

Township of Vernon

REGULAR TOWNSHIP COUNCIL MEETING

May 14, 2012

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:36pm on May 14, 2012, in the Vernon Township Municipal Building, 21 Church Street, Vernon, New Jersey.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 9, 2012, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6.

ROLL CALL OF MEMBERS

Present were Council Members Patrick Rizzuto, Dick Wetzel, and Council President Brian Lynch. Also present were Mayor Vic Marotta, Business Administrator Jerry Giaimis, and Township Attorney Kevin Kelly. Council Member Eddie Dunn arrived at 6:45pm during the Executive Session, and Council Member Daniel Kadish was absent.

EXECUTIVE SESSION

RESOLUTION TO GO INTO 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:
Lake Conway Dam – Litigation
3. This resolution shall take effect immediately.

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

A roll call was taken:

AYES: Patrick Rizzuto, Dick Wetzel, Brian Lynch

NAYS: None

ABSENT: Eddie Dunn, Daniel Kadish

Motion carried with all in favor.

Council went into Executive Session at 6:38pm

RETURN TO OPEN SESSION

Council President Lynch called for a motion to return to open session.

MOVED: Patrick Rizzuto

SECOND: Brian Lynch

All Members present were in favor.

Council returned to Open Session at 7:37pm

SALUTE TO THE FLAG

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

Township Attorney Kevin Kelly advised the audience that an additional item was discussed during Executive Session, which dealt with negotiations/potential litigation.

PRESENTATION

Drug Awareness Program

Presenters were Det. Jason Haw and Mr. Jim Barta, the drug testing coordinator at the high school.

Council Member Rizzuto explained how this presentation was developed, noting the serious issue of substance abuse and the youth of Vernon Township.

Mr. Barta pointed out Mr. McGowan in the audience, noting that he was instrumental in getting the school program started through the Board of Education. He advised that Vernon Township's random drug testing program is one of only 4 in the state. He noted that Title 18A of the state code requires that all teachers and staff be trained to detect students under the influence. He went on to explain the process once a student is suspected of being under the influence, noting that those students must be tested and outside of the school (private doctor, hospital, etc.). Alicia Cruz, the student assistance counselor, spoke about her program after Mr. Barta. Both programs are separate from each other.

As for Mr. Barta's program, the process is very different. With the random testing program, once a student is identified as a user, the school gets them the help they need. The program is very confidential – the only people who know are himself, the student counselor, and the nurse that administers the urine test, regardless if the test results are positive or negative. All students who wish to participate in extra-curricular activities must be enrolled in the random testing program. Mr. Barta believes that being in the program allows some teens an "out" when being pressured to take drugs or drink alcohol – they can use their sports/activities as their reason to say no. He listed the most popular substances that are being abused: marijuana, cocaine, opiates, heroin, and other barbiturates. He also noted that many use whatever they can find in their parents' medicine cabinets. Mr. Barta added that students who are not in activities/sports can enter the program voluntarily.

Alicia Cruz, Student Assistance Counselor, spoke about her program. She advised that she sees about 200 kids in her office each year, and the majority of them are there voluntarily (178 students in 2011). She acknowledged that a large group are there for drug-related issues, but also that another large group are alcohol-related. She expressed concern with the increase in marijuana use and its relative impact on the students – shorter attention spans, and even their lack of motivation. She agreed with Mr. Barta that they have seen a reduction in the number of students involved in substance abuse which she feels is directly related to these programs.

Various Council members spoke about the following issues: factor of peer pressure; fear of random testing; Ms. Cruz's effectiveness due to the confidentiality; progression of usage; and the perception of marijuana use as being "not so bad" (even by some parents). It was noted that there is a new hallucinogenic drug (DMT) that is very powerful and makes LSD look tame.

Detective Jason Haw, who has been the student resource officer for K-12 for the past 1.5 years, spoke about his involvement. He noted that the Police Department only gets involved if there is possession of a controlled substance, and then it becomes a criminal case. He advised that he and other Vernon Township officers have been very pro-active in trying to get a handle on this problem, even devoting off-duty time to this issue.

Council President Lynch stated that the Mayor and Council are very proud of the job being done by the Police Department and schools on this problem.

Detective Haw expressed his disappointment with the apparent lack of public concern, noting that the last meeting they held had been poorly attended.

Council Member Rizzuto asked the detective if there was a seasonal usage, such as if the incidents appear to increase as the weather warms up.

A Board of Education member clarified that if a student tests positive under the random testing program, they do not get put through the police system.

Mr. Barta spoke about the interaction he has with Detective Haw and the Vernon Police Department. In addition to being the drug testing coordinator, he is also the security officer. It is in that capacity that he interacts the most with the police, and he applauded their involvement.

Mr. McGowan advised how they determined the program parameters, and how Mr. Barta was chosen to head it.

PUBLIC COMMENTS

Council President Lynch asked for a motion to open the meeting to public comments at this time.

MOTION: Patrick Rizzuto

SECOND: Dick Wetzel

All Members present were in favor.

Robert Oliver – spoke about his experiences with drug abuse, noting a possible problem of boredom. He suggested one way to alleviate that problem was to build a skate park.

CLOSED TO PUBLIC COMMENTS

No one else wished to speak at this time, and the Council President asked for a motion to close the public portion of the meeting.

MOVED: Eddie Dunn

SECOND: Patrick Rizzuto

All Members present were in favor.

MAYOR'S REPORT

- ♦ Mayor Marotta thanked the presenters. He advised the audience that they need to be aware that large drug busts are not always made public in order to follow the threads to larger busts. He re-iterated a point made by Detective Haw – the officers have worked on their own time trying to eradicate this problem.
- ♦ The Mayor spoke about the Rabies Clinic, held on Saturday, April 28, for 3 hours, from 10am to 1pm. He advised that volunteers came out on their own time, and that 502 cats and dogs were vaccinated. He read the following list, noting that all were under the direction of Tom Maellaro: Warren Burgess, Marlene Ford, Tammy Cutler, Val Palomba, Phyllis MacPeek, Cathy Cunningham, Rich Unhoch, George Davies, Jennifer Ruess, Jack Stout, Gene Osias, Kerrie Scott, Bob Oakley, Jr., Debbie Vandermaas. Additionally, there were staff members present to assist including Nick Pugliese, Dr. Tim Bingaman and his wife, Jeanne. Additionally, Bonnie, Jason, and Tom assisted.
- ♦ Mayor Marotta advised that he had been proud to be invited to present Eagle Scout awards to 2 young men: Vincent John Langan on May 19; and Kyle Christopher Hoehne on April 28.
- ♦ He noted he had attended the Senior Luncheon, and that he had directed our Township Planner, Jessica Caldwell, to look into a senior housing location.
- ♦ He advised that the Board of Public Utilities hearing to disconnect United Water sewer services was scheduled for June 18, with a tentative closing date of June 25. The Vernon Township Municipal Utilities sewer operations are set to begin on July 1 in Town Center and the recreational area.

APPROVAL OF MINUTES

March 22, 2012 Regular Meeting Minutes

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch

NAYS: None

ABSENT: Daniel Kadish

The Minutes of 3/22/12 were approved.

Council President Lynch noted that the following minutes were prepared in the interest of transparency, but that it had not been a public meeting, and there was no quorum present. Mayor Marotta added that Vernon Township gained a commitment of United Water to the Town Center.

March 23, 2012 Special Signing of the Transfer of United Water Sewer Services

MOVED: Patrick Rizzuto
SECOND: Brian Lynch
A roll call vote was taken:
AYES: Patrick Rizzuto, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: Eddie Dunn, Dick Wetzel
Special Signing Minutes of 3/23/12 were approved.

March 26, 2012 Regular Meeting Minutes

MOVED: Eddie Dunn
SECOND: Patrick Rizzuto
A roll call vote was taken:
AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Regular Meeting Minutes of 3/26/12 were approved.

April 23, 2012 Special Work Session Minutes

MOVED: Patrick Rizzuto
SECOND: Dick Wetzel
A roll call vote was taken:
AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Special Work Session Minutes of 4/23/12 were approved.

April 23, 2012 Regular Meeting Minutes

MOVED: Eddie Dunn
SECOND: Patrick Rizzuto
A roll call vote was taken:
AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Regular Meeting Minutes of 4/23/12 were approved.

