

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING MINTUES**

**October 11, 2018**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:00 p.m. on October 11, 2018 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2018 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

**ROLL CALL**

Present were Council Members Sandra Ooms, Mark Van Tassel, John Auberger and Council President Murphy, Mayor Harry Shortway, Business Administrator Charles Voelker and Township Attorney Josh Zielinski. Council Member Kadish was not present.

**EXECUTIVE SESSION**

Attorney Zielinski read the Resolution for the Council to enter 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:
  - a. Litigation

Council President Murphy asked for a motion to go into Executive Session at 6:02 p.m.

MOVED: John Auberger  
SECOND: Mark Van Tassel  
All members of the Council were in favor.  
Motion carried to enter Executive Session.

Council President Murphy asked for a motion to adjourn Executive Session and possibly reconvene at the Regular meeting at 7:00 p. m.

MOVED: John Auberger  
SECOND: Mark Van Tassel  
All members of the Council were in favor.

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on October 11, 2018 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2018 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

**ROLL CALL**

Present were Council Members Sandra Ooms, Mark Van Tassel, John Auberger and Council President Jean Murphy, Business Administrator Charles Voelker and Township Attorney Josh Zielinski. Council Member Kadish was not present.

**PROCLAMATION**

Council Member Ooms read the Proclamation for Breast Cancer Awareness Month.

Proclamation

**WHEREAS**, Breast Cancer is a serious threat to women’s health across New Jersey and the nation, and

**WHEREAS**, increased public awareness of this disease, its risk factors, and its symptoms may save lives as women across New Jersey learn to recognize the warning signs of Breast Cancer; and

**WHEREAS**, Breast Cancer is treatable when detected early and prompt treatment can significantly reduce the suffering and deaths caused by this disease; and

**WHEREAS**, in order to promote Breast Cancer awareness during the Month of October Pink Ribbons have become an increasingly recognized sign of courage, support and hope for a cure.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon that the *MONTH OF OCTOBER* shall be proclaimed *BREAST CANCER AWARENESS MONTH* in the Township of Vernon and the displaying of Pink Ribbons during the Month of October is a wonderful way to encourage citizens to stand together against this disease.

**PUBLIC COMMENTS (On Current Agenda Items Only)**

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

MOVED: John Auberger  
SECOND: Mark Van Tassel  
All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the meeting to Public Comments.

MOVED: Mark Van Tassel  
SECOND: John Auberger  
All members voted in favor.

**MINUTES**

Council President Murphy asked for a motion to approve the Regular Meeting Minutes and Executive Session Minutes of September 24, 2018.

MOVED: John Auberger  
SECOND: Sandra Ooms  
A roll call vote was taken:  
AYES: Sandra Ooms, Mark Van Tassel, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Dan Kadish

## CONSENT AGENDA

Council President Murphy gave a brief explanation of Resolutions #18-216 through #18-224.

Council President Murphy asked for a motion to approve Resolutions#18-216 through #18-224.

MOVED: John Auberger  
SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Mark Van Tassel, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Dan Kadish

Motion carried to approve Resolutions #18-216 through #18-224.

### RESOLUTION #18-216

#### AWARDING A REQUIRED DISCLOSURE CONTRACT TO AIR GROUP LLC FOR COMPREHENSIVE PREVENTATIVE MAINTENANCE FOR THE CHILLERS AND HVAC SYSTEMS LOCATED IN THE VERNON TOWNSHIP MUNICIPAL BUILDING AND DPW BUILDING

**WHEREAS**, the HVAC systems and the Four Carrier Air- Cooled Chillers in the Vernon Township Municipal Building and DPW Building require regular preventative maintenance as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Air Group, LLC was contracted last year to perform preventative maintenance work for the Four (4) Carrier Air-Cooled Chillers , which consists of one start up inspection, one midseason inspection and one end season shut down visit; and

**WHEREAS**, Air Group LLC was also contracted last year to perform preventative maintenance work for the HVAC System, with regard to the specialized nature and scope of work to be performed, which consists of six (6) preventative maintenance inspections, in the aggregate provided more than the pay to play threshold of \$17,500.00; and

**WHEREAS**, the Business Administrator and Qualified Purchasing Agent recommend awarding a contract to Air Group, LLC for services above for a total amount not to exceed \$12,658.00 for the contract period of July 1, 2018 to June 30, 2019; and

**WHEREAS**, Air Group, LLC, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Air Group, LLC, has not made any reportable contributions to a political or candidate committee in the Township of Vernon in the previous one year, and that the contract will prohibit Air Group, LLC from making any reportable contributions through the term of the contract, and

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

**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 comprehensive maintenance on the HVAC systems and Air- Cooled Chillers located in the Vernon Township Municipal Building and DPW Building.

