

## **Township of Vernon**

### **TOWNSHIP COUNCIL MEETING**

**APRIL 25, 2016**

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday April 25, 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 has 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 in attendance were Mayor Shortway, Administrator Charles Voelker, CFO Elke Yetter and Township Attorney John Ursin.

#### **SALUTE TO THE FLAG**

Council President Kadish led the assemblage of the flag.

#### **POLICE DEPARTMENT PROMOTIONS**

##### **A. Retiring Officer Awards**

Chief Randy Mills congratulated Captain Brian Jernick on his retirement and for his service to Vernon Township. Chief Mills stated Captain Jernick started in 1990 with the Nutley Police Department then joined Vernon in 1995 and was assigned to the Sussex County Task Force, the Detective Bureau as well as being the School Resource Officer. Chief Mills described Captain Jernick as being one of the hardest, self-motivated officer and offered congratulations. Chief presented plaque to commemorate his career with Vernon Township made by retired Captain Steven Moran.

Chief Randy Mills congratulated Sergeant Bill Gebhard on his retirement and for his service to Vernon Township. Chief Mills stated Sgt. Gebhard began as a dispatcher for Vernon in 1993, then as a Police Officer in 2000 and in 2003 reinstated the canine program with a bloodhound named Miranda. Chief commented that Sgt. Gebhard with the help of Miranda apprehended over 100 wanted people and was nationally recognized for achievements and was used by many neighboring municipalities. Chief presented plaque to commemorate his career with Vernon Township made by retired Captain Steven Moran.

##### **B. Police Department Promotions**

Chief Randy Mills announced that Lieutenant Dan Young will be promoted to the rank of Captain who began his career in Vernon Township in 2000, became Sergeant in 2010 and Lieutenant in 2014. Mayor Shortway administered oath to Captain Dan Young with his family by his side.

Chief Randy Mills announced that Sergeant William Fischer will be promoted to the rank of Lieutenant and began his career with Vernon in 1994. Sgt. Fischer was assigned to the Sussex County Task Force from 2003-2005 and was lead investigator in many cases. Mayor Shortway administered the oath to Lieutenant William Fischer with his family by his side.

Chief Randy Mills announced that Corporal Scott Waleck will be promoted to the rank of Sergeant and began his career in 1988 and was assigned as the School Resource Officer in 2014. Mayor Shortway administered the oath to Sergeant Waleck with his family by his side. Chief Mills thanked the Township Council for their support in these personnel promotions.

Council President Kadish asked Chief Mills to discuss RT 517 parking concerns. Chief Mills states parking needs for the increase in visitors on the Appalachian Trail have caused resident complaints on side roads adjacent to the Trail namely Carol Drive and Meadowlark. Chief Mills adds the main concerns are for public safety and has supplemented signage and is working with the Appalachian Trail Conservancy and Sussex County for long term solutions. Council Member Murphy states she also has also spoke to the Appalachian Trail Conservancy and Sussex County to get them involved. Council Member Rizzuto questions that since it is a county road, can Sussex County have the Sheriff's office patrol for parking and public safety issues. Chief Mills answers that the Sheriff's Office does not monitor traffic conditions and adds changes made by Township parking ordinance may take a few months and the problem needs to be addressed immediately. Council Member Rizzuto adds the difficulty is that the Trail is Federally maintained, the State owns the land, the county maintains the road and Vernon is responsible

to police the area. He adds that Vernon does not want to drive tourists away but our residents deserve a certain quality of life and is very concerned of the safety of all. Council President Kadish comments that alternate parking spots with shuttle bus service be explored as an option. Chief Mills has polled an amount of visitors and the consensus is the off sight parking with shuttle buses is not favorable and may cause decrease in visitors to Vernon. Council Member Murphy added that Freeholder Vohden and the Highlands Council are also aware if this problem facing Vernon.

## **PROCLAMATIONS**

Council President Kadish read Proclamation for Police Week in May 2016

### **Police Week 2016**

**WHEREAS:** The Congress and President of the United States have designated the week of Sunday, May 15, 2016 through Saturday, May 21, 2016 as National Police Week; and

**WHEREAS:** The members of the Township of Vernon Police Department play an essential role in safeguarding the rights and freedoms of the Township of Vernon; and

**WHEREAS,** It is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS,** the men and women of the Vernon Township Police Department unceasingly provide a vital service.