April 23, 2012 Executive Session Minutes

MOVED: Patrick Rizzuto
SECOND: Eddie Dunn
A roll call vote was taken:
AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Executive Session Minutes of 4/23/12 were approved.

CONSENT AGENDA - RESOLUTIONS #12-99 through #12-110

Council President Lynch gave a brief explanation of all resolutions. He asked that #12-99, 12-101, 12-108, 12-109, and 12-110 be removed from the consent agenda for separate action.

Council President Lynch asked for a motion adopting Resolutions #12-100, and 12-102 through 12-107.

MOVED: Patrick Rizzuto
SECOND: Eddie Dunn
A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Resolutions #12-100, 12-102 through 12-107 were approved.

RESOLUTION #12-100

AUTHORIZING PLACEMENT OF TEMPORARY SIGNAGE AND WAIVER OF FIRE PREVENTION PERMIT FEES

WHEREAS, Our Lady of Fatima Church in Highland Lakes, New Jersey has requested permission from the Township Council to place temporary signage on the front lawn of the A&P in Vernon, along Route 515 / Stockholm Road in association with the Church's annual Parish Carnival to be held July 18 - 21, 2012; and

WHEREAS, approval has been received from a principal representing the property owner, as per a letter, for the placement of the signage for this event;

WHEREAS, the temporary signage requested to be displayed will be one (1) "A" frame sign measuring 4' wide by 6' high and will be displayed from June 30 through July 21, 2012; and

WHEREAS, Our Lady of Fatima has requested that the Township Council waive the fees for the Fire Prevention Type 1 – Open Flame Permit, with the understanding that all activities will be confined to their own property.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon, that Our Lady of Fatima Church in Highland Lakes, New Jersey is granted permission to place temporary signage, as described above, along County Road 515/ Stockholm Road on the front lawn of the A&P in Vernon, from June 30-July 21, 2012, in association with the Church's annual Parish Carnival event; and

BE IT FURTHER RESOLVED that any and all signage placed pursuant to this Resolution shall be removed on the day following the event; and

BE IT FURTHER RESOLVED that the Council of the Township of Vernon, that Our Lady of Fatima Church is granted a waiver of Fire Prevention permit fees, and that a copy of this resolution be forwarded to the Fire Prevention Department for their records.

This Resolution will take effect immediately according to law.

RESOLUTION #12-102

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Vernon Township Police Department wishes to apply for funding for a project under the Safe and Secure Communities Program; and

WHEREAS, the Vernon Township Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Vernon Township Council for the purpose described in the application.

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

1. As a matter of public policy the Vernon Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for the funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

RESOLUTION #12-103

RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JULY 7, 2012 WITHIN THE TOWNSHIP OF VERNON

WHEREAS, N.J.S.A.21:3-1 et 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, Tall Timbers Property Owners Association has submitted an application to Vernon Township to conduct a fireworks display on July 7, 2012; and

WHEREAS, the proposed fireworks display will take place at Tall Timbers Oak Boat Launch / Lake Area on property owned by Tall Timbers Property Owners Association; and

WHEREAS, Tall Timbers Property Owners Association has engaged in a contract with Garden State Fireworks, Inc., to perform the public fireworks and special effects display and has provided the required certificate of liability insurance.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display with special effects, performed by Garden State Fireworks, Inc. and sponsored by the Tall Timbers Property Owners Association on July 7, 2012 upon satisfaction of all statutory and departmental requirements.

RESOLUTION #12-104

RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JUNE 30, 2012 WITHIN THE TOWNSHIP OF VERNON

WHEREAS, N.J.S.A.21:3-1 et 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, Minerals Resort and Spa has submitted an application to Vernon Township to conduct a fireworks display on June 30, 2012; and

WHEREAS, the proposed fireworks display will take place at Rail 4 at Great Gorge Golf Course between 8:30 – 9:00pm; and

WHEREAS, the Minerals Resort and Spa has engaged in a contract with Garden State Fireworks, Inc., to perform the public fireworks and special effects display and has provided the required certificate of liability insurance.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display with special effects, performed by Garden State Fireworks, Inc. and sponsored by the Minerals Resort and Spa on June 30, 2012 upon satisfaction of all statutory and departmental requirements.

RESOLUTION #12-105

**AUTHORIZATION TO AMEND THE
VERNON TOWNSHIP PERSONNEL POLICY AND PROCEDURE MANUAL**

WHEREAS, Vernon Township had adopted a Personnel Policy and Procedure Manual on January 1, 1996; and

WHEREAS, the manual, defines and clarifies the personnel policies and procedures of the Township of Vernon; and

WHEREAS, provisions of collective bargaining agreements will take precedence over any contradictory policies and procedures described in the aforesaid manual; and

WHEREAS, there exists a need to amend the Personnel Policy Procedure Manual with a new section entitled Policies for Department of Public Works Supervisors as follows:

ARTICLE VIII

MISCELLANEOUS

SECTION 18

POLICIES OF DEPARTMENT OF PUBLIC WORKS SUPERVISOR PERSONNEL

REGULAR HOURS; BREAKS

A. Department of Public Works Employees covered under this portion of the personnel manual shall work forty hours per week, being the hours of 6:30am to 3:00pm, Monday through Friday. An employee who performs work in excess of forty hours during a week shall be compensated overtime pursuant to the overtime rules of other DPW members covered by a collective bargaining agreement.

B. All DPW Assistant Supervisors are entitled to one (1) fifteen (15) minute break during the day. All breaks are to be taken at the direction of the Director of Public Works or designee.

OVERTIME

A. Overtime shall be paid for all work performed in excess of the standard workweek at the rate of one-and-a-half (1.5) times the computed hourly rate. Overtime shall be paid double-time on Sundays. The standard number of weekly hours shall be forty (40) or on an on-call situation. A standard workweek of 40 hours shall be based upon a normal schedule. The schedule may be different for different groups or crews but usually will consist of a 5-day/8-hour schedule. There may be a time when a specific crew for a specific purpose works hours/days other than the standard Monday through Friday for reason of efficiency. Permanent full-time employees shall not be paid overtime until said employee has worked the standard number of weekly hours above. For the purposes of accruing overtime, only hours worked within a given week shall be counted towards overtime calculations. For the purposes of calculating overtime, earned time off such as holidays, vacation, personal days or compensatory time and sick leave will be considered hours worked.

B. Overtime shall be computed and payment made on the following basis:

1. Up to the first eight (8) minutes - no pay
2. Eight (8) through twenty-two minutes - fifteen (15) minutes pay
3. Twenty-three (23) through thirty-seven (37) minutes - thirty (30) minutes pay
4. Thirty-eight (38) through fifty-three (53) minutes - forty-five (45) minutes pay
5. Fifty-three (53) through sixty (60) minutes - one (1) hour pay

C. Overtime shall be paid either by compensatory time off or by compensation at the option of the employee and approval of the Director of Public Works.

Compensatory time shall be arranged to be taken within six (6) months thereof except in emergency circumstances. Whenever the employee shall choose compensatory time off, they shall be entitled to one and one half (1.5) hours off for each hour worked in excess of their normal hourly workweek. Whenever an employee chooses to receive compensation for overtime worked, such compensation is to be computed at the rate of one and one half (1.5) times their standard hourly rate for each hour worked in excess of their normal hourly workweek. Employees may be allowed to bank compensatory time at the rate of time and one half (1.5) for every overtime hour worked. The amount of banked time may not exceed eight (8) days. To use the banked time, the employee must give two (2) weeks notice to the Director. If the banked time is not used within six (6) months of being earned, the employee loses the time. No more than three (3) employees shall be on vacation or long-term absence from work November 15 through April 15. Banked compensatory time must be used in eight (8) hour blocks. Nothing in this Article shall be construed as to conflict with employee's rights as provided by the FLSA and FLMA.

D. If an employee is recalled, they shall receive a guarantee of three (3) hours compensation at one and one half (1.5) times the employee's standard hourly rate, provided such work is not contiguous after the employee's normal work day. The Director of Public Works or designee shall have the right to retain the employee for the full three (3) hour period even if the event necessitating the recall ends prior to the three hours having elapsed. This provision shall take effect as of the date of execution of this Agreement by the Union, and shall not be applied retroactively to the beginning of the term of this Agreement.

