-organization meeting via resolution 16-08; and

**WHEREAS** the Interim Business Administrator has been replaced.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon that it hereby designates the Township Business Administrator, Charles Voelker, as the Township’s Public Agency Compliance Officer for the remained of calendar year 2016; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall forward a certified copy of this Resolution to the New Jersey Department of the Treasury Affirmative Action Office as required.

**RESOLUTION #16-101**

**AUTHORIZING PLACEMENT OF A BANNER ACROSS SAMMIS ROAD  
FOR VERNON TOWNSHIP BOARD OF EDUCATION**

**WHEREAS**, Vernon Township Board of Education has requested permission from the Township Council to place a banner across Sammis Road for an art event to be held at Lounsberry Hollow School.

**WHEREAS**, Vernon Township Board of Education requests to place a banner sign, measuring 4' x 20' in a designated location across Sammis Road within Vernon Township; and

**WHEREAS**, the applicant requests to display the banner from April 12<sup>th</sup> – May 9<sup>th</sup> and will promptly remove the banner after the time period expires; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, that Vernon Township Board of Education is granted permission to place a banner across Sammis Road effective immediately for thirty days provided all other requirements of Township Code 330-180 are followed.

**RESOLUTION #16-102**

**AUTHORIZING A CONTRACT WITH THE LAND CONSERVANCY OF  
NEW JERSEY FOR OPEN SPACE ADVISORY CONSULTANT SERVICES  
IN THE AMOUNT NOT TO EXCEED \$13,000.00**

**WHEREAS**, there is a need by Vernon Township to retain a Consultant to provide Open Space Advisory Services; and

**WHEREAS**, The Land Conservancy of New Jersey has submitted a proposal, dated March 16, 2016, to provide the above mentioned services for Vernon Township; and

**WHEREAS**, The Land Conservancy of New Jersey is a non-profit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

**WHEREAS**, the purpose of this agreement is to assist the Township Council and the Environmental Commission with a variety of open space services, including (but not limited to) landowner negotiations and the preparation of grant applications as may be required with regard to the possible acquisition of open space and farmland; and

**WHEREAS**, the term of the agreement shall be for a twelve (12) month period commencing on April 11, 2016 through April 10, 2017; and

**WHEREAS**, the Chief Financial Officer has certified funds in an amount not to exceed \$13,000.00 in Account #741200; and

**WHEREAS**, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that a Resolution authorizing the award of a contract without competitive bids must be publicly advertised; and

**WHEREAS**, The Land Conservancy of New Jersey, has submitted a Business Entity Disclosure Certification in compliance with the law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AS FOLLOWS:**

1. A contract shall be awarded by the Township of Vernon, New Jersey for services herein specified to the Land Conservancy of New Jersey, Boonton, NJ.
2. The cost of said agreement shall not exceed a total of \$13,000.00.
3. That a copy of the Business Disclosure Entity Certification be filed with this Resolution.

**RESOLUTION #16-103**

**REFUND FOR TOTAL DISABLED VETERAN- (Williams -4<sup>th</sup>)**

**WHEREAS**, The Department Of Veterans Affairs on November 9, 2015 awarded Andrew J. Williams a 100% permanent and totally disabled Veteran; and

**WHEREAS**, the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon authorizes the Tax Collector to refund the 2015 4<sup>th</sup> quarter property tax payment in the amount of \$2,095.18 to Andrew J. Williams.

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

**RESOLUTION #16-104**

**REFUND FOR TOTAL DISABLED VETERAN (Williams -1<sup>st</sup> Quarter)**

**WHEREAS**, The Department Of Veterans Affairs on November 9, 2015 awarded Andrew J. Williams a 100% permanent and totally disabled Veteran; and

**WHEREAS**, the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon authorizes the Tax Collector to refund the 2016 1<sup>st</sup> quarter property tax payment in the amount of \$2,349.81 to Andrew J. Williams.

