

Township of Vernon

TOWNSHIP COUNCIL MEETING

October 23, 2017

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday October 23, 2017 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 5, 2017 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

ROLL CALL OF MEMBERS

Present were Council Members Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel and Council President Jean Murphy. Also present were CFO Elke Yetter, Administrator Charles Voelker, and Township Attorney Marlin Townes

SALUTE TO THE FLAG

Council Member Murphy led the assemblage in the salute of the flag.

PROCLAMATIONS:

Council Member Kadish read the Proclamation for Veteran's Day and thanked all veterans present for their service.

Proclamation

Whereas, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

Whereas, since the establishment of the original 13 states, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States constitution and the Bill of Rights; and

Whereas, we owe a great debt to those who have served in defense of this nation; and

Whereas, throughout generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

Whereas, for many, that sacrifice has ended in permanent injury or death, yet their spirit remains in the continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; and

Whereas, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of a people dedicated to the principles of freedom and democracy.

Now therefore be it Proclaimed that, the Vernon Township Council do hereby urge all our citizens to honor our veterans and rededicate themselves to the preservation of our liberties under the Constitution.

Council President Murphy read the Proclamation for Breast Cancer Awareness Month, October 2017.

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

Proclamation

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, the Sussex County Chronic Disease Coalition and Project Self Sufficiency are organizations partnering to promote Breast Cancer awareness during the Month of October through the Susan G. Komen's Annual Tie a Pink Ribbon Campaign; and

WHEREAS, 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.

October 2017

BREAST CANCER AWARENESS MONTH

In Vernon Township

PUBLIC COMMENTS

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

MOVED: Dan Kadish

SECOND: Dick Wetzel

All members voted in favor.

Jessi Paladini, [REDACTED] claimed she saw inappropriate power play by Mayor Shortway who involved himself with illegal bid processes and now Ms. Paladini stated she uncovered the fact that an appraisal on the Faline Building was done on March 30, 2017 and the council was not made aware. Ms. Paladini stated a timeline of events received via OPRA and from council minutes about the Faline Building:

Ms. Paladini claimed Council President Murphy abused her authority and violated the Faulkner Act by failing to disclose information to the rest of Council. Ms. Paladini opined Council President Murphy should be removed from her position as Council President for blatant violation and added she has actively reported her actions to the State Ethics Board and the Department of Community Affairs.

Ms. Paladini commented that the Resolution for the Scenic Byway is a nice idea but it is not needed. Ms. Paladini opined that Township approval is not needed since approvals from Sussex County and Hardyston have been received. Ms. Paladini addressed Attorney Townes and explained the State DOT and Director of Parks were shocked to hear the opinion of Mr. Townes that there would be a conflict if Council Members Rizzuto and Wetzel voted on the Scenic Byway. Ms. Paladini opined there is no conflict and that it is their responsibility to vote.

Sally Rinker, distributed copies of some documents received via OPRA to all Council Members. Ms. Rinker referred to Resolution #17-185, establishing a Policy for Maintenance of Vernon Township Sewer System, and claimed the Council President and Attorney were fully prepared to label resolution as illegal prior to the 9-25-17 meeting. Ms. Rinker claimed that Council President Murphy has mentioned Ms. Rinker's name multiple times as a political move giving her no chance to respond. Ms. Rinker claimed the Mayor's Facebook page shows motivation for the performance. Ms. Rinker stated she had helped draft the resolution with Council Member Rizzuto because she believed the Mayor has inappropriately interfered with the Vernon MUA's ability to serve and maintain this valuable asset. Ms. Rinker claimed the resolution sets policy and is legal as there are no laws pertaining to who is allowed to draft a resolution or ordinance and pledges that she will work with anyone for the sake of the town.