**NOW, THEREFORE,** I, Council President Daniel Kadish, Mayor Shortway and the Vernon Township Council do hereby proclaim that the week of May 15, 2016 through May 21, 2016 is designated as Police Week in the Township of Vernon and call upon all citizens and patriotic civic and educational organizations to observe this week with appropriate ceremonies and observances in which all of our community may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Given under my hand in these free United States in the Township of Vernon, State of New Jersey on this 25<sup>h</sup> day of April, two thousand sixteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council Member Murphy read Proclamation for Fair Housing Month for May 2016:

### **Proclamation**

**WHEREAS,** April 11, 2016, marks the 48<sup>th</sup> anniversary of the passage of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968 as amended, which enunciates a national policy of Fair Housing with regard to race, color, religion, sex, familial status, handicap and national origin, and encourages fair housing opportunities for all; and

**WHEREAS,** the Sussex County Association of Realtors is committed to highlighting the Fair Housing Act by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with organizations to help assure everyone of their right to fair housing; and

**WHEREAS,** the National Association of Realtors Code of Ethics commits all Realtors to providing equal professional services without discrimination based on race, color, religion, sex, familial status, handicap, sexual orientation, gender identity, and national origin.

**NOW, THEREFORE,** the Mayor and Council of the Township of Vernon, do hereby proclaim that **April 2016** being Fair Housing Month, which begins a year-long commemoration of the Fair Housing Act in the Township of Vernon and urge all citizens to wholeheartedly recognize this celebration throughout the year.

Given under my hand in these free United States in the Township of Vernon, on this 25<sup>th</sup> day of April, two thousand sixteen, 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 Kadish asked for a motion to open the meeting for Public Comments.

MOTION: Jean Murphy

SECOND: Sandra Ooms

All in favor

Rich Carson, Highlands Lakes stated he wanted to make Council aware of some old newspapers /documents found recently that are from 1945 containing articles for Council to consider in future. Mr. Carson explained article noted that Alfred Green from Glenwood was killed in WWII and suggested for Council to name a street commemorating his service. Mr. Carson stated another article from WWII time period explained that Vernon had created a Civil Defense Group similar to a Police Department made up from residents in Town and noted familiar family names like McPeek, Sisco, Farber. Mr. Carson also found documentation about a Deerlick Camp which no other records can be found.

Beverly Budz, read a prepared statement asking for Mayor Shortway's resignation due to his actions driven by his own self-interest of creating a Greenway Bike Path and a lack of wellbeing for Township. Ms. Budz opined that Mayor Shortway is planning to deplete the Township's Open Space funds with his plan. Ms. Budz stated Mayor Shortway removed her from the position of administrator of the Township Tree Grant because it does not fit his agenda and is unwilling or unable to meet to discuss. Ms. Budz stated that she ambushed Mayor Shortway in the Municipal Building parking lot with Dave Pullis as a witness and questioned him about the existing tree grant and administration thereof. Ms. Budz stated that she had written the first grant only after Michael Cheski had failed to complete it and Township was in jeopardy of losing it. The NJDEP and Department of Forestry together with the NJ Pipeline Walkers and the Vernon Environmental Commission came to the realization there was more deforestation and destruction done by the Tennessee Gas Pipeline. Ms. Budz commented that then Mayor Rinker and Deputy Mayor Shortway failed to attend a meeting about the construction of the Pipeline. Ms. Budz added the NJDEP gave Vernon Township the opportunity to receive an additional grant in amount of \$354,000+ which former Mayor Marotta asked her to administer. The Council approved the resolution for the grant, Ms. Mills mailed approved copy to the state and Ms. Budz as project manager followed all state specifications. Ms. Budz continues by stating that in 2015, the Township paid out \$72,000.00 but not sure where the balance of grant was spent. Ms. Budz questions why isn't grant in the 2016 budget at all and stresses that this is the largest non-matching grant received by the Township which was secured by volunteers. Ms. Budz feels that by denigration and disparagement, her personal value, integrity and reputation in the public, press and on social media is unprofessional, damaging and malicious. Ms. Budz stated she met with Mayor Shortway and he told her he was looking forward to get out of politics and now poses three questions to him: How many hours do you work a week, Why did you say you want out of politics, and Where is \$25,000 remaining of grant? Ms. Budz opined that she has done nothing wrong in these grants and reinstates that it was the highly paid employees; Clerks Sue Nelson and Lauren Kirkman, Purchasing Agent Jennifer Ruess, CFO Elke Yetter, Administrative Asst. Irene Mills and the Township Council who had received and approved the grant agreement as well as the Attorney's responsibility. Ms. Budz reiterates her opinion that Mayor Shortway should resign.