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

**RESOLUTION #16-105**

**AUTHORIZING OF MAINTENANCE SERVICE CONTRACT  
WITH SPECIALTY UNDERWRITERS, LLC.  
IN THE AMOUNT NOT TO EXCEED \$3,422.00**

**WHEREAS**, there exists a need for a maintenance service contract for various Municipal owned office equipment not covered under a manufacturer’s warranty: and

**WHEREAS**, the Township has determined that Specialty Underwriters, LLC, the Township’s current contractor providing these services, is qualified to continue providing the Township with such services; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose subject to the adoption of the 2016 Municipal Budget; and

**WHEREAS**, Vernon desires to award a maintenance contract to Specialty Underwriters, LLC. pursuant to a contract under the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer has certified that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from May 19, 2016 through May 18, 2017, with a total contract price not to exceed \$3,422.00; and

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor is authorized to execute a maintenance contract with Specialty Underwriters LLC, for various Municipal owned office equipment not covered under a manufacturer’s warranty for an amount not to exceed \$3,422.00.



**RESOLUTION #16-106**

**RESOLUTION AUTHORIZING THE APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS**

**“Bullet Proof Vest Partnership/Body Armor Safety Initiative”**

**WHEREAS**, the Vernon Township Police Department wishes to apply for funding to the U.S. Department of Justice for the Bullet Proof Vest Partnership/Body Armor Safety Initiative, and

**WHEREAS**, the grant project consists of reimbursement for up to 50% of the expenses incurred to purchase new issue or replacement bullet proof vests for police officers. “BVP is a critical resource for state and local jurisdictions that saves lives. Based on data collected and recorded by the U.S. Department of Justice, in FY 2012, protective vests were directly attributable to saving the lives of at least 33 law enforcement and corrections officers, in 20 different states, an increase 13.7% over FY 2011. At least 14 of those life-saving vests had been purchased, in part, with BVP funds.” (OJP website, U.S. Department of Justice 2013) This grant is committed to officer safety; and

**WHEREAS**, Vernon Township will incur the cost of the program, not to exceed \$8,200.00 and then submit the necessary documentation to the U.S. Department of Justice for a fifty percent (50%) reimbursement.

**NOW THEREFORE, BE IT RESOLVED**, that Vernon Township declares its support for the “2016 Bullet Proof Vest Partnership/Body Armor Safety Initiative” Grant from April 11, 2016 – December 31<sup>st</sup>, 2016 to outfit bullet proof vests for our newly hired police officers or replacement vests for our current police officers; and

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor, Chief Finance Officer and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the U.S. Department of Justice for the “2016 Bullet Proof Vest Partnership/Body Armor Safety Initiative” Grant.

**RESOLUTION #16-107**

**AUTHORIZING STIPEND FOR 2016 TRANSCRIPTION SERVICES  
IN THE AMOUNT NOT TO EXCEED \$3,000.00**

**WHEREAS**, there exists a need for transcription services to assist in the transcription of the Council Meetings for the year 2016; and

**WHEREAS**, the Township had previously contracted with another vendor in Resolution 16-79 and wishes to terminate that contract at this time; and

**WHEREAS**, Vernon Township desires to have Irene Mills provide transcription services for the term of January 1, 2016 – December 31, 2016 with an annual stipend not to exceed \$3,000.00 annually; and

**WHEREAS**, Ms. Mills will be paid \$75.00 per meeting providing said meeting does not exceed 2 hours and \$125 per meeting providing said meeting does not exceed 4 hours; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose subject to the adoption of the 2016 Municipal Budget.

**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 of Vernon is authorized to pay a stipend for 2016 transcription services for transcription of Council Meetings to Irene Mills as outlined above.
2. The contract authorized by Resolution 16-79 is hereby terminated.

**RESOLUTION #16-108**

**REFUND FOR OVERPAYMENT OF TAXES (DeLucia)**

**NOW THEREFORE BE IT RESOLVED**, that the Council of the Township of Vernon hereby authorizes the Tax Collector to refund the amount of \$2,076.19, representing an overpayment of 1st quarter 2016 property taxes for E. DeLucia & E. Duran, residing at Block 60 Lot 8.05, 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 #16-109**

#### **REFUND FOR TOTALLY DISABLED VETERAN –(Villano-2<sup>nd</sup> Quarter)**

**WHEREAS**, The Department Of Veterans Affairs on April 27, 2015 awarded Ralph Villano a 100% permanent and totally disabled Veteran; and