Regarding the Faline Building Appraisal, Ms. Rinker stated she is concerned with obtaining the highest value of the Township asset. She added that Council President Murphy has made calls to developers which would be a violation of the closed bid process and therefore a conflict to vote. Ms. Rinker added per information gained through OPRA, the appraisal was done on 3-30-17 costing \$2100.00 and only the Mayor Business Administrator and Council President Murphy were aware of results of \$296,000 value. Ms. Rinker adds that Mayor Shortway insisted that Vernon couldn't get over \$100,000 for the building and feels it may have to be done again. Ms. Rinker claims the Mayor had a potential backdoor deal with interested developer and then blamed Council Members Rizzuto and Wetzel for holding up the sale and

wasting money. Ms. Rinker also claimed that the clerk was copied on email and did not forward it to council members.

Ms. Rinker claimed there is no transparency, no truth and there are cover-ups for political agendas and implores respect for one another. Ms. Rinker commented that the bills list should be added back onto the agenda, so the Council and public can see where taxpayer's dollars are spent.

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

MOVED: Dan Kadish

SECOND: Sandra Ooms

All members voted in favor.

Council Member Ooms opined that if the Council Members had known about the completion of the appraisal, Council could have proceeded or planned a course of action. Council Member Wetzel requested a verbal vote of the council of who was aware of the appraisal status as he stated he was not. Council Member Kadish stated he refused to answer and questions the validity of the \$296,000 appraisal amount when Mr. Holenstein failed to gain access inside the building. He added that the Township did not receive any offers when minimum price was set at \$100,000.

Mr. Townes requested public to refrain from shouting out while the meeting is in session.

Council President Murphy stated she did not see the email with the appraisal but knew the Mayor had stated there were problems with the price of \$296,000. She added a comparison of two Board of Education buildings in the Town Center which are in better condition and occupied, only recently sold for \$175,000 and \$176,000. Council President Murphy stated the Faline Building was put up for auction when Ms. Rinker was Mayor at minimum bid of \$400,000 but none were received, and former Mayor Marotta stated the building should be torn down due to the condition of it. Council President Murphy commented the idea of possibly moving the Historical Society to the Faline Building was considered and rejected due its condition.

Mr. Townes directed a point of order and requested public to refrain from speaking out.

Council Member Ooms commented that the issue with the Faline Building is that pertinent information was not provided to all of the Council in a timely manner and opined that Mayor is playing games and there is a breakdown of communication. Council President Murphy suggested the Faline appraisal was a waste of money and noted that the Board of Education did not have appraisals for the two properties just sold.

Administrator Voelker explained the original appraisal done in March was based on the exterior of the building only and when the interior was added, the appraiser decreased the value of property. Mr. Holenstein strongly urged razing the building or renovate to improve the value and for the Township to explore access to Main Street but because of increase cost to Township, the Mayor did not entertain this option. Council Member Ooms commented that the Township does not have anything and should not have to pay for the appraisal. Administrator Voelker stated that Mr. Holenstein came twice and did the appraisal so the work needs to be paid for and added the property can be put up for auction in the spring of 2018 with other Township properties. Ms. Ooms opined that council could have acted if the information was given out earlier and it is lack of political integrity.

Council Member Rizzuto expressed dissatisfaction that information was withheld from March 30th to September 30th and states the Council President is responsible for dissemination of the information to the other council members. Mr. Rizzuto added that Administrator Voelker was aware of the appraisal and did not share with the council. During this period, Council Members Rizzuto explained he and Council Members Wetzel and Ooms were berated as being obstructionists because they didn't want to move forward with the Faline Building. He added he is favor of selling the property but not sure of where to start the pricing as he is aware at previous auction, no offers were received and questions the validity of the contract for the initial appraisal. Mr. Rizzuto added the building now has the potential of public water and sewer which could add value to the appraisal and stresses the council must act in the best interests of the Township.

Council Member Rizzuto stated as a 50-year resident, that the previous administration ran smoother and stressed all elected members must be treated equally and restated he wants the property sold but due process must be followed.

Council President Murphy explained the Faline Building was purchased by Vernon Township in 2005 for over \$400,000 for creation of Main Street but has sat vacant for many years causing it to fall in disrepair and contain mold. The property being a focal point for visitors, has limited access, lack of adequate parking and no room to add on, making it less than desirable in the market-place.