Diane Wexler, Highland Lakes commented that Council Member Murphy is in fact a realtor. Council President Kadish corrected Ms. Wexler that he was speaking about himself as being a former realtor, not Council Member Murphy. Ms. Wexler commented that 5 years ago she toured the site of Tennessee Gas Pipeline construction which was devastating. Ms. Wexler said she had worked with Ms. Budz spent many hours writing the grant application which included creating graphics, and maps and then Ms. Budz coordinated the State with the DPW to plant, and maintain the trees. Ms. Wexler feels that it is unacceptable for inaccurate information to be in the newspaper and other public areas and that Mayor & Council should live at a higher level ethically. Ms. Wexler commented that in the New Jersey Herald, Mayor Shortway was quoted that there were name callers at the April 11, 2016 council meeting but stated she was present and didn't hear anything. Ms. Wexler opined it was not the responsibility of the Environmental Commission but of the Purchasing Agent to go out to bid, why isn't she being part of this, and added that Ms. Budz cares deeply about the planet. Ms. Wexler comments that the administrator of the first No Net Loss Grant was Michael Cheski who failed to complete application and the other members of the Environmental Commission had to complete and was upset and quit when he returned and found out that he received no credit. Ms. Wexler reminds public that every year is a election year because voters can use recall.

Robert Oliver, [REDACTED] – commented that in 2010 Tennessee Gas Pipeline Company asked for a meeting and Mayor Rinker and Deputy Mayor Shortway did not attend but if they had maybe this reason for this grant would be understood. Mr. Oliver opined that the Mayor excludes people from his social media site and directly questions Mayor Shortway why he excludes someand not for all? Mayor Shortway does not comment. Mr. Oliver states in 2010 Mayor Shortway was renting Township fields through the PAL but conducting a business

Mad Dawg Lacrosse and short paid Township \$960.00 and was misunderstanding of how fees administered and did not pay. Mr. Oliver feels that he could have done a better job on the 2016 Budget and thinks any overage in 2016 would create money for Mayor Shortway's agenda in 2017.

Vic Marotta, Vernon, stated that Mayor Shortway in this form of government does not report to the Council but to the people. Mr. Marotta reminds Council President Kadish not to quiet the public during comment section because of ACLU rights, Council has no right to stifle. Mr. Marotta opined that everything Ms. Budz said is true and he takes responsibility in regards to the No Net Loss Grant because he had negotiated it with her directly. Mr. Marotta states the document was approved by Council on August 2015, was accepted by the NJDEP and Department of Forestry and it was laid out that she should have received \$3,000 for writing the grant and \$3,000 for administering it which she had done. Mr. Marotta questions, why did the CFO pay her, why did Tuckahoe deliver the trees and any other things done by employees, and that he takes responsibility believing that trained experienced employees were handling it properly. Mr. Marotta believes the Mayor & Council owe an apology to Beverly Budz. He added that Ms. Budz received a Rice Notice but it was received late not allowing any discussion about her contract to be done publically. Mr. Marotta opined that Attorney John Ursin altered term of 'contract' on agenda and restated that Beverly Budz served the Township well and to remove her would be a break of contract and to disparage her is defamation.

Jessi Paladini, stated she would like to appeal to the Council's decency and logic and would caution the Council against replacing the grant administrator and replacing her. Ms. Paladini opined that to replace Beverly Budz would be a breach of contract or breach of the grant and the Council could be faced with a defamation lawsuit because of the needless, malicious defamation and slander of Beverly Budz. Ms. Paladini added that based on the agenda, the Council plans to appoint Michael Cheski to replace Ms. Budz, he who was just appointed to the Greenway Action Advisory Committee. Ms. Paladini commented in the past when Mr. Cheski was given the responsibility of writing the first No Net Loss Grant, he reneged on his commitment, jeopardizing Vernon's award, leaving Beverly Budz to complete the task and feels he should not be appointed to fill this position. Ms. Paladini addresses Mayor Shortway asking about a quote in the NJ Herald of him stating Ms. Budz has refused all attempts to meet with him. She continues by stating Mayor Shortway refused to make time for Ms. Budz which she had to ambush him in the Municipal Building parking lot to meet. Ms. Paladini avows that Beverly Budz is an exemplary volunteer and has done more for the Vernon Environment than any other and removing her as administrator is cause for a hostile work environment and defamation. Ms. Paladini questions have all the other municipal employees involved in the procurement and payment of this grant also been given Rice Notices or only Ms. Budz. Ms. Paladini adds he is tired of tax dollars being used to defend RICO lawsuits and council being forced out of office by the actions of the Council and reeks of policies before the change of government in 2011. Ms. Paladini restates that Beverly Budz is a volunteer doing great things for Vernon and questions again why the employees whose jobs are on the line, why does the Council needs to spite a volunteer. Ms. Paladini quotes Julia Roberts, "Big Mistake – Huge."