E. During severe storms and such other emergencies as determined by the Township or its authorized agent, employees are on call twenty-four (24) hours a day except when ill or on vacation. On call means supplying a telephone number where the employee may be reached. Response times shall be no more than forty-five (45) minutes during the winter months. During winter months, whether or not a storm warning is issued by the Director or designee before the end of the work shift, it is the employee's responsibility to be alert to possible weather changes and be available for emergency response. All rules pertaining to the Township's drug and alcohol policy as well as the federal regulations concerning CDL licenses shall be followed.

F. The two Assistant Supervisors will be compensated the equivalent of three (3) hours of overtime for each one-month period that they are on-call from November 15th through April 15th.

G. Should the Director of Public Works or designee call in an employee for emergency coverage as determined and the employee is injured during this commutation period due to a hazardous condition, the incident shall be considered a "Workers Compensation" event. However, employees shall not be required to utilize their sick leave, personal or vacation time allotments to cover their absence. Medical bills will remain the responsibility of the employee. Hazardous conditions shall be determined as per the police report at the site of the accident.

H. No more than four (4) road employees, one (1) Crew Supervisor and two (2) shop employees may be on vacation at any one time. The Director of Public Works, in his or her sole discretion, may allow more than four (4) employees and one (1) Crew Supervisor on vacation at any one time, April 15th through November 15th

I. From November 15th through April 15th, only three (3) road employees, one (1) Crew Supervisor and two (2) shop employees may be on vacation at any one time. The Director of Public Works, in his or her sole discretion, may allow more than three (3) employees and one (1) Crew Supervisor on vacation at any one time.

J. When an employee retires, the employee shall receive all vacation time accrued and not taken during the year.

K. From November 15th through April 15th, the Director of Public Works may, if staffing requirements permit, extend the allotted vacation time period to include the weekend immediately following that period. The decision to do so is at the sole discretion of the Director of Public Works.

L. From April 15th through November 15th, the weekend immediately preceding and the weekend immediately following the allotted vacation time period shall be included as part of the vacation.

SICK LEAVE

A. Employees who retire within the meaning of P.E.R.5., (i.e. twenty-five (25) years of service and/or fifty-five (55) years of age or older) shall be entitled to one-half of the sick leave days accumulated up to a cap of \$5,500.00.

B. An employee who is absent because of illness or non-work related injury must use all accumulated and earned sick days before applying for Temporary Disability. Once these sick days are used, the employee must wait seven (7) days until Temporary Disability payments begin. The current rate is sixty per cent (60%) of base salary, up to the maximum amount established by the New Jersey State Department of Unemployment/Disability. (Rates may change each year). The set dollar amount will be paid to the employee through 26 weeks or end of disability, whichever comes first. At such time they will receive a final Temporary Disability pay of the seven (7) holding days.

HOLIDAYS

A. An employee who works on Thanksgiving Day, Christmas Day, New Year's Day, Easter Sunday or Memorial Day; 6:00 p.m. on Christmas Eve/New Year's Eve to midnight Christmas Day/New Year's Day; Fourth of July or Labor Day shall receive double his or her hourly rate for those hours worked. If Christmas or New Year's falls on a weekend, the employee shall receive double time on that holiday, and not as per paragraph C.

UNIFORMS

A. The Township agrees to provide a uniform maintenance allowance in the amount of one-thousand dollars (\$1,000.00) per permanent, full-time employee for each year of this contract. Payment shall be paid in the first pay period of each year of the contract. Payment shall be made as one lump sum from payroll with taxes already taken out, no receipts required.

B. Uniforms lost or destroyed by employee's negligence shall be replaced at the employee's own expense.

C. Uniforms shall be approved by the Director of Public Works.

D. Uniforms shall have the employee's name sewn or embroidered on the breast pocket of each shirt, jacket or coveralls. The name VERNON TOWNSHIP shall be sewn or embroidered on the breast pocket of each shirt, jacket or coveralls. Embroidered patches may also be used for this purpose.

E. Employees must wear approved uniforms at all times during the hours of work. Employees shall not wear torn, excessively patched or unreasonably dirty uniforms.

F. Uniform allowance shall include work shoes which shall be suitable for the type of work required in the employee's job with the Department of Public Works and shall be included in the uniform dress requirements and approved by the Director of Public Works.

G. Shorts are allowable in the summer months, with the exception of hot asphalt paving work.

H. Employees may, from their allotment, purchase and wear high-visibility, ANSI-approved fluorescent orange or fluorescent green tee shirts or short sleeve shirts in the summer, and sweat shirts or vest in the winter in lieu of the regulation safety vests as provided by the Township. The Director of Public Works must approve all clothing worn as a substitute for safety vests or belts.

I. A pro-rated dollar amount will be issued to all employees who retire within the course of the year. This shall be accomplished by way of a payroll deduction.

J. Failure to comply with uniform regulations shall be cause for disciplinary action, with the exception of emergency call-ins.

K. The employee may purchase personal safety equipment not provided by the Township with the allowance.

L. The employee shall replace any safety equipment lost or damaged through negligence by the employee. Equipment purchased must conform to the type issued by the Township.

M. As per PEOSHA rules, the Township shall provide reimbursement for the purchase of safety shoes up to the amount of one hundred twenty-five dollars (\$125.00).

N. Personal protection equipment and equipment supplied by the Township shall be replaced by the Township when such equipment is rendered useless after normal wear and tear and is outdated. This will be determined by the safety committee which shall consist of one (1) general supervisor, one (1) mechanic, one (1) road division employee and one (1) AFSCME representative designated by the Union.

ALLOWANCES

A. Employees shall receive a meal allowance of \$7.00 for each 8 hour block of continued work after regular hours.

DEPARTMENT VEHICLES, LICENSES AND PARKING REGULATIONS

A. Each employee of the Department of Public Works must procure a CDL Class B license within one year of the date of employment. Failure to procure the license or suspension or revocation of the license may result in termination of employment at the sole discretion of the Township.

B. The first two (2) parking spaces in the DPW lot closest to the building are reserved expressly for Assistant Supervisors only, and are marked as such.

NOW THEREFORE BE IT RESOLVED, by the Township Council of Vernon the Personnel Policy Procedure Manual shall be amended to include a new section entitled "Policies for Department of Public Works Supervisors" as stated above; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #12-106

RELEASE OF PERFORMANCE BOND AND ESCROW FUNDS FOR RED OAK PROPERTIES

WHEREAS, Red Oak Properties (John Bosma, principal) did post Great American Insurance Company Bond #18094 dated June 1, 2010, in the amount of \$51,779.52; and

WHEREAS, Red Oak Properties has posted escrow funds in the amount of \$5,753.28 by check #1734, dated June 7, 2010; and

WHEREAS, the Red Oak Properties parking lot expansion project was terminated; and

WHEREAS, Red Oak Properties has requested release of Bond #18094 dated June 1, 2010, and release of escrow funds; and

WHEREAS, the Township Engineer, Cory Stoner, has no objection to the Township releasing the Bond and escrow funds.

NOW THEREFORE, BE IT RESOLVED by the Township Council that the clerk, treasurer or such other authorized person shall refund escrow funds and return the Great American Insurance Company Bond #18094.

RESOLUTION #12-107

AUTHORIZING A CONTRACT WITH THE LAND CONSERVANCY OF NEW JERSEY FOR OPEN SPACE ADVISORY CONSULTANT SERVICES IN THE AMOUNT NOT TO EXCEED \$11,500.00

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 May 2, 2012, 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, 2012 through April 10, 2013; and

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

WHEREAS, the Chief Financial Officer has certified funds in an amount not to exceed \$11,500.00; 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 \$11,500.00.

3. That a copy of the Business Disclosure Entity Certification be filed with this Resolution.

The Council President asked for a motion to approve Resolution #12-99.

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch**

NAYS: None

ABSENT: Daniel Kadish

ABSTAIN: **Brian Lynch for the Fire Department billings

Resolution #12-99 was approved.