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

- (a) A fully-executed services contract detailing the scope of services, established fees for said professional services, mandatory Equal Opportunity Language and Affirmative Action Certificate; and
- (b) The Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

(c) New Jersey Business Registration Certificate.

**RESOLUTION #18-217**

**AUTHORIZING PROCUREMENT OF A ROLL OFF VEHICLE  
UNDER N.J.S.A. 40A:11-5(3)**

**WHEREAS**, the Township publicly advertised and sought receipt of public bids on June 7, 2018 at 1:00pm and June 19, 2018 at 12:00pm, for a total of two (2) times for a Roll Off Vehicle; and,

**WHEREAS**, the Township has duly advertised for bid #9-2018 and #9R-2018 where no bids were received on both occasions; and,

**WHEREAS**, the New Jersey State Local Publics Contract Law, N.J.S. A40A:11-5(3) allows for negotiations subsequent to two (2) rejected or non-received bids; and,

**WHEREAS**, it remains the desire of Township of Vernon to secure a contract with a local and economically efficient provider of Roll Off Vehicles for the Department of Public Works; and,

**WHEREAS**, relief is available through the New Jersey Local Public Contract Law N.J.S.A.40A:11-5(3) and the Township desires to avail itself of this remedy through negotiations; and

**WHEREAS**, the Township passed resolution 18-173 approving the use of negotiations under the authority of N.J.S.A.40A:11-5(3) on June 25, 2018; and

**WHEREAS**, the Township has entered into negotiations with a Roll Off truck provider which satisfies the tenets as indicated in bids 9-2018 and 9R-2018; and

**WHEREAS**, it is the desire of the Township to enter into a purchase contract with Hackers Packers Incorporated 2304 Rt 7, Harpursville, N.Y. 13787, for a 2011 Kenilworth T800, with Galfab 75,000 roll off, VIN 1NKDXUEX5BJ285929 for the price of \$92,000.00; and

**WHEREAS**, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$92,000.00 as follows:

2018 Capital Improvement Program – ORD 18-17 Used Roll-Off Truck - 3096209

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, Sussex County, that the Township Administrator is authorized to enter into a contract with Hackers Packers Incorporated 2304 Rt 7, Harpursville, N.Y. 13787, for a 2011 Kenilworth T800, with Galfab 75,000 roll off, VIN 1NKDXUEX5BJ285929 for the price of \$92,000.00.

This Resolution shall take effect immediately.

**RESOLUTION # 18-218**

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT  
(Koster Family Trust) Block 127.06 Lot 1**

**WHEREAS**, a Tax Court Judgment has been favorably awarded for the year 2014: and

**WHEREAS**, such Judgment has resulted in an overpayment of 2014 property taxes for Block 127.06 Lot 1 also known as [REDACTED]

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2014 overpayment in the amount of \$1,974.00 to Robert L. Moshman, Edq., LLC, Attorneys for Plaintiff.

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

**Resolution #18-219**

**RESOLUTION AUTHORIZING THE OPTION FOR EMPLOYEES OF THE TOWNSHIP OF VERNON TO WAIVE HEALTH INSURANCE BENEFITS**

WHEREAS, the Township of Vernon (hereinafter "Township") is continually seeking to reduce expenditures where appropriate; and

WHEREAS, the Township provides health benefit coverage to all regular full time employees; and

WHEREAS, N.J.S.A. 40A:10-17.1 authorizes municipalities to permit employees to waive health care coverage when such employees are covered for health care under the coverage of a spouse; and

WHEREAS, pursuant to statute, the Township may pay to the waiving employee an amount equal to not more than 25% or \$5,000.00, whichever is less, of the amount saved by the Township when coverage is waived; and

WHEREAS, the Township desires to implement such a cost efficiency measure for the year 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Vernon hereby implements the following provisions of N.J.S.A. 40A:10-17.1:

1. Any employee who elects to waive health care coverage pursuant to this Resolution and is eligible for a waiver payment in accordance with the health coverage plan, shall be paid a sum equal to 25% or \$5,000.00, whichever is less, of the health care premium savings received by the Township. Payment of sums required under this Resolution shall be made to the Employee on a monthly basis, each payment being one twelfth of the total sum due.
2. An employee shall be eligible for such waiver and payment only upon compliance with, and under the terms of, the provisions of N.J.S.A. 40A:10-17.1.
3. An employee shall be eligible to, or required to, resume coverage pursuant to the provisions of N.J.S.A. 40A:10-17.1.
4. This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION #18-220**

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

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

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

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

WHEREAS, beginning in 2017 the Township offered an incentive of 1/3 of the Township's net savings for each employee who elects to switch to an alternate health or prescription plan for the plan year and it is the wish of the Township to continue that program for the plan years January 1, 2018 to December 31, 2018 and January 1, 2019 to December 31, 2019;

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

1. The Mayor of the Township of Vernon is hereby authorized to continue the 2017 Memorandum of Understanding with the PBA Local No 285 and the UAW Local 2326 which created the mechanism of which to allow the incentive to be paid.

2. The change to the Personnel Policy and Procedure Manual adding the addendum to offer this incentive to non-union employees is also continued.
3. This Resolution shall take effect immediately upon passage in accordance with law.

#### **RESOLUTION # 18-221**

#### **AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR CONSTRUCTION OF WATER SERVICE LINES TO MUNICIPAL BUILDING & DPW BUILDING WITH YOUR WAY CONSTRUCTION, INC.**

**WHEREAS**, on March 12, 2018, by way of adoption of Resolution #18-96, the Council of the Township of Vernon awarded a contract to Your Way construction, Inc. for Construction of Water Service Lines to the Vernon Municipal Building and Public Works Building which contract provided for an expenditure of \$70,280.50; and

**WHEREAS**, in a memo dated September 26, 2018, the Township Engineer stated that the contract requires a Change Order #1 by the increase of one Extra item in amount of \$612.50, thirteen (13) Supplemental items in amount of \$25,497.15 and Reduction of four (4) items in amount of \$17,431.00 resulting in an adjusted total contract amount of \$78,959.15; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract price to be exceeded by more that 20 percent; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.8, the need for this change order are due to unforeseeable issues which were not known at the time the specifications are written and the contract awarded; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase by \$8,678.65 the amount in aggregate with Change Order #1, not to exceed 20% of original bid price, to an adjusted total contract amount of \$78,959.15.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project increasing the total contract amount with Your Way Construction, Inc. to \$78,959.15; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Your Way Construction, Inc. and the Township Engineer.

#### **RESOLUTION #18-222**

#### **AUTHORIZATION TO ENDORSE A TREATMENT WORKS APPROVAL APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CONSTRUCTION OF AN ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM ALTERATION AT SOMEPLACE SPECIAL LOCATED AT 2 VERNON CROSSING ROAD BLOCK 141 LOT 1**

**WHEREAS**, the New Jersey Department of Environmental Protection ("NJDEP") is responsible for administering the Treatment Works Approval ("TWA") program, which establishes and implements minimum standards for building, installing, modifying, and operating treatment works; and

**WHEREAS**, N.J.A.C. 7:14A-22.2 and 22.3 requires the filing of a TWA permit application with the NJDEP for building or modifying a sewer connection or extension; and

**WHEREAS**, in accordance with N.J.S.A. 58:10A-1 et seq., a municipality must endorse such application for review by the NJDEP; and

**WHEREAS**, Someplace Special Condo Association is requesting approval to construct a new Treatment System per plans submitted by Houser Engineering, LLC, dated September 26, 2018.

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

1. The Township will endorse the submission of the TWA application for the aforesaid project.
2. The Township Mayor is hereby authorized to sign the TWA on behalf of the Township.
3. This Resolution shall be made a part of the application submitted to the NJDEP.
4. This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION # 18-223**

**AUTHORIZING CHANGE ORDER #1 OF GOODS & SERVICES  
FOR TWO GARAGE DOORS FOR DPW BUILDING FROM  
DURABLE DOOR GARAGE & OVERHEAD DOORS**

**WHEREAS**, on April 23, 2018 by way of adoption of Ordinance #18-17, the Council of the Township of Vernon authorized financing for Installation of Two New Garage Doors in the Vernon Public Works Building based on quote received October 12, 2017 from Durable Door in amount of \$16,400; and