Doreen Edwards, commented she had asked the council at a recent meeting to check into the term dates of the Environmental commission members. Council President Kadish answered it was his understanding that once a person is appointed to that term it cannot be changed and they must serve term out. Ms. Edwards adds that the Township Website says all the member's terms end on 12-2016 which is not true and the Council needs to correct the mistake. Ms. Edwards feels Environmental Commission is being disrespected and that all of the members take their volunteer responsibility very seriously. Ms. Edwards asks Council Member Ooms if she still thought it was a good idea as she commented at the 2016 Reorganization Meeting to have two public comments sessions, one at beginning and one at end of meetings? Council Member Ooms said not sure now. Ms. Edwards adds she is uncertain if what the public during the comment session says is understood and valued.

Angie Metler, Highland Lakes she agrees with Ms. Paladini's appeal to good government and justice and feels Beverly Budz's character is above approach for her advocacy to Vernon's residents in regards to the environment. Ms. Metler feels Ms. Budz is a very conscientious, concerned volunteer with a strong commitment to fulfill her duties as the Chairperson of the Environmental Commission. Ms. Metler adds she hopes the Mayor & council can improve the communication and attend the Environmental Commission meetings and stresses not to remove Ms. Budz as the grant administrator.

Susan Kehoe, Highland Lakes states she is very disappointed that Beverly Budz id beign removed as the grant administrator and while volunteering at the Animal Shelter tells Council she saw Beverly working hard helping the workers plant evergreen trees near Recycling Center and was doing a great job. After her time spent at the Shelter she found a piece of evergreen tree in her car and it reminded her of Ms. Budz and her passion for the environment and if the Council remove's her it would be a disservice to Vernon Township.

#### **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

Council member Murphy asked if she could read an email from Gary Martinsen who was unable to be present. Council President Kadish stated the Public Comments Section has already been closed.

### **MAYOR'S REPORT**

Mayor Shortway stated over the weekend he attended three community events: annual Fishing Derby, the Animal Control Rabies Clinic, and Earthfest in which the Township handed out 1700 trees. All three events were a great success.

Council President Kadish questioned Attorney John Ursin is it was okay to read email submitted by Gary Martinsen as a form of Public Comment. Mr. Ursin encouraged against starting that action as Public Comment is reserved for people who attend the Public Meeting and wish to be heard and if Council starts that practice it could greatly lengthen future Council Meetings.

### **APPROVAL OF MINUTES**

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

Regular Meeting Minutes of February 8, 2016

MOVED: Patrick Rizzuto

SECONDED: Sandra Ooms

A roll call was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve minutes

### **ITEMS FOR DISCUSSION**

a. Speed Limit County Route 517

Council President Kadish discussed the increase in dangerous accidents on Route 517 from intersection of Pochuck Farms and the NY border and suggests speed limit be reduced. Council Member Murphy explained the Mayor is addressing speed limits in various places in town which this area will be included. Council Member Wetzel states he is in favor of speed traps being set. Mayor Shortway states he has requested lowering speed limits on Route 517 near Carol as well as Route 644, Vernon Crossing where town ball fields are located. Mayor Shortway adds that engineering studies and plans must be designed before limits are reduced.

b. Route 517 and Carol Drive

Council Member Murphy explained that a past ordinance allowed parking on the side of Carol Drive which has houses but not on the trail side which is a change the Council should consider for resident's sake. Council President Kadish suggests to introduce an ordinance. Council Member Ooms adds that adding parking on trail side of Carol Drive would help Meadowlark issues. Council President Kadish added that we will continue to work on the problem and an ordinance change will need the consent of the Council after the engineer and traffic officer have offered input. Mayor Shortway states he has been in contact with Ms. Lutz from the Trail Conservancy, George Graham and Ron Tappan from the county and will continue to get updates from the Police Chief.