Council Member Rizzuto stated the issue is not the condition of the building but the withholding of information which the council was entitled to. Council President Murphy asked Council Member Rizzuto if he has ever visited the Faline Building. Mr. Rizzuto refused to answer the question and accepts the professional opinion of the appraiser but stated it is the responsibility of the Mayor to handle all contracts and he withheld the necessary information on this issue.

MAYOR'S REPORT

Mayor Shortway was not present at meeting.

Administrator Voelker announced that the Township of Vernon did not receive the FEMA grants which were applied for containing the SCBA (Self Contained Breathing Apparatus) and the Ladder Truck for the Fire Departments. He added that the existing SCBA equipment's useful life ends on 2/1/2018 and every volunteer Fire Department will be affected. Administrator Voelker explained in previous years there were no plans to gradually replace this equipment causing this emergent situation. He adds that the 2017 budget included \$375,000.00 for this purpose should Vernon not receive the grant, which will be used to replace SCBA's with refurbished air bottles from the Morris County Co-op by December 2017 and a 5-yr. budget plan has been put in place to continue replacement annually.

Administrator Voelker stated that SUEZ has served a 'will serve water letter' to developers of the Restricted Age Housing Project on Omega & Theta Drives with variances to be filed 7-1-2018. The administration is actively engaged with Suez for Town Center water and is currently reviewing a developer's agreement. The Board of Education has sold their former office building to Bruce Zaretsky which is the next step to a mixed use town center.

Council Member Ooms questioned status of the inquiry from Mr. Dan Perez regarding an ordinance change to include needed fencing for bee owners. Council President Murphy stated that Council is waiting for Mr. Perez to provide samples of community ordinances and other further information to consider.

MINUTES

Council President Murphy asked for a motion to approve the Regular Meeting Minutes of September 25, 2017.

MOVED:

Dan Kadish

SECOND:

Sandra Ooms

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion Carried to approve Regular Meeting Minutes of September 25, 2017.

ITEMS OF DISCUSSION

Best Practices

Ms. Yetter, explained Vernon has 23 affirmatives on the Best Practices questionnaire and no reductions. Council Member Kadish noted to remedy the repeated criticism on the questionnaire, the Township should budget for a centralized cashier for all departments.

CONSENT AGENDA

Council President Murphy gave a brief explanation of Resolutions #17-186 through #17-190.

Council President Murphy asked for a motion to approve Resolutions #17-186 through #17-190.

MOVED: Dan Kadish

SECOND: Sandra Ooms

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions #17-186 through #17-190.

RESOLUTION #17-186

CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION AMENDING THE 2017 BUDGET AS A REVENUE AND APPROPRIATION OF \$2,990.70

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has been awarded a \$2,990.70 State Body Armor Replacement Fund Grant from the New Jersey Division of Criminal Justice; and wishes to amend its 2017 budget for this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,990.70 which is now available as a revenue from the New Jersey Division of Criminal Justice and;

BE IT FURTHER RESOLVED that a like sum of \$2,990.70 is hereby appropriated under the caption State Body Armor Replacement Fund Grant.

RESOLUTION #17-187

AUTHORIZING THE AWARD OF CONTRACT WITH AUTOMATIC TEMPERATURE CONTROL SERVICES, INC. TO MAINTAIN AND SERVICE THE TOWNSHIP'S AUTOMATIC TEMPERATURE CONTROL SYSTEM AT THE MUNICIPAL BUILDING FOR 2018

WHEREAS, there exists a need to maintain the Automatic Temperature Control System at the Municipal Building for the year 2018; and

WHEREAS, Automatic Temperature Control Services, Inc. has services the Township system and has the expertise to maintain said system; and

WHEREAS, The Qualified Purchasing Agent recommends that the Township Council award a contract for the maintenance agreement to Automatic Temperature Control Services, Inc., 207 Blackford Avenue, P.O. Box 310, Middlesex, NJ 08846; and

WHEREAS, the term of the contract will be from January 1, 2018 through December 31, 2018 with a total contract price not to exceed \$3480.00; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with Automatic Temperature Control Services, Inc., for maintenance of the automatic temperature control system in the Municipal Building for an amount not to exceed \$3480.00.