RESOLUTION # 12-99

AUTHORIZING THE APPROVAL OF BILLS LIST

BE IT RESOLVED that the following bills listed are hereby approved:

Disbursement Journal	Fund	AMOUNT	Major Vendor
#1	CURRENT	\$ 879,919.82	BD OF ED
#2	CURRENT	\$ 883,053.21	BD OF ED
#3	CURRENT	\$ 4,519,505.85	COUNTY TAXES
#4	CURRENT	\$ 578.13	MUA
#5	GRANT	\$ 13,083.03	
#6	CAPITAL	\$ 56,598.61	
#7	CAPITAL	\$ 1,710.00	
#8	P & Z	\$ 82.19	
#9	P & Z	\$ 1,455.00	
#10	RECREATION	\$ 1,000.00	
#11	RECREATION	\$ 35.00	
#12	RECREATION	\$ 20,000.00	
#13	OTHER TRUST	\$ 94,000.00	
#14	OTHER TRUST	\$ 94,633.89	
#15	OTHER TRUST	\$ 240.00	
#16	OUTSIDE SERVICES	\$ 229.29	
#17	OUTSIDE SERVICES	\$ 898.73	
#18	OUTSIDE SERVICES	\$ 649.66	
#19	OUTSIDE SERVICES	\$ 350.86	
#20	OUTSIDE SERVICES	\$ 1,987.18	
#21	DOG TRUST	\$ 55,365.00	
#22	DEVELOPER'S BONDS	\$ 75.67	
#23	PVL DAM REHAB ASSESS	\$ 257.54	
#24	2ND PAY-APRIL	\$ 315,860.36	
#25	1ST PAY-MAY	\$ 302,547.98	
		<u>\$ 7,244,117.00</u>	

The Council President asked for a motion to approve Resolutions #12-108, 12-109, and 12-110.

MOVED: Patrick Rizzuto

SECOND: Eddie Dunn

A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: Brian Lynch
Resolutions #12-108, 12-109, and 12-110 were approved.

RESOLUTION #12-108

APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN'S ASSOCIATION

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, James J. Raperto, Jr., an active firefighter and member of the Vernon Township Volunteer Fire Department, Company #1, 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 James J. Raperto, Jr., for membership in the New Jersey State Firemen's Association.

RESOLUTION #12-109

RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JULY 7, 2012 WITHIN THE TOWNSHIP OF VERNON

WHEREAS, N.J.S.A.21:3-1 et 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, Highland Lakes Fire Department and the Vernon Township Fire Department have submitted a joint application to Vernon Township to conduct a fireworks display on July 7, 2012; and

WHEREAS, the proposed fireworks display will take place on the fields between the Lounsberry Hollow Middle School and the Rolling Hills Primary School; and

WHEREAS, the Highland Lakes Fire Department has engaged in a contract with Garden State Fireworks, Inc., to perform the public fireworks and special effects display and has provided the required certificate of liability insurance.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display with special effects, performed by Garden State Fireworks, Inc. and sponsored by the Highland Lakes Fire Department and the Vernon Township Fire Department on July 7, 2012 upon satisfaction of all statutory and departmental requirements.

RESOLUTION #12-110

AUTHORIZING CHANGE ORDER #3 TO KME CORP., INC FOR REFURBISHING A HIGHLAND LAKES FIRE DEPARTMENT PUMPER

WHEREAS, the Township of Vernon awarded a contract to refurbish a Highland Lakes Fire Department pumper via resolution #11-223 to Kovatch Mobile Equipment Corp. Inc., for \$167,776.00; and

WHEREAS, change order #1 was recently awarded and reflected several additional items that were not in the original specification and unforeseen but were required for the vehicle, which totaled \$8,635.00; and

WHEREAS, change order #2 was recently awarded and reflected several additional items that were not in the original specification and unforeseen but were required for the vehicle, which totaled \$1,330.00; and

WHEREAS, an additional item (the replacement of a Hale transfer valve) was not in the original specification and unforeseen at the time, is required at a cost of \$1,273.33; and

WHEREAS, according to NJAC 5:30-1.3, the total amount of all change orders may not exceed 20 percent of the original contract award; and

WHEREAS, this change order #3 plus change orders #1 and #2 do not exceed the 20 percent threshold; and

WHEREAS, the Qualified Purchasing Agent and Highland Lakes Fire Department Chief recommend that this change order be approved per the attached proposal; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, that this change order #3 be approved. The Chief Financial Officer has certified a total amount of \$1,273.33 in account #3094305; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption according to law.

The Council President asked for a motion to approve Resolutions #12-101.

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

Council Member Dunn noted the general idea to honor veterans, but felt that this resolution does not do enough. Speaking as a veteran, himself, he applauds the idea of hiring veterans.

The Council President read the entire resolution for the public.

Council Member Rizzuto advised that while he understood Council Member Dunn's issues with the scope of the resolution, he felt that not passing it would be a bad idea.

Council Member Wetzel spoke about his family's military experiences.

Council President Lynch noted Council Member Dunn's issues as well, but felt it was a good start.

A roll call vote was taken:

AYES: Patrick Rizzuto, Dick Wetzel, Brian Lynch

NAYS: Eddie Dunn

ABSENT: Daniel Kadish

ABSTAIN: Brian Lynch

Resolutions #12-101 was approved.

RESOLUTION #12-101

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "Above all, our freedom endures because of the men and women in uniform who defend it," and that "... this generation of heroes has made the United States safer and more respected around the world."; and

WHEREAS, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS, this employment initiative can be New Jersey’s way of saying thank you to the men and women who made great sacrifices to protect our nation’s freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America’s over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up.

NOW, THEREFORE, BE IT RESOLVED, on this May 14, 2012 that the Township Council of the Township of Vernon recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED, that in gratitude, Vernon Township pledges its enthusiastic support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

ORDINANCES

2nd Reading on Ordinance #12-05 (Signs) by Title Only

The Council President advised that typos had been corrected, the public hearing had been held on April 23, and that this ordinance had been tabled to this meeting. He asked for a motion to place this ordinance back on the table and to adopt Ordinance #12-05 on 2nd reading.

MOTION: Patrick Rizzuto

SECOND: Eddie Dunn

The Council President offered the opportunity for public comments on Ord. #12-05.

Gary Martinsen – thanked the Council for tabling the ordinance at the last meeting. He also thanked the Clerk and the Mayor for getting the revised ordinance to him. However, he felt that more changes should have been made, such as positioning and illumination of signs. He explained his issues with those two areas, and suggested relative changes.

Council President Lynch noted that all signs in existence are allowed, but must be maintained. He thanked Mr. Martinsen for his assistance in moving this ordinance forward. He also suggested that it should be reviewed in six months.

Council Member Rizzuto acknowledged that this will be re-visited, but that it needs to go forward at this time.

Council President Lynch asked for a roll call vote on Ordinance #12-05.

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch

NAYS: None

ABSENT: Daniel Kadish

ABSTAIN: None

Ordinance #12-05 was adopted.

ORDINANCE # 12-05

AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE CODE SECTION 330-180 SIGNS

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

Section 330-180 of the Vernon Administrative Code is hereby repealed and replaced as follows:

330-180 Signs

A. DEFINITIONS

Sign: Any device used to attract the attention of the public for advertising purposes or message conveyance. The word sign includes letters, figures, drawings, lines, trademarks, photographs, and other markings encompassed within the area of the sign.

Area of a Sign: The area of a sign shall be computed by multiplying the greatest vertical dimension by the greatest horizontal dimension of the sign space. The framing or edging of the sign shall be considered part of the sign area. The total area, including both faces of a double-faced sign is included, but for calculating maximum area permitted, the area of only one (1) face of a double-faced sign is counted toward the maximum area permitted.

A-Frame (Sandwich) Sign: Temporary signs placed upon the property for the purpose of advertising items sold or services supplied.

Awning Sign-Canopy Sign: Roof like covering extending over a walkway, sidewalk or exterior place supported by a frame attached to a building and/or ground with a surface made of fabric or more rigid material and either retractable or fixed in place, covered by any lettering, logo, or other characters, symbols or figures.

Banner: Any temporary sign printed or displayed upon cloth or other flexible material.

Billboard Sign: A sign which directs attention to a business, commodity, service, entertainment, or attraction that is sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term shall include an outdoor advertising sign (Vehicle, Billboard, Trailer, and Utility Pole).

Changeable Copy Sign: A variable message sign composed of individual letters panel-mounted in or on a track system.

Directional Sign: A sign of noncommercial nature which directs the reader to the location of public or educational institutions, historical structures, historical areas, public parks, or public buildings.

Directory Sign: A sign which directs attention to a business conducted on the premises, or to a product sold or service supplied by such business.