Council Member Ooms questioned is parking on Canal road filled on a normal day and if not can the Appalachian Trail conservancy add locations on their website? Mayor Shortway explains the Canal parking lot is filled on the weekends but only 12 spots are available and it floods when rain is heavy and is a long hike up a hill to get to boardwalk. Council President Kadish asked can a parking area on north side of bridge be cleared and would be accessible to boardwalk. Mayor Shortway will ask Ms. Lutz from AT Conservancy. Council Member Murphy suggesting the creation of APPS which show directions to various parking areas.

### **CONSENT AGENDA**

Council President Kadish gave a brief explanation of Resolutions #16-113-120

Council President Kadish asked for a motion to adopt Resolutions #113-120

Council Members Murphy and Rizzuto request Resolutions to be pulled from consent agenda and decided resolutions to be heard separately are 16-117; 16-118; & 16-120

Council President Kadish asked for a motion to adopt Resolutions #16-113-#16-116 & #16-119

MOVED: Sandra Ooms  
SECONDED: Dick Wetzel

A roll call was taken:

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

Motion to adopt Resolutions #113-116, 119

**RESOLUTION #16-113**

**APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN’S ASSOCIATION (Carson)**

**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**, Richard W. Carson III, an active firefighter and member of the Highland Lakes Fire Department Company, 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 Richard W. Carson III for membership in the New Jersey State Firemen’s Association.

**RESOLUTION #16-114**

**AWARDING A CONTRACT TO AIR GROUP LLC FOR PREVENTATIVE MAINTENANCE FOR THE HVAC SYSTEMS LOCATED IN THE VERNON TOWNSHIP MUNICIPAL BUILDING and DPW BUILDING**

**WHEREAS**, the HVAC systems in the Vernon Township Municipal Building and DPW Building require regular preventative maintenance; and

**WHEREAS**, the Qualified Purchasing Agent solicited and received a quote for preventative maintenance work, with regard to the specialized nature and scope of work to be performed, which consists of six (6) preventative maintenance inspections per the term of the contract which is one year and no cost increase from the prior contract; and

**WHEREAS**, Air Group LLC currently maintains the HVAC systems in the Vernon Township Municipal Building and DPW Building and it would be advantageous to Vernon Township to extend the contract for an additional year in accordance with N.J.S.A. 40A:11-3; and

**WHEREAS**, the contract term is from May 1, 2016 through May 1, 2017; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in 10577237; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor is authorized to execute a contract with Air Group LLC, One Prince Road, Whippany, NJ 07981 to provide preventative maintenance on the HVAC systems located in the Vernon Township Municipal Building and DPW Building.

**RESOLUTION #16-115**

**AWARDING A CONTRACT TO AIR GROUP LLC FOR PREVENTATIVE MAINTENANCE FOR THE FOUR (4) CARRIER AIR-COOLED CHILLERS LOCATED IN THE VERNON TOWNSHIP MUNICIPAL BUILDING**

**WHEREAS**, there exists a need for regularly scheduled preventative maintenance for the four (4) Carrier air-cooled chillers located in the Vernon Township Municipal Building; and

**WHEREAS**, the Qualified Purchasing Agent solicited and received quotes for preventative maintenance work, with regard to the specialized nature and scope of work to be performed, which consists of one annual visit, one seasonal start-up in the spring and one seasonal shut-down in the fall; and

**WHEREAS**, Air Group LLC currently maintains the HVAC system in the Vernon Township Municipal Building and it would be advantageous to Vernon Township to have Air Group LLC maintain the Carrier chillers as well; and

**WHEREAS**, the quote from Air Group LLC reflects an annual cost savings of \$3886.00 compared to Carrier Corporation, therefore, the Qualified Purchasing Agent recommends that the Township award a contract for this service to Air Group LLC, One Prince Road, Whippany, NJ 07981; and

**WHEREAS**, the contract term is from May 1, 2016 through May 1, 2017; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in 10577237; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor is authorized to execute a contract with Air Group LLC, One Prince Road, Whippany, NJ 07981 to provide preventative maintenance on the four (4) Carrier air-cooled chillers located in the Vernon Township Municipal Building.