**WHEREAS**, the Township publicly advertised and sought receipt of public bids on May 11, 2018 and June 7, 2018 where no bids were received on both occasions; and

**WHEREAS**, New Jersey State Publics Contract Law, N.J.S.A. 40A:11-5(3) allows for negotiations subsequent to two (2) rejected or non-received bids; and

**WHEREAS**, the Township received an updated Quote from Durable Door, dated May 1, 2018, for same goods but due to current volatile pricing of steel and aluminum per attached letter, cost of goods increased by \$1,100.00 for a total amount \$17,500; and

**WHEREAS**, the Qualified Purchasing Agent in concurrence with the Mayor and Business Administrator, recommends approving Change Order No. 1 which will increase by \$1,100.00 the amount of said purchase to an adjusted total purchase amount of \$17,500.00

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the recommendations and authorizes the Mayor to execute said Change Order No. 1 for said purchase with Durable Door to \$17,500.00; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Durable Door Garage & Overhead Doors.

**Resolution No. 18-224**

**Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Lake Pochung Road Improvements project.**

**NOW, THEREFORE, BE IT RESOLVED** that the Vernon Township Council of the Township of Vernon, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Lake Pochung Road-00613 to the New Jersey Department of Transportation on behalf of Vernon Township.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Vernon Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

## PUBLIC HEARING/2<sup>nd</sup> READING OF ORDINANCES

Council President read by title Ordinance #18-27.

**Ordinance #18-27:** An Ordinance Of The Township Of Vernon, County of Sussex, State of New Jersey Authorizing The Sale Of Property Owned By The Township And Not Required For Public Purposes And More Commonly Known As Herold Square 114 Rt 94, Block 232 Lot 12

Council President Murphy asked for a motion to open Public Hearing for Ordinance#18-27.

MOVED: Sandra Ooms  
SECOND: John Auberger  
All Members were in Favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close Public Hearing for Ordinance#18-27.

MOVED: Mark Van Tassel  
SECOND: John Auberger  
All Members were in Favor

Council President Murphy asked for a motion to adopt Ordinance#18-27 with a Public Auction to be held on November 8, 2018.

MOVED: Mark Van Tassel  
SECOND: John Auberger

A roll call vote was taken:

AYES: Sandra Ooms, John Auberger, Mark Van Tassel, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Dan Kadish

Motion carried to approve Ordinance#18-27 with a Public Auction to be held on November 8, 2018.

### **PUBLIC COMMENTS** *(Limited to 3 minutes on any topic)*

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

MOVED: John Auberger  
SECOND: Mark Van Tassel  
All members voted in favor.

Audrey Falgaras, President of Lake Panorama Community Association stated she sent a letter regarding issues of constructed sign in Lake Panorama to Township Mayor, Council and Business Administrator requesting that all fines, and penalties will be removed. Clerk Kirkman explained that the fines were assessed by Building and Zoning Departments and have not yet been adjudicated. Township Attorney Zielinski explained that the Township Council does not have the authority to waive building and zoning fines and that matter would have to be handled when it was adjudicated.

Ms. Falgaras stated the Association was before Council last year regarding the placement of the Lake sign when they received the stop work order and questioned if all Council Members have seen the property survey in question, she provided a copy for distribution. She noted that proper paperwork was not filed by the Association which caused the violations but explained that wall is up on the hill obscured from Panorama Drive vehicles which she claimed will not be cause of any liability to the Twonship. Ms. Falgaras complained that Lake Panorama wall had generated fines as there are other walls in the Township within the road right-of-way. Ms. Falgaras then claimed that the Maple Grange Park sign was in a right of way. Ms. Falgaras stated the Association is holding the Township liable.

Pat Distasi, [REDACTED] explained the four owners on Silver Spruce who jointly own the roadway, stated they are living in fear from excessive noise from truck traffic, foul smells besides the serious

issue of soil fill dumping. He added a minimum of 3000 trucks have accessed the small road which was built in 1974 and more recently Oil & Stoned in 1993 paid for by the owners but now it is demolished. Mr. Distasi stated there are large pieces of equipment at 3 Silver Spruce which he believed were used to dig up a drain pipe from the roadway which was mandated by the original subdivision approval by the Sussex County Engineer to direct runoff to the catch basin. Mr. Distasi the roadway was widened for two-way truck traffic but he did not know who authorized or approved same and it was damaging the edging and causing trucks to get caught in the muddy marsh areas. He added two days ago an altercation between Mr. Wallace and neighbor occurred with police present because 4 trucks were blocking roadway and neighbor needed to pick up child from the school bus stop. Mr. Distasi opined illegal debris has been dumped on site from unknown origins and the unstable roadway is clear and present damage to owners. He requested the Sussex County Health Department to inspect safety hazards.