Facade: Principal faces of a building, and is generally one side of the exterior of a building, especially the front, but also sometimes the sides and rear. In architecture, the facade of a building is often the most important from a design standpoint, as it sets the tone for the rest of the building.

Flag: A piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a staff or cord, and used as the symbol of a nation, state, or organization, as a means of signaling, etc.

Freestanding Sign: See Ground Sign.

Garage Sale: A temporary sign placed upon the property for the purpose of advertising to the public the outdoor sale of used personal or household items held on the seller's premises.

Gated Community: Is a form of residential community containing strictly controlled entrances for pedestrians, bicycles, and automobiles, and sometimes characterized by a closed perimeter of walls and fences. Gated communities usually consist of small residential streets and include various amenities. For smaller communities this may be only a park or other common area.

Graffiti Sign: The name for images, markings, initials, slogans, or lettering that is scratched, scrawled, painted, or marked in any manner on property.

Ground Sign: Any non-movable sign not affixed to a building, but excluding "Pylon Sign." A sign which is supported by two or more upright or braces in or upon the ground.

Historical (Memorial) Sign: A sign, tablet, or plaque memorializing a person, event, structure, or site.

Illuminated Sign: Any sign having a source of light for illumination either externally or internally, or a combination of both.

Industrial Park: Is an area zoned and planned for the purpose of industrial development.

Informational Sign: An on-site sign commonly associated with, but not limited to, information and directions necessary or convenient for visitors coming on the property, including signs, marking entrances and exits, parking areas, circulation direction, rest rooms, and pickup and delivery.

Maintenance / Service Signs: (a/k/a lawn signs or yard signs - includes but is not limited to landscaping, lawn service, paving, driveway sealing and/or repair): Small signs placed on a lawns, are most often rectangular.

Marquee: A permanent roof-like shelter extending from parts or all of a building face; most commonly a structure placed over the entrance to a hotel, theatre, or store. It has signage stating the name of the establishment or, in the case of theatres, the play or movie and the artist(s) appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs.

Nameplate: A sign located on the premises giving the name or address, or both, of the owner or occupant of the building or premises.

Nonconforming Sign: Any sign which exists, but does not meet the requirement of this ordinance.

Official Sign: Any sign erected and maintained by a Federal, State, County, or local government agency for public purposes.

Off-Premise Sign: A sign which directs attention to a business, commodity, service, entertainment, or attraction that is sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term off-site shall include an outdoor advertising sign (Vehicle, Billboard, Trailer, and Utility Pole).

On-Premise Sign: A communication device whose message and design relates to a business, an event, goods, profession or service being conducted, sold or offered on the same property as where the sign is erected.

Pedestal Sign: A sign that is mounted on a freestanding pole, post, or other support so that the bottom edge of the sign is 3 to 18 inches above grade.

Pennant: A long, tapering flag or burgee of distinctive form and special significance, used in signaling or for identification.

Political Sign: A temporary sign related to any political event, issue, or campaign.

Private Community is a residential community that can be an association or a proprietary organization. Associations can include condominiums, residential associations, or cooperatives.

Professional Sign: A sign listing only the name and profession of the practitioner.

Projecting Sign: A sign which is affixed to any building and projecting beyond the building wall or parts thereof, structure, building line or property line, but which is not constructed or erected so as to extend above the roofline of the structure to which it is affixed.

Pylon (or pole) Sign: A sign in the form of a tower or pier that is mounted on a freestanding pole, post, or other support.

Real Estate Sign: A temporary sign placed upon the property for the purpose of advertising to the public the sale or lease of said property.

Roof Sign: A sign erected, constructed, and maintained on or above the roof of any building or structure. Decorative façade is not considered a roof if it is affixed to but separate from the main building structure and serves an aesthetic purpose only.

Revolving Sign: A sign which moves in any manner by mechanical means.

Sandwich (A-Frame) Sign: Temporary signs placed upon the property for the purpose of advertising items sold or services supplied.

Scrolling Sign: The continuous movement of information either vertically or horizontally on a screen.

Security Sign: Information sign containing a representation of certain security-related information.

Sign Face: The area of a sign on which copy is intended to be placed.

Sign Permit: A document obtained from the Zoning Official upon payment of required fees, if applicable, granting permission to erect the sign described therein.

Special Event: Is one that helps a business or group meet a specific marketing objective-to increase awareness, build goodwill, introduce a new product, or simply to entertain. Special Event signs are used to inform and to promote the event, remind attendees about the purpose of the event, etc.

Stanchion: Is an upright bar or post, often providing support for some other object.

Streamers: An ensign, flag, or pennant, which floats in the wind; specifically, a long, narrow, ribbon like flag.

Strip Mall (a/k/a Shopping Plaza or Mini-Mall) is an open area shopping center where the stores are arranged in a row, with a sidewalk in front. Strip malls are typically developed as a unit and have large parking lots in front. They face major traffic arterials and tend to be self-contained with few pedestrian connections to surrounding neighborhoods.

Temporary Sign: a sign or advertising display constructed of cloth, canvas, fabric, wood, plastic, paper, or other light material and designed or intended to be displayed for a short period of time.

Wall Sign: A sign which is affixed to or painted on an exterior wall of any building. Such signs shall project not more than twelve (12) inches from the building wall or parts thereof. No wall sign shall be constructed or erected above the roofline of the structure to which it is affixed.

Window Sign: A sign which is affixed to the inside of any window, or glass portion of any door.

B. MAINTENANCE OF SIGNS

All signs, together with their supports, braces, guys and anchors, shall be kept in good repair. All signs shall be so maintained that their appearance is in keeping with the standards of Vernon Township and does not constitute a blighting factor for adjoining property owners.

C. CONSTRUCTION

1. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, or any window, door, or opening used as a means of egress or for firefighting purposes, or so as to prevent free passage from one part of a roof to any other part thereof.

2. No sign shall be erected or placed so as to obstruct sight distance or obstruct pedestrian access.

D. PROHIBITED SIGNS

All signs not expressly permitted pursuant to this section shall be prohibited. Without limitation thereto, the following shall be prohibited:

1. String banners, string flags, aluminum ribbons or similar attention-getting devices, except as a temporary sign, e.g. "Grand Opening."
2. Illuminated signs which flash, spell, or display any portion intermittently.
3. Roof signs.
4. Signs which are menaces to public safety or which obstruct the views of any street, intersection, or crosswalk.
5. Signs placed on public sidewalks or right-of-ways.
6. Revolving, rotating, or moving signs.
7. Erecting a sign less or more distant from the lot line or edge of pavement than prescribed by this section.
8. Signs that extend above the roof line of the structure to which it is affixed.
9. Temporary signs which are illuminated.
10. Billboards.
11. Any flashing, moving, or animated, or sequentially lighted signs.
12. Any sign whose lighting or central mechanism causes radio or television interference.
13. Real Estate directional signs.
14. Signs utilizing the colors red or green in their illuminations within 100 feet of a Signalized Intersection (also known as a traffic light, traffic signal, stop light, traffic lamps, stop-and-go lights.)
15. Signs which resemble, simulate, or may be mistaken for a traffic sign within 20 feet of a roadway.
16. Attaching a sign to, or painting or otherwise marking letters, logos, or other expressions on a utility pole, tree, rock, or natural feature of any kind.
17. Signs affixed or painted on water towers or similar structures.
18. Signs which obstruct motorists' vision (site triangle), traffic signs or signals, or business identification signs outside the lot on which the business is located.
19. All billboards, signboards, advertising signs, vehicular signage, or devices not expressly related to the business being conducted on the premises including advertising on trucks or motor vehicles, the apparent primary purpose of which is to provide a display to broadly attract the attention of the public rather than to directly serve and identify the business of the owner thereof in the manner which is customary for such vehicles.
20. Off-premises sign or other off-site commercial sign, except that one (1) off-site sign may be erected on the previous site of a business which has relocated for not more than thirty (30) days.
21. Exhibiting statements, words, pictures, or images of an obscene or pornographic nature.
22. Emitting a sound, odor, or visible matter such as smoke or vapor.

D(a). DISTINGUISHABLE OBJECTS; EXEMPT SIGNS.