#### **RESOLUTION 16-116**

#### **AUTHORIZING PLACEMENT OF SIGNS IN VARIOUS LOCATIONS –(VERNON CHAMBER OF COMMERCE)**

**WHEREAS**, Vernon Chamber of Commerce has requested permission from the Township Council to place 20 signs in front of various businesses and homes in town to advertise their Street Fair; and

**WHEREAS**, Vernon Chamber of Commerce has requested to place the signs from May 1, 2016 through May 15, 2016 and the signs will be 24” x 18” 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 multiple 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 Vernon Chamber of Commerce is granted permission to place 20 signs, as described above, at various businesses and homes, from May 1, 2016 to May 15, 2016, in association with the Street Fair , provided all other requirements of Township Code 330-180 are followed.

#### **RESOLUTION #16-119**

#### **RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF VERNON AWARDING SERVICE WEAPONS TO RETIRING POLICE OFFICERS**

**WHEREAS**, the Township has two retiring police officers, Captain Brian Jernick and Sargent William Gebhard;

**WHEREAS**, both officers have served the Township with distinction;

**WHEREAS**, the tradition and past practice has been to award retiring police officers their service weapon;

**WHEREAS**, the service weapons have very little trade-in value and have a fair market value of approximately \$350.00; and

**WHEREAS**, the Township Council believes it is appropriate to continue the tradition and give the service weapons to the two retiring officers.

**NOW THEREFORE IT BE RESOLVED** by the Township Council of the Township of Vernon that the Township hereby awards the service weapons used in the line of duty to Captain Brian Jernick and Sargent William Gebhard effective on the date of their retirement. The Police Department shall complete all necessary paperwork as soon as possible. The award shall be with the gratitude of the Township and shall be considered an

employment benefit. The retired officer will assume all obligations relating to the firearm ownership and all liability from the date of the transfer forward.

**RESOLUTIONS TO BE ADOPTED SEPARATELY**

**Resolution #16-117**

Council Member Rizzuto questioned what is involved in this resolution to repair or the installation of a tank? Mayor Shortway explained this is to hook up water to the Municipal Building which would go in directly with no tanks used. Council President Kadish added that the sprinkler system works but there is not enough water pressure and that we are discussing with SUEZ to further the franchise. Mayor Shortway states that he is discussing with Engineer the price estimates of the options to hook up or replace the tanks at a cost of \$150,000 which is in the capital budget. Council member Ooms asked we will decide at a later time? Mr. Ursin said voting tonight will move the process forward with the BPU declaring the water emergency is in the franchise served by United Water. Mr. Ursin adds that the developer’s agreement would come back to Council for approval.

Council President Kadish asked for a motion to adopt Resolutions #16-117

MOVED: Jean Murphy  
SECONDED: Dick Wetzel

A roll call was taken:

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

Motion to adopt Resolution #16-117

**Resolution #16-117**

**RESOLUTION OF THE GOVERNING BODY  
OF THE TOWNSHIP OF VERNON  
DECLARING A WATER EMERGENCY, DEFINING  
A WATER FRANCHISE AREA, AND AUTHORIZING  
THE NEGOTIATION OF A DEVELOPER’S AGREEMENT**

**WHEREAS**, the Vernon Township Municipal Building currently has insufficient water service and pressure for its fire suppression system;

**WHEREAS**, the Municipal Engineer has estimated that the repairs to the municipal building’s water holding tank would cost approximately \$100,000.00;

**WHEREAS**, the Governing Body declares that this situation is a water emergency;

**WHEREAS**, Suez NA (previously United Water) purchased the Omega Water System and is the supplier of the water to the Omega Water System franchise area;

**WHEREAS**, the Municipal Engineer is of the opinion that Block 141, Lot 10 and Block 141.05 Lot 1 where the Vernon Township Municipal Building and Vernon Township DPW are located are within the Omega Water System franchise area previously purchased by Suez NA;

**WHEREAS**, Suez NA is willing to enter into a Developer’s Agreement with the Township of Vernon where it would take ownership of the existing water main depicted on the attached Schedule “A”; supply water to the Vernon Township Municipal Building, DPW, and Animal Pound; and where the Township would be eligible for rebates if additional new customers connect to the line;

**WHEREAS**, the Municipal Engineer estimates that the value of the water main referenced in Schedule “A” is \$141,500.00.