**WHEREAS**, the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon authorizes the Tax Collector to refund the amount of \$739.88, representing the 2<sup>nd</sup> Quarter 2016 Homestead Credit to Ralph Villano, residing at Block 180.01 lot 3, also known as [REDACTED]

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

### **RESOLUTION #16-110**

#### **REFUND FOR TOTALLY DISABLED VETERAN - Nye**

**WHEREAS**, The Department Of Veterans Affairs on January 26, 2015 awarded Grant Nye, a 100% permanent and totally disabled Veteran; and

**WHEREAS**, the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon authorizes the Tax Collector to refund the amount of \$529.50, representing the 2<sup>nd</sup> Quarter 2016 Homestead Credit to Grant Nye, residing at Block 90.05 lot 14, 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 #16-112**

#### **AUTHORIZING OF INDOOR AIR QUALITY ASSESSMENT CONTRACT WITH R.K. OCCUPATIONAL & ENVIRONMENTAL ANALYSIS, INC. IN THE AMOUNT NOT TO EXCEED \$1,850.00**

**WHEREAS**, there exists a need for testing of the indoor air quality of the municipal building; and

**WHEREAS**, the Township has determined that R. K. Occupational & Environmental Analysis, Inc., is capable of providing these services; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose subject to the adoption of the 2016 Municipal Budget; and

**WHEREAS**, Vernon desires to award a contract to R. K. Occupational & Environmental Analysis, Inc. pursuant to a contract under the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer has certified that the value of the contract will not exceed \$1,850.00; and

WHEREAS, the term of the contract will be from April 13, 2016 through April 12, 2017, with a total contract price not to exceed \$1,850.00.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor and Township Clerk are authorized to execute a contract with R. K. Occupational & Environmental Analysis, Inc., for testing of the indoor air quality for an amount not to exceed \$1,850.00.

**RESOLUTIONS REQUIRING SEPARATE ACTION**

Resolution #16-111

A motion was made to amend resolution #16-111 to include the request for the additional signs as mentioned in the Mayor's report for Taste of Vernon and Earth fest.

MOVED: Jean Murphy  
SECONDED: Sandra Ooms

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 amend Resolutions #16-111.

A motion was made to adopt Resolution #16-111 as amended.

MOVED: Jean Murphy  
SECONDED: Sandra Ooms

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 adopt Resolutions #16-111 as amended.

**RESOLUTION #16-111**

**AUTHORIZING PLACEMENT OF SIGNS IN VARIOUS LOCATIONS  
FOR VERNON CHAMBER OF COMMERCE (As Amended)**

**WHEREAS**, Vernon Chamber of Commerce has requested permission from the Township Council to place multiple signs within Vernon Township to promote the Taste of Vernon scheduled for April 28<sup>th</sup>; and

**WHEREAS**, Vernon Chamber of Commerce requests to place multiple signs, measuring 14"x 20" in designated locations within Vernon Township; and

**WHEREAS**, the applicant requests to display the signs for a time period of 18 days beginning immediately after council approval and will promptly remove them after time period expires; and

**WHEREAS**, Vernon Chamber of Commerce also requests to place additional signage (one banner 2 ½ feet by 6 feet and a 2 ½ feet by 4 feet sign) to promote Eartheftest at two designated locations from April 12, 2016 through April 24, 2016 which they will also promptly remove after the time period expires; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, that Vernon Chamber of Commerce is granted permission to place signs at various locations within Vernon Township effective immediately provided all other requirements of Township Code 330-180 are followed.

**INTRODUCTION/1st READING OF ORDINANCES**

**Ordinance #16-07**

Council President Kadish read Ordinance #16-07 by title only:

An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Establishing The Eligibility Of Commercial And Industrial Structures For Twenty (20) Year Tax Exemptions And Abatements Pursuant To The Long Term Tax Exemption Law, N.J.S.A. 40a: 20-1, Et Seq.

Council President Kadish asked for a motion to Introduce Ordinance #16-07 with a public hearing to be held on May 9, 2016.

MOVED: Jean Murphy

SECONDED: Dick Wetzel

A roll call vote was taken:

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

NAYES: Patrick Rizzuto w/comment

ABSTAIN: None

ABSENT: None

Council Member Rizzuto stated that he did not feel this ordinance was necessary and that the Council should not continually revisit items previously approved.