RESOLUTION # 17-188

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT
(Petracca) Bl 270 Lot 25**

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2016; and,

WHEREAS, such Judgment has resulted in an overpayment of 2016 property taxes for Block 270 Lot 25 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 2016 overpayment in the amount of \$1,245.69 to The Attorney Trust Account of Matthew R. Petracca

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

RESOLUTION #17-189

REFUND DUPLICATE PAYMENT FOR 3rd Quarter 2017 PROPERTY TAX (Bl 132.05, Lot 27)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to American Title Abstract in the amount of \$1,117.00 representing refund for overpayment of 3rd qtr. 2017 property taxes for Block 132.05 Lot 27, also known as [REDACTED]

RESOLUTION # 17-190

**AUTHORIZING FINAL ACCEPTANCE AND COMPLETION OF PROJECT FOR
REPAIR /REPLACEMENT OF THE MUNICIPAL BUILDING ROOF**

WHEREAS, on March 13, 2017, by way of adoption of Resolution #17-79, the Council of the Township of Vernon awarded a contract to Billy Contracting & Restoration, Inc. to replace the roof at the Municipal Building which contract provided for an expenditure of \$231,700.00; and

WHEREAS, by way of adoption of Resolution #17-120 and Resolution #17-136, the Township Council approved Change Order No's 1, 2 and 3 which will decrease the final contract cost of project to \$210,575.00.

WHEREAS, in a memo dated August 29, 2017, the Project Architect, Josh Thompson of Parette Somjen Architects, states that said contract has been completed and recommends the project be accepted as final and complete and requires a Maintenance Bond be submitted in amount of \$21,057.50; and

WHEREAS, Billy Contracting & Restoration, Inc., has submitted the required Maintenance Bond to the Township of Vernon in the amount of \$21,057.50, and said bond has been approved by the Township Attorney.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves the Project's Architect recommendations and accepts the project of Replacement of Municipal Building Roof at the Vernon Township Municipal Complex as final and complete; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Billy Contracting & Restoration, Inc. and Parette Somjen Architects.

Council President Murphy gave a brief explanation of Resolution #17-194.

Council President Murphy asked for a motion to approve Resolution #17-194.

MOVED: Dan Kadish
SECOND: Patrick Rizzuto

A roll call vote was taken:

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

Motion carried to approve Resolution #17-194.

RESOLUTION #17-194

**AUTHORIZING APPLICATION AND EXECUTION OF THE
“2017 DRIVE SOBER OR GET PULLED OVER STATEWIDE YEAR END
HOLIDAY CRACKDOWN” GRANT ADMINISTERED BY THE
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

WHEREAS, the Vernon Township Police Department wishes to apply for funding from the National Highway Safety Administration “2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown”, Grant; and

WHEREAS, the grant project consists of an enforcement overtime campaign from December 8, 2017 through January 1, 2018 to raise awareness about the dangers of drinking and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations; and

WHEREAS, Vernon Township will initially incur the cost of the program not to exceed \$5,500.00 and then will submit the necessary documentation to the Division of Highway Traffic Safety for total reimbursement.

NOW THEREFORE BE IT RESOLVED, Vernon township declares its support for the “2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown” Grant from December 8, 2017 through January 1, 2018 to increase awareness about the dangers of drinking and driving; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor, CFO and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the Division of Highway Traffic Safety for the “2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown” Grant.

Council President Murphy gave a brief explanation of Resolutions #17-196 through #17-199.