**WHEREAS**, the Township Council desires to authorize the Mayor and Township Attorney to negotiate the Developer’s Agreement;

**NOW THEREFORE IT BE RESOLVED:**

1. The Township Council hereby declares the water situation relating to the fire suppression system at the Township Municipal Building to be a water emergency;

2. The Township Council hereby clarifies and defines the Omega Water System franchise area to include Block 141, Lot 10 and Block 141.05 Lot 1 and acknowledges that Suez NA is the supplier in that franchise area; and
  
3. The Township Council authorizes the Mayor and Township Attorney to negotiate a Developer's Agreement where the Township would donate the water main described in Schedule "A" to United Water provided that the Township is eligible to receive rebates in the event that new customers connect to the water line.



**Resolution #16-118**

Council Member Murphy stated she needs to abstain from voting. No further discussion.

Council President Kadish asked for a motion to adopt Resolutions #16-118

MOVED: Sandra Ooms  
SECONDED: Dick Wetzel

A roll call was taken:

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

Motion to adopt Resolution #16-118.

**RESOLUTION #16-118**

**AUTHORIZING PERMANENT PLACEMENT OF SIGNS IN VARIOUS LOCATIONS (Rotary Club)**

**WHEREAS**, Vernon Rotary Club has requested permission from the Township Council to place permanent signs throughout the Township: Sign 1 is to be located by the Welcome to Vernon sign on Route 515; Sign 2 is to be located on Rt. 565 by Ames Rubber; Sign 3 is to be located on Rt. 94 near Heaven Hill; Sign 4 is to be located on Rt. 94 near the Mixing Bowl Deli; Sign 5 is to be located on Rt. 94 by the George Inn; and

**WHEREAS**, the Rotary Club has been advised that additional permissions may be necessary and has agreed that they will pursue seeking approval from the State of New Jersey and the County of Sussex for the placement of the aforementioned signs as necessary; and

**WHEREAS**, the Township does not object to the placement of said signs; and

**WHEREAS**, the Township Code Enforcement Officer has advised that pursuant to the Vernon Township Code 330-180 that the placing of off premise signs requires permission of the Council for their placement.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that the Township of Vernon does not object to the placement of said signs and grants permission, within the limits of its authority, for the placement of said signs; and

**BE IT FURTHER RESOLVED**, that the Vernon Rotary Club shall make application to the County of Sussex and State of New Jersey as necessary for the placement of said signs as described above.

**Resolution #16-120**

Council Member Rizzuto opined that the appointment of the grant administrator of the No Net Loss Grant to replace Beverly Budz is in the Mayor’s purview and to be changed in the middle of the grant is not in the best interest of the Township. Council Member Rizzuto adds that Ms. Budz has demonstrated a high degree of commitment for the environment and we should complete the grant with her. Council Member Wetzel adds that Ms. Budz has done a lot of work with the Tennessee Gas Pipeline and the Township is throwing her under the bus at fault of others who work for Township. Council President Kadish stated explains there was a Rice notice sent for due process and the results will become clear. Council Member Rizzuto suggests to table the resolution pending outcome of Rice Notice and hearing process which should be done in public. Council President Kadish explained we are to discuss the person and not the process.

Council Member Rizzuto makes a motion to table Resolution #16-120

MOTION: Patrick Rizzuto  
SECOND: Dick Wetzel

A roll call was taken:

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

Motion to table Resolution#16-120 failed.

Council President Kadish asked for a motion to carry and adopt Resolution #16-120

MOVED: Sandra Ooms

SECONDED: Dick Wetzel

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Dan Kadish

NAYES: Patrick Rizzuto, Dick Wetzel

ABSTAIN: None

ABSENT: None

Motion to adopt Resolution#16-120

### **RESOLUTION NO. 16-120**

#### **RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF VERNON APPOINTING AN ADMINISTRATOR FOR THE TOWNSHIP'S NO NET LOSS GRANT**

**WHEREAS**, the Township has been awarded a No Net Loss Grant from the State of New Jersey relating to tree replacement and providing the Township with up to \$354,960 in funding;

**WHEREAS**, it has been determined that there are certain problems with the administration of the grant thus far, including inconsistencies with respect to the compensation for the Administrator, improper purchasing procedures, and problems relating to the State Forester;

**WHEREAS**, the Mayor has recommended that the Council appoint a new Administrator;

**WHEREAS**, Township resident Michael Cheski has been involved with this grant application in the past;

**WHEREAS**, Michael Cheski has agreed to serve as Administrator of this grant at no cost to the Township;  
and

**WHEREAS**, the Township Council believes that it is best to essentially start over on this grant to ensure that all proper procedures are followed and that the grant is administered efficiently.