The definition of "sign" in §330-180A definitions notwithstanding, the following objects or structures shall not be considered "signs" or, alternatively, shall nevertheless not be subject to this section:

- (1) Customary holiday decorations displayed for a normal duration; provided, however, that white or clear lights evoking candle flames or miniature candle flames shall be permitted from mid-November through the end of March in the C-1, C-2, C-3, CR, and TC Districts.
- (2) Residential nameplates.

- (3) Traffic control signs, the face of which meets the standards of the Department of Transportation, and which contains no commercial message.
- (4) Signs for official, governmental, or quasi-governmental business, including signs or banners advertising public or quasi-public events that are posted or displayed with the permission of the Zoning Official or the governing body. **[Amended 1-28-2002 by Ord. No. 02-04]**
- (5) Flags of the United States, State of New Jersey, Township of Vernon, foreign nations having diplomatic relations with the United States, other flags adopted or sanctioned by any elective legislative body of competent jurisdiction, and flags flown in conjunction with the flag of the United States, provided that no such flag shall exceed 60 square feet in area, nor shall any such flag be flown from a pole in excess of 35 feet in height. The flag's area shall be in reasonable proportion to the height of the pole from which it is displayed. Not more than three flags may be flown from any one pole. Statutory requirements associated with flags and the generally accepted standards of flag display protocol shall be observed.
- (6) Flags honoring and remembering military and service men and women of the United States.
- (7) Public safety signs.
- (8) Signs displayed by places of worship.
- (9) Any public notice or warning or safety sign required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (10) Any sign indicating the name of a building and/or date of construction and/or other incidental information about its construction, which sign is made an integral part of a stone or masonry surface, or made of bronze or similar permanent material, including historic tablets, cornerstones, memorial plaques, monuments and emblems which do not exceed four square feet in area from a single viewpoint.
- (11) Signs forbidding trespassing, hunting, fishing or trapping as authorized by state laws and regulations concerning fish, game and wildlife, but not exceed one square foot in size; and, further provided that no such sign shall be located less than 50 feet from another.
- (12) Pump-mounted fuel price information signs subject to the following:
 - a. Only one fuel price information sign shall be permitted per fuel pump; each such sign shall be limited in size to an area of 260 square inches; each such sign shall be affixed directly and firmly to a fuel pump, and shall be stationary.
- (13) Regulation mailboxes of the United States Postal Service.

E. PUBLIC SIGNS

Nothing in this Ordinance shall be deemed to restrict or prohibit the erection, construction or maintenance within the Township of Vernon of signs or markers for use in policing, directing or controlling of traffic or parking when legally authorized by the State of New Jersey and/or the County of Sussex, and/or the Township of Vernon; or signs for official, governmental or quasi-governmental business, including signs or banners advertising public or quasi-public events that are posted or displayed with the permission of the Zoning Official or the governing body.

F. TERMINATION OF USE

At the termination of any use of any premises, building structure or lot, the permission to display signs associated with such use shall terminate. All nonconforming signs, and the brackets and posts which support the signs, shall be removed from the premises within ten (10) days from the date of termination of such use, unless approval for any extension of time is requested from and granted by the Zoning Official.

G. PERMITTED SIGN SPECIFICATIONS (if a specific type of sign is not listed, see Zoning Official)

1. Banner Signs. Any temporary sign printed or displayed upon cloth or other flexible material. Promotional banners include those used to announce open houses and grand openings, make special announcements, or communicate events.

- Permitted Zones: Non-residential
- Number of Signs Permitted: One (1) sign per lot.
- Size: Shall not exceed thirty-six (36) square feet in area, or 12'L x 3'H in size.
- Time Limitation: May be placed thirty (30) days before the event, and removed no later than two (2) business days after the event.
- Maximum height: Eight (8) feet, measured from ground to top of sign.
- Sign placement: Minimum twelve (12) feet measured from road edge.
- No outdoor banner, flag, paper, canvas, or cloth signs used to advertise an event shall be erected until the proper no-fee permit is obtained.
- No Fee Permit must be filed with Zoning Office before "banner" can be erected or displayed.

2. Charitable Organization Drives: Temporary signs for campaign or money-raising drives for religious or charitable organizations.

- Permitted Zones: Off-premise, Non-residential
- Number of Signs Permitted: One (1) sign per lot.
- Time Limitation: May be placed thirty (30) days prior to the publicized event, and removed no later than two (2) business days after the event.
- Size: Shall not exceed thirty-six (36) square feet in area, or 12'L x 3'H in size.
- Maximum height: Eight (8) feet, measured from ground to top of sign.
- Sign placement: Minimum twelve (12) feet measured from road edge.
- No Fee Permit must be filed with Zoning Office before "sign" can be erected or displayed.

- 3. Construction Signs:** Temporary signs pertaining to the construction, repair, remodeling of any building shall be located at the principal entrance to the building.
- Permitted Zones: All
 - Number of Signs Permitted: One (1) sign per construction site/lot.
 - Time Limitation: May be placed at start of construction, and removed within 2 days of conclusion.
 - Size: Shall not exceed sixteen (16) square feet in area, or 4'L x 4'H
 - Maximum Height: Eight (8) feet, measured from ground to top of sign.
 - Sign placement: Minimum five (5) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before "sign" can be erected or displayed.
- 4. Garage Sale Signs:** A temporary sign designating or advertising to the public the sale of used or unwanted possessions, as household articles, often held in the garage of a house.
- Permitted Zones: All
 - Number of Signs Permitted: One (1)
 - Time Limitation: May be placed three (3) days prior to event, and must be removed within 2 days of conclusion.
 - Size: Not to exceed four (4) square feet or 2'W x 2'H
 - Maximum Height: Four (4) feet, measured from ground to top of sign.
 - Sign placement: Minimum five (5) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before signs can be erected or displayed.
- 5. Grand Opening Signs:** Colored pennants are permitted on streamers/string (see Zoning Official for details).
- Permitted Zones: Non-residential
 - Number of Signs Permitted: One (1) sign per lot.
 - Size: Shall not exceed thirty-six (36) square feet in area, or 12'L x 3'H in size.
 - Time Limitation: May be placed thirty (30) days prior to event, and removed within two (2) days of conclusion.
 - Maximum height: Eight (8) feet, measured from ground to top of sign.
 - Sign placement: Minimum twelve (12) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before "sign" can be erected or displayed.
- 6. Ground Signs:** Any non-movable sign not affixed to a building, but excluding "Pylon Sign", which is supported by one or more upright posts or braces in or upon the ground. Ground signs may include two components, branding and changeable marketing.
- Permitted Zones: Non-Residential
 - Number of Signs Permitted: One (1) per business occupancy.
 - Time Limitation: n/a permanent
 - Size: Shall not exceed Thirty (30) square feet
 - Maximum Height: Ten (10) feet measured from the ground level
 - Sign placement: Minimum five (5) feet measured from road edge.
 - Fee permit must be filed with Zoning Office before sign can be erected or displayed.
- 7. Maintenance / Service Signs:** (a/k/a lawn signs or yard signs - includes but is not limited to landscaping, lawn service, paving, driveway sealing and/or repair): Small signs placed on a lawn.
- Permitted Zones: All
 - Number of Signs Permitted: One per site
 - Time Limitation: During work, and for two (2) days after cessation of work.
 - Size: Shall not exceed four (4) square feet, 2'L x 2'H in size.
 - Maximum Height: Four (4) feet, measured from ground to top of sign.
 - Sign placement: Minimum five (5) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before sign can be erected or displayed.
- 8. New Occupancy Signs.**
- Permitted Zones: All
 - Number of Signs Permitted: One (1) sign per lot.
 - Time Limitation: They shall be removed within fifteen (15) days of occupancy.
 - Size: Shall not exceed thirty-six (36) square feet in area, or 12'L x 3'H in size.
 - Maximum height: Eight (8) feet, measured from ground to top of sign.
 - Sign placement: Minimum twelve (12) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before sign can be erected or displayed.
- 9. Pedestal or Sandwich Signs:** Signs which direct attention to products sold, or services supplied.
- Permitted Zones: Non-residential
 - Number of Signs Permitted: Up to two (2) signs permitted per property; properties with multi-business (plaza/centers) are limited to two pedestal signs.
 - Time Limitation: Displayed during normal business hours, must be removed nightly, and may not interfere with pedestrian or vehicular traffic or sight distance.
 - Size: Shall not exceed eight (8) square feet, or 2'W x 4'H in size
 - Maximum Height: Four (4) feet, measured from ground to top of sign.
 - Sign placement: Minimum five (5) feet measured from road edge.
 - No Fee Permit must be filed with Zoning Office before sign can be erected or displayed.
- 10. Political Event Signs:** Political signs announcing political events, issues or campaigns may be erected providing that they do not constitute safety hazard by blocking sight distance, pedestrian or vehicular traffic and the like.
- Permitted Zones: All

- Time Limitation: May be placed thirty (30) days prior to event or campaign, and removed within seven (7) days after completion of the event or campaign.