Mr. Distasi further explained each of the property owners per their recorded deeds own equal percentage of roadway and the responsibility of maintenance, but the new damage is too extensive to repair, and the community needs help. He requested Council to put an emergency plan in place to temporarily take over the roadway, so enforcement of truck and equipment traffic can be done. Mr. Distasi opined that emergency measures are in order for the residents on Silver Spruce and offered to discuss plan with Administration.

Anthony Anari, Recording Secretary of Lake Panorama Association, stated Danny met with previous Mayor, Marotta, about the problem of the Township road causing erosion caving in the Lake Panoarama community playground. Mr. Anari stated that repairs were estimated by an Architect to cost \$85,000 - \$95,000. Mr. Anari stated the Association paid \$7,000 to stabilize wall. Mr. Anari stated that regarding the issue with the newly constructed sign and wall, Mr. Tom Maellaro claimed he questioned the Township Zoning and Building Officials if permit was needed for wall under 4(four) feet and was told none. Mr. Anari claimed that since the owner of property where the wall was to be constructed was delinquent in lake dues and unable to be contacted, the Association continued with construction. Mr. Anari claimed the Association did not realize the property belonged to the Township of Vernon. Mr. Anari questioned why the wall near beach area was not a problem but this one is. Mr. Anari stated Township Engineer suggested moving wall three feet back for compliance. Mr. Anari added that DPW Director also said the wall was a problem because area where sign is installed is where plows place snow. Mr. Anari opined that coverage by Township DPW during snowstorms is lacking causing private contractor to clear the main road. Mr. Anari stated that when the Township issued the Stop Work Order last year, the Association did no further work on the sign and now are told there are \$1000/day fines outstanding. Mr. Anari requested further discussion about placement of the sign with Township Officials.

Tom Maellaro, Project Manager of Lake Panorama Sign, expressed disappointment with Township's action on the improvement to the private Lake Community. He explained the project included a wall under the 4 (four) feet high restriction, cleaned out existing drain basin and cleaned the intersection. Only after construction was started, Township Officials stated permit was needed because it was a wall in a series with a height exceeding 4 (four) feet. Mr. Maellaro expressed disappointment that Mayor was not present as he was involved in many discussions. Council President Murphy clarified that this is a Council Meeting and the Mayor is not required to attend and although present earlier was unable to stay due to prior commitment.

Mr. Maellaro took exception to the Engineer's statement that wall will be a hazard, claiming that as a Civil Engineer, he is unable to make that decision. Mr. Maellaro stated that if the Association is required to remove wall, the Association wants a complete release of liability for any erosion issues that may occur. He added the Association has voted to remove the wall but will not do so until the release of liability is in place from the Township.

Peg Distasi, [REDACTED] opined that the trucks that Mr. Wallace allows on our roadway do not obey any speed limit and are dangerous to children walking to the school bus. She suggested if roadway was under public authority, speed could be controlled better. Ms. Distasi explained that Mr. Wallace widened the roadway for two-way truck traffic encroaching the marshes causing children to walk through the muddy road for school and urged a need for protection.

Seeing no more members of the public wishing to come forward, Council President Murphy asked for a motion to close the meeting to Public Comments.

MOVED: John Auberger

SECOND: Mark Van Tassel  
All members voted in favor.

Council President Murphy explained that the Township Attorney will be drafting a response letter to Lake Panorama. Regarding Silver Spruce, Council President Murphy stated the Township understands the seriousness of the issue but it must follow the law, noting that proceedings were again postponed by the Court.

**COUNCIL COMMENTS**

Council Member Ooms had no comment.

Council Member Van Tassel had no comment.

Council Member Auberger had no comment

Council Member Kadish was not present.

**COUNCIL PRESIDENT COMMENTS**

Council President Murphy had no further comment.

**ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:44 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: October 22, 2018