Council President Murphy asked for a motion to approve Resolutions #17-196 through #17-199.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

RESOLUTION #17-196

TOTAL DISABLED VETERAN AMENDMENT (Doyle)

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS on March 1, 2017 awarded George Doyle a 100% permanent and totally disabled veteran; and

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

WHEREAS, on August 14, 2017 the Township Council adopted resolution 17-159 in reference to Mr. Doyle’s refund and said resolution contained an error which requires amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Vernon that resolution 17-159 is hereby amended to authorize the Tax Collector to cancel the taxes for 2017 in the amount of \$5,2708.90 for Block 171, Lot 8 also known as [REDACTED]

BE IT FURTHER RESOLVED, that any and all references to the cancellation of taxes for Block 268.26 Lot 11 are hereby deleted.

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

RESOLUTION # 17-197

2017 SALARIES FOR NON-UNION FULL TIME EMPLOYEES
(Electrical Sub-Code Official)

WHEREAS, Ordinance #15-20 amended salary ranges for non-union full time and part time employees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that the following positions be compensated at the annual salary or wage, the same being consistent with Ordinance #15-20 effective November 1, 2017.

<u>Position</u>	<u>2017 Base Salary</u>
<u>Ordinance 15-20</u>	
Electrical Sub Code Official	\$ 62,000.00

RESOLUTION #17-198

**AUTHORIZING THE RELEASE OF PERFORMANCE BOND
FROM UNITED WATER NEW JERSEY FOR WATERMAIN IMPROVEMENT PROJECT IN
THE ASPEN WOODS SECTION OF VERNON TOWNSHIP**

WHEREAS, United Water New Jersey posted a Performance Bond for a Watermain Improvement Project in the Aspen Woods section of Vernon Township including Cumulus, Nimbus and Valley Roads per Resolution #14-68 in the amount of \$147,232.80; and

WHEREAS, United Water New Jersey has completed all of the water main replacement work in said project and have made a request for the bond to be released; and

WHEREAS, the Township Engineer, per letter dated October 17, 2017, has conducted a final inspection of project and found roadway in satisfactory condition and hereby recommends that the Township accept the roadway repairs of Watermain project at Aspen Woods as complete and release the bond.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex that it hereby approves and authorizes that the performance bond posted by United Water New Jersey for Watermain Improvement project in Aspen Woods in the amounts of \$147,232,.80 be released and returned; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to United Water New Jersey and the Township Engineer.

RESOLUTION #17-199

**AUTHORIZING SUBSCRIPTION FOR WEB-BASED FORM SOLUTION WITH
SEAMLESSGOV IN THE AMOUNT NOT TO EXCEED \$3,375.00**

WHEREAS, there exists a need for a subscription to a Web-Based Form Solution to improve customer service in Municipal Departments; and

WHEREAS, Bizodo, Inc. SeamlessGov has submitted a proposal to provide a Web-Based form solution to increase the availability of Township forms to the general public and provide capability of online submission; and

WHEREAS, the term of the subscription is from October 1, 2017 to January 1, 2018 and the Chief Financial Officer has certified that funds are available for this purpose in the 2017 Municipal Budget; and

WHEREAS, Vernon Township desires to award a subscription contract to Bizodo, Inc. SeamlessGov, 2 Vandam Street, 2nd Floor, New York, NY 10013 and the Chief Financial Officer has certified that the value of the contract will not exceed \$17,500.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor is authorized to execute a contract with Bizodo, SeamlessGov, for an amount not to exceed \$3,375.00

Council President Murphy gave a brief explanation of Resolution #17-191.

Council President Murphy asked for a motion to approve Resolution #17-191.

Council Member Rizzuto questioned if there are any matching funds required for this grant. Ms. Yetter explained this resolution is for a specific phase of the already approved Highlands Plan Conformance Grant and there are no matching funds required.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve Resolution #17-191.