11. Professional Occupation: A sign listing only the name and profession of the practitioner.

- Permitted Zones: All
- Number of Signs Permitted: One (1)
- Time Limitation: n/a permanent
- Size: Shall not exceed four (4) square feet, 2'L x 2'H in size.
- Maximum Height: 8 Ft.
- Sign placement: Minimum ten (10) feet measured from road edge.
- Permit must be filed with Zoning Office before sign can be erected or displayed. Note: building department permit(s) may be required. Cannot be internally lit - down lighting only.

12. Projecting Sign: A sign which is affixed to any building and projecting beyond the building wall or parts thereof, structure, building line or property line more than twelve (12) inches, but which is not constructed or erected so as to extend above the roof line of the structure to which it is affixed.

- Permitted Zones: Non-residential
- Number of Signs Permitted: One (1)
- Time Limitation: n/a permanent
- Size: The area of the sign shall not exceed sixteen (16) square feet, or 4'L x 4'H.
- Projection: Shall not project beyond the building line more than four (4) feet, and in no case shall a projecting sign project beyond any property line into public right-of-ways.
- Supports and Attachments: Shall be in compliance with the N.J.U.C.C.
- Maximum Height: The bottom of the sign shall be at least eight (8) feet clear above the walk or ground.
- Fee permit must be filed with Zoning Office before sign can be erected or displayed. Note: building department permit(s) may be required.

13. Real Estate Signs: A temporary sign placed upon the property for the purpose of designating or advertising to the public the sale or lease of said property. No Fee Permit required.

Real Estate Signs may be one of the following two types:

a. Real estate "for sale/for lease/sold" signs.

- Permitted Zones: All
- Number of Signs Permitted: One (1) sign per lot to advertise the sale or rental of premises upon which the sign is located by the owner or real estate agent or broker.
- Time Limitation: The sign shall be removed within seven (7) days after consummation of a sale or lease transaction.
- Size: The sign is not to exceed eight (8) square feet in residential districts or sixteen (16) square feet in all other districts (this includes farm assessed land).
- Maximum Height: n/a
- Sign placement: Minimum five (5) feet measured from road edge.

b. Real estate "Open House" signs.

- Permitted Zones: All
- Number of Signs Permitted: One (1) sign, in addition to the "for sale" sign, may be placed on the subject property.
- Time Limitation: The sign may be placed up to seven (7) days prior to the open house and shall be removed within two (2) days after the open house.
- Size: The sign shall not exceed six (6) square feet in size,
- Maximum Height: Four (4) feet (measured from ground to top of sign).
- Sign placement, minimum five (5) feet measured from road edge.

c. Real Estate "Directional" signs are prohibited.

d. No Fee Filing Requirements. Real Estate Office / Broker must register annually; filing window: November 1st through December 31st, for each year.

14. Special Event Signs. (e.g. Special Olympics, Earthfest, Municipal events, etc.)

- Permitted Zones: Non-residential
- Number of Signs Permitted: One (1) sign per lot
- Time Limitation: May be placed (30) days before the event, and removed no later than two (2) business days after the event.
- Size: Shall not exceed thirty-six (36) square feet in area, or 12'L x 3'H in size.
- Maximum height: Eight (8) feet measured from ground to top of sign.
- Sign placement: See Zoning Official.
- No outdoor banner, flag, paper, canvas, or cloth signs used to advertise a special event shall be erected until the proper no-fee permit is obtained.

15. Wall: A sign which is affixed to or painted on an exterior wall of any building.

- **Permitted Zones:** non-residential
- **Number of Signs Permitted:** No more than one wall sign per face of a building which fronts on a street shall be permitted to any one business occupancy.
- **Time Limitation:** n/a permanent
- **Size:** Total area of all wall signs on any one building shall not exceed in area thirty (30) percent of the total area of the first story or ground level face of the building on which they are erected, up to forty (40) square feet, and shall be designed to be architecturally compatible with the building.
- **Projection:** No wall sign shall project higher than the highest point of the façade of the building upon which it is to be erected, and it shall not project more than eight (8) inches from the façade of the building.
- **Supports and Attachments:** Shall be in compliance with the N.J.U.C.C.

- **Corner Properties:** Corner properties, fronting on two or more streets, shall be permitted no more than one wall sign fastened on each wall fronting upon a street.
- **Maximum Height:** n/a
- **Sign placement:** Wall signs shall be placed in the front of the building only, except on corner properties.
- Fee permit must be filed with Zoning Office before sign can be erected or displayed. Note: building department permit(s) may be required.

16. Window Signs: Temporary Window signs designed to promote the sale of any article or business activity.

- Permitted Zones: Non-residential
- Number of Signs Permitted: One per window
- Time Limitation: shall not remain in a window longer than thirty (30) continuous days, and shall be removed within two (2) days after the event or activity has taken place.
- Size: Shall not exceed in total sign area fifty (50) percent of any total window area.
- Maximum Height: n/a
- Sign placement: n/a
- No Fee Permit must be filed with Zoning Office before sign can be erected or displayed.

H. Illumination and Electrical Equipment

1. All lit signs shall be turned off each day by midnight, unless the business is still open.
2. The only illumination permitted shall be down-lit (a light projecting from the top of the sign downward onto the sign) and/or internally lit (lit from within the sign itself).
3. All permitted illuminated signs shall be in accordance with the N.J.U.C.C.

I. Non-conforming Signs

Any sign lawfully in existence prior to the effective date of this ordinance may be continued, provided that the same shall be regularly maintained and kept in good repair. However, no change in lettering, content, size, construction, location, or lighting of such sign shall be permitted except by approval of the Zoning Official.

No non-conforming sign may be enlarged or altered in such a way as to increase its non-conformity unless approved by the Land Use Board. All non-conforming aspects shall be removed or altered to conform to the provisions of this Section when any such sign is changed or modified in shape, size, illumination, or structure.

J. Permits, Fees, and Enforcement

1. **Permit.**
 - a. **Temporary Signs:** Permit Required (NO FEE).
 - b. **All Other Signs:** No other sign shall be erected, constructed, altered, or structured condition repaired until a permit has been issued by the Zoning Official and fee paid.
2. **Regulations.**
 - a. **Fees:** Fees shall be collected by the Zoning Official in accordance with the Vernon Township Fee Ordinance. Fee shall be required for all new signs and all signs replacing existing signs.
 - b. **Exemptions.** The requirements for a permit fee shall not apply to:
 - Temporary window signs
 - Temporary signs of a political nature
 - Temporary signs advertising charitable fund raising events
 - Temporary Real Estate signs
 - Temporary Special Event signs
 - General Maintenance and Upkeep on an existing permitted sign
 - Amendment/Alteration of advertising copy on an existing permitted sign
 - Security Signs
 - Maintenance / Service Signs
3. **Enforcement.**
 - a. **Inspection:** The Zoning Official shall inspect each sign for which a permit is required upon completion of its installation.
 - b. **Unsafe Signs:** In the event that any sign is found to be in a dangerous structural condition, the Zoning Official shall notify the owner of such sign and/or the owner of the property on which it is erected in writing, and advise the owner to make the same safe and secure. In the event the owner does not comply with the requirements as specified within two (2) business days from receipt of such notice, the sign may be removed by the Township of Vernon, in which case the owner of the sign and the owner of the building shall be jointly and severably liable to the Township for the costs of removal.
 - c. **Defective Signs:** In the event any sign is found to be in violation of size, number or location provisions of this ordinance, the Zoning Official shall notify the owner of such sign and the owner of the property on which the sign is erected of such violation in writing, and the owner shall within FIVE (5) business days, correct such violation.
 - d. **Penalties:** Violation of and/or non-conformance with this Ordinance shall be subject to the penalties as set forth in the Vernon Township Administrative Code.

K. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable, and the remaining portions of this Ordinance shall remain in full force and effect.

L. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

The Township Clerk is hereby directed to give notice at least ten days prior to the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to NJSA 40:55D-15 and NJSA 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Sussex County Planning Board as required by NJSA 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by NJSA 40:49-2.1.

This Ordinance shall take effect after publication and passage according to law.

ORDINANCES

2nd Reading / Public Hearing on Ordinance #12-08 by Title Only

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

Public Comments on Ord. #12-08 only:

Tom McClachrie – asked for the original intent of the bonds. Mayor Marotta noted that they were from 2008 for many purposes, and that this was using the money left over. Mr. McClachrie asked if this finishes out those bonds, and the Mayor advised that they did.

Gary Martinsen – asked about what the video surveillance was for.

The Mayor advised that this was for inside the Police Department vehicles. He further advised that the amounts of the bonds were for \$250,000 and \$260,000, and that the amount left over for this purpose is \$247,000. The engineer's estimate to complete Canistear Road was \$210,000 – 220,000. The Township did apply for a DOT grant for this project, but we were unsuccessful in obtaining that grant. Council Member Rizzuto advised that the DOT standards will be met to complete Canistear Road which should help us in getting subsequent grants from the DOT (such as for Breakneck Road).

Closed to Public Comment.

MOTION: Patrick Rizzuto

SECOND: Eddie Dunn

All members present were in favor.

A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch

NAYS: None

ABSENT: Daniel Kadish

ABSTAIN: None

Ordinance #12-08 was adopted.

Council President Lynch asked about the deadline for Canistear Road. Mayor Marotta noted that this would be done as soon as possible utilizing vendors from the Morris County Cooperative. He advised that there was an issue with the County section of the roadway (about a 25 foot section), but that our engineer and the County engineer were working together to resolve everything.

ORDINANCE #12-08

**ORDINANCE PROVIDING FOR VARIOUS
IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN
BY THE TOWNSHIP OF VERNON, IN THE COUNTY OF
SUSSEX, NEW JERSEY, APPROPRIATING \$510,000
THEREFOR, CONSTITUTING PROCEEDS OF BONDS OF
THE TOWNSHIP HERETOFORE ISSUED**

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

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized to be made or acquired by The Township of Vernon, in the County of Sussex, New Jersey, as a general improvement, and there is hereby appropriated therefor the sum of \$510,000, said sum constituting proceeds of bonds of the Township heretofore issued and not necessary for financing the purposes for which issued and now available for financing the said improvement or purpose.

Section 2. The improvements or purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are the rehabilitation of a sewer jet vac truck, the acquisition of various equipment including video cameras for use by the Police Department and the improvement of various streets, locations and properties in and by the Township by the construction, reconstruction or resurfacing thereof including Canistear Road, together with for all the aforesaid all structures, site work, accessories, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

Section 3. It is the opinion of the Township Council of the Township, as the governing body thereof, that it is in the best interest of the Township that \$510,000, constituting proceeds of bonds of the Township heretofore issued under Ordinance Nos. 08-10 (\$250,000) and 08-17 (\$260,000) of the Township, shall be appropriated to and used to finance costs, including incidental expenses, of the improvements or purposes above described in Section 2 of this ordinance.

Section 4. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 5. This ordinance shall take effect after final passage as provided by law.

2nd Reading / Public Hearing on Ordinance #12-09 by Title Only

MOVED: Dick Wetzel
SECOND: Patrick Rizzuto

Public Comments on Ord. #12-09 only:

No one wished to speak about Ord. #12-09.

Closed to Public Comment.

MOVED: Eddie Dunn
SECOND: Patrick Rizzuto
All members present were in favor.

A roll call vote was taken:

AYES: Eddie Dunn, Patrick Rizzuto, Dick Wetzel, Brian Lynch
NAYS: None
ABSENT: Daniel Kadish
ABSTAIN: None
Ordinance #12-09 was adopted.

ORDINANCE #12-09

**AN ORDINANCE OF THE TOWNSHIP OF VERNON,
COUNTY OF SUSSEX, STATE OF NEW JERSEY,**

**AUTHORIZING THE SALE OF CERTAIN PROPERTY
OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR
PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS
BLOCK 159.02, LOT 26**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 authorizes the sale by municipalities of any real property, capital improvements or personal property or interest therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Township of Vernon is the owner of certain real property known as Block 159.02, Lot 26; and

WHEREAS, said property is not needed for public use, and the Township Council has determined that it is in the best interest of the Township to sell the property; and

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

1. The property known as Block 159.02, Lot 26 shall be offered for sale by open public sale at auction to the highest bidder, pursuant to N.J.S.A. 40A:12/13. Said auction shall be conducted on June 11, 2012, at 7:30 p.m. at the Municipal Building, 21 Church Street, Vernon, New Jersey.

2. This property shall be sold subject to the following terms and conditions:

(a) The property shall be sold for not less than \$200.00.

(b) The sale shall be made at public auction, after legal advertisement of this Ordinance to highest bidder.

(c) The successful bidder shall arrange for the demolition and removal of all structures at the subject premises within a reasonable period of time.

(d) The successful purchaser shall thereafter keep and maintain the subject property in its natural vacant condition.

(e) The Township does not warrant or certify title to the property and in no event shall the Township of Vernon be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reasons. The purchaser-successful bidder waives any and all right in damages or by way of damages.

(f) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(g) The purchaser shall be required to pay upon the acceptance of the purchaser's bid ten percent (10%) of the bid, plus \$450.00 to cover the Township's transaction costs, in cash or check; said payment shall be returned to the purchaser without interest, if the title to said property is legally determined to be unmarketable, providing claim is made therefore within ninety (90) days after the sale.

(h) A Quit Claim Deed without covenants will be delivered at the office of the Township Clerk on or before thirty (30) days after the date of the sale at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Deed.

(i) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Vernon and reserving an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.

(j) The purchaser shall also pay to the Township of Vernon the costs of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(k) The property will be sold subject to 2012 taxes, pro-rated from the Deed within thirty (30) days of the date of sale.

3. Where all bids have been rejected a private sale is hereby authorized pursuant to N.J.S.A. 40A:12-13(b).

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

CONTIGUOUS PROPERTY OWNERS

Block 159.02, Lot 25

Adam Canning
[REDACTED]
[REDACTED]

Block 159.02, Lot 28

Margaret Stanz
[REDACTED]
[REDACTED]

Block 159.02, Lot 29

TLR IV, LLC
[REDACTED]
[REDACTED]
[REDACTED]

Council President Lynch advised that the house could not get removed fast enough. Mayor Marotta agreed.

COUNCIL PRESIDENT

Council President Lynch advised that the Northern New Jersey Veteran's Cemetery was initiated on May 8, sponsored by the Sussex County Veterans. All other veteran's cemeteries in New Jersey are south of Trenton. (Mr. McClachrie noted that Bordentown is the most northern one in the state.) Mr. Lynch continued that this new one will be located in Sparta. He noted some of the people who are co-sponsors: Senator Oroho; County Clerk Jeffrey Parrott; Sheriff Mike Strada; Mayor Sylvia Petillo of Hopatcong; and our own Mayor Vic Marotta. He urged anyone who is able to donate to this project.

The Council President spoke about his recent experience at Liberty State Park and being shown where the Trade Center buildings used to stand.

COUNCIL BUSINESS

Council Member Wetzel noted the Vernon Township teacher who has been nominated for Teacher of the Year – Vincent Stracquatano, who has a good chance of winning.

Council Member Rizzuto echoed Mr. Wetzel's feelings about Mr. Stracquatano, noting that his children had been his students. Mr. Rizzuto thanked the members of the Board of Education for their efforts in the initiative to get this drug program moving forward, and also its ongoing success. He advised that he had attended the veteran's cemetery fundraiser, and was proud of the Mayor's support. There is currently a \$75,000 funding escrow, and the Freeholders are committing \$50,000. He was hopeful that Vernon Township and other communities will do the rest. Mr. Lynch agreed, wholeheartedly.

ADJOURNMENT

There being no further items of business to be conducted at the Regular Meeting, a motion for Adjournment was made by Council Member Rizzuto. Motion seconded by Council President Lynch, with all members present voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:28pm.

Respectfully submitted,

Susan S. Nelson, RMC
Municipal Clerk

Brian Lynch, Council President

Minutes approved: May 31, 2012