Motion carried to introduce ordinance 16-07 with a public hearing to be held on May 9, 2016.

**Ordinance #16-08**

Council President Kadish read Ordinance #16-08 by title only:

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 Required For Public Purposes And More Commonly Known As Block 142.01, Lot 1

Council President Kadish asked for a motion to introduce Ordinance #16-08 with a public hearing to be held on May 9, 2016. Attorney Ursin noted the auction date would be May 23, 2016.

MOVED: Dick Wetzel

SECONDED: Jean Murphy

Council Member Murphy questioned if permits would be required to begin work on the property for sale. Attorney Ursin stated you could be more elaborate on how the ordinance was structured to require persons to address issues of work stoppage. Council Member Murphy expressed concern if someone began work and then stalled and did not complete the work.

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 introduce ordinance 16-08 with a public hearing to be held on May 9, 2016.

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

Council President Kadish read Ordinance #16-06 by title only:

**Ordinance #16-06:** An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Authorizing The Transfer Of Certain Township-Owned Property To The Vernon Township Board Of Education

Council President Kadish asked for a motion to open the public hearing for Ordinance #16-06.

MOVED: Dick Wetzel  
SECONDED: Jean Murphy  
All members were in favor.

Jessi Paladini, President of the Historical Society, stated she enthusiastically supported this ordinance.

Vic Marotta questioned why the Township didn't just donate the building to the Historical Society. Council President Kadish indicated it was deed restricted.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-06.

MOVED: Jean Murphy  
SECONDED: Sandra Ooms  
All members were in favor.

Council President Kadish asked for a motion for adopt Ordinance #16-06.

MOVED: Patrick Rizzuto  
SECONDED: Jean Murphy

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dan Kadish  
NAYES: None  
ABSTAIN: Dick Wetzel w/comment  
ABSSENT: None

Council Member Wetzel stated he was abstaining because he is a member of the Historical Society.

Motion carried to adopt ordinance.

**COUNCIL COMMENTS**

Council Member Murphy reminded people to attend Taste of Vernon on April 28 at Heaven Hill farm to support our local business owners.

Council Member Ooms questioned if the Township was going to participate in Sussex Day. Mayor Shortway stated that the Township was participating. Council Member Ooms was thankful that the Faline building was being addressed.

Council Member Rizzuto questioned the date for the work session for the MUA contracts. Council Member Rizzuto stated he has asked for this three times and is still waiting for a date to have the contracts reviewed by the Township Attorney. Council Member Rizzuto indicated that the Township has a line item for a third party attorney to review the contracts which he finds unnecessary as whatever happened in 1988 or 2005 does not matter now. Council Member Rizzuto indicated a train in coming down the track and the SCUMA debt is coming in seven years which will substantially increase the amount of money to be paid and that will be borne by the users. Council Member Rizzuto stated the Township needs to increase flow and they cannot just kick the can down the road. Council Member Rizzuto indicated that the MUA is being stopped from working under 15-190. Council Member Rizzuto stated 15-190 was not even necessary and was just a courtesy in his mind. Council Member Rizzuto stated that Attorney Ursin had information about these contracts and he had drafted some of these contracts so he could review them.

Council Member Rizzuto stated the township needs to add new ratables or it is not going to grow. Council Member Rizzuto stated he wanted an answer when the meeting would occur. Council Member Rizzuto stated he would like the meeting to be on April 22. Council Member Murphy indicated she was looking for an unbiased opinion; not to have Attorney Ursin review the contracts. Council Member Rizzuto stated after the meeting with Attorney Ursin they could hire another attorney but he would not support it. Council Member Rizzuto opined that simply because the Township Attorney drafted the contracts for the MUA did not mean he could not review them for the Township. A consensus was made to have a meeting on Friday, April 29 at 10:00 am for contract review of the MUA by the Township Attorney, John Ursin.

Council Member Wetzel stated that May 1 was Sussex Day. Council Member Wetzel stated that the Historic Society had an outstanding dinner with excellent food for which he thanked them.

### **ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:30 p.m..

Respectfully submitted,

---

Lauren Kirkman, RMC, CMR  
Municipal Clerk

---

Dan Kadish,  
Council President

Minutes approved: June 13, 2016