RESOLUTION #17-191

AUTHORIZING ACCEPTANCE OF GRANT IN THE AMOUNT OF \$45,000.00 FROM THE NEW JERSEY HIGHLANDS COUNCIL FOR DEVELOPMENT OF VERNON TOWNSHIP SUSTAINABLE ECONOMIC DEVELOPMENT PLAN

WHEREAS, the Township of Vernon is completely within the Highlands Preservation or Planning areas; and

WHEREAS, the Township of Vernon submitted a proposed Scope of Work to the Highlands Council for development of a municipal-wide Sustainable Economic Development Plan; and

WHEREAS, the Vernon Township Sustainable Economic Development Plan will address the following tasks of the Municipal Implementation Plan and Schedule:

- Task 4: Agriculture Retention/Farmland Preservation Plan Element
- Task 5: Sustainable Economic Development Plan
- Task 9: Habitat Conservation and Management Plan

WHEREAS, the Highlands Council has approved the proposed Scope of Work and has approved a grant with a total budget of \$45,000 in specific tasks:

Phase I	Existing Conditions	\$15,000
Phase II	Public Outreach and Involvement	\$15,000
Phase III	Draft Document, Final Plan for Adoption	\$15,000
Township of Vernon Total Scope Amount		\$45,000

WHEREAS, the Vernon Township Planner has advised the Mayor that acceptance of this grant is of benefit to the Township for the purpose of creating a Sustainable Economic Development Plan that identifies agricultural and ecological resources and methods for sustaining those resources via agritourism and ecotourism.

WHEREAS, as detailed in the proposed Scope of Work, the Township of Vernon has chosen Jessica Caldwell, the Township Planner, for professional services in all three phases of this grant.

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Vernon that the \$45,000.00 grant offered by the Highlands Council for a Sustainable Economic Development Plan is hereby accepted and that the Mayor, Clerk, and Chief Finance Officer are hereby authorized to execute grant application identified as Tasks 4, 5, and 9: Sustainable Economic Development Plan – Plan Conformance Amended Grant Agreement #09-033-011-1922 and utilize Jessica Caldwell, Township Planner for professional services.

Resolution #17-192: Authorization to Submit and Execute Grant Agreement with the New Jersey Department Of Transportation for the Vernon Town Center Bike & Walking Trails Phase I Project

Council President Murphy gave a brief explanation of Resolution #17-192.

Council President Murphy asked for a motion to approve Resolution #17-192.

Council Member Ooms questioned why grant application stated submission was done on October 6, 2017 and Resolution is before Council to approve application tonight. Council Member Rizzuto questioned if any matching funds are required for this grant.

Council Member requested that this motion be tabled until the November 13 meeting.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to table Resolution #17-192.

Council President Murphy gave a brief explanation of Resolution #17-193.

Council President Murphy asked for a motion to approve Resolution #17-193.

Council Member Ooms questioned has this grant been submitted already because backup stated application received on October 6, 2017. Ms. Yetter explained this grant is for a Proposed 2018 Capital Improvement Project prepared by Township Engineer.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve Resolution #17-193.

RESOLUTION #17-193

AUTHORIZATION TO SUBMIT AND EXECUTE GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WAWAYANDA ROAD IMPROVEMENT 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-2018-Wawayanda Road Improvements-00554 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.

My signature and Municipal Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Council President Murphy read Ordinance #17-16 by title only.

Ordinance #17-16: An Ordinance Authorizing The Sale Of Certain Land In Vernon Township To Be Sold At Private Sale In Accordance With N.J.S.A. 40A:12-13 (b) (5)

Council President Murphy asked for a motion to Introduce Ordinance #17-16 with a public hearing to be held on November 13, 2017.

Ms. Yetter explained the template including the detailed lot information was emailed to all Council Members and the properties for sale are non-conforming, undersized adjacent lots mostly in lake communities.

MOVED: Dan Kadish

SECOND: Dick Wetzel

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to Introduce Ordinance #17-16 with a public hearing to be held on November 13, 2017.

PUBLIC HEARING/2ND READING OF ORDINANCES

Ordinance #17-15: An Ordinance Amending Chapter 99 Vehicles And Traffic Of The Revised Ordinances Of The Township Of Vernon By Adding New Article Entitled "Traffic Control