**NOW THEREFORE IT BE RESOLVED**, by the Township Council of the Township of Vernon that Michael Cheski is appointed Administrator of the No Net Loss Grant on a volunteer basis and that Michael Cheski is directed to use the resources of the Township's Qualified Purchasing Agent and the Township Engineer to ensure that all proper purchasing procedures are followed and that the grant is administered efficiently and successfully.

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

None

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

None

#### **PUBLIC HEARING OF 2016 MUNICIPAL BUDGET**

Ms. Yetter stated the user friendly budget has not changed but the state had made some changes. Council Member Rizzuto asked for an explanation of the offsets and the 5.8% increase. Ms. Yetter said the offsets are due to an increase in revenue, increase in appropriation and increase to what we pay to Sussex County for the MUA but taxes are not being raised that percent because MUA fees are paid by another entity. Ms. Yetter adds the municipal budget is up by 3 tax points and the Board of Education is going down so taxes are netting out and we do not yet have the county rate which is out of our control.

Council President Kadish asked for a motion to open the Public Hearing of 2016 Municipal Budget

MOVED: Jean Murphy

SECONDED: Sandra Ooms

All in favor.

Jessi Paladini, questioned why forestry grant is not in municipal budget. Ms. Yetter explained that the entire amount was in the 2015 budget in a grant fund and balance is still there.

Beverly Budz, stated the grant total was \$354,600 and Vernon has spent \$72,000 for trees, tagging, grant fee, supplies of which \$26,000 she feels is unaccounted for. Ms. Budz added she had planted, watered, mulched, fertilized the trees from the grant and when doing the report to the state will stress the trees must be tended to and not neglected.

Robert Oliver, opined that the Township could have decreased budget one more tax point if they were slightly more aggressive. Mr. Oliver feels this year's budget is padded so he can carry out personal agenda next year. Mr. Oliver added the last five months' have been disaster and maybe Vernon should change government again.

Council President Kadish asked for a motion to close the Public Hearing

MOTION: Jean Murphy

SECOND: Dick Wetzel

All in favor of closing the Public Hearing of the 2016 Municipal Budget.

#### **ADOPTION OF 2016 MUNICIPAL BUDGET**

Council President Kadish asked for a motion to adopt the 2016 Municipal Budget

MOVED: Jean Murphy

SECONDED: Dick Wetzel

Council Member Murphy asked what is the domino effect of the budget not passing tonight. Mr. Schroeder, Township Auditor answered the main problem is lack of cash flow to pay mandatory bills like the schools and the county. Mr. Schroeder adds if the budget is not passed, the tax bills do not get mailed and revenue will not come in causing the Township to borrow with interest. Council Member Murphy asked Mayor Shortway if the Budget has been padded of which he answered of course not. Council Member Ooms commented that the public knows that the Mayor did best he could to trim with all of the council requests and adds a clear plan be made so increase doesn't happen next year. Council Member Ooms stresses it was not to our advantage not to have any budget increases for the last few years because we now have to have a large increase. Council member Murphy said the decrease in the 2016 school budget helps our budget because they have gone up in the last few years.

A roll call was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Adoption of the 2016 Municipal Budget was approved.

#### **COUNCIL COMMENTS**

Council Member Wetzel questioned Mayor Shortway when we will take down the Jerzees sign where the diner burned down. Mayor Shortway said the owners may rebuild and we removed only the remains that were hazardous and a public safety issue.

Council Member Rizzuto reminded the public that summer is here and children will be out riding bicycles and stressed caution on our roadways. He thanked the volunteer firemen and Patrolman Kuzicki at the scene of a residential fire on RT 565 and truly displayed an example of giving back to the community.

Council Member Ooms no comments.

Council Member Murphy stated she and Ms. Ooms recently toured the SCMUA plant and will share ideas with the Mayor.

Council Member Rizzuto added that this Friday there will be a public work session at 10:00 am to discuss the origin of the contracts for the Sewer System and how we can move this project forward and stresses without infrastructure, we cannot increase flow, and taxes may be raised.

**COUNCIL PRESIDENT COMMENTS**, no comments

**ADJOURNMENT**

There being no further items of business to be conducted on the agenda, a motion of 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 9:28 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Dan Kadish,  
Council President

Minutes approved: June 27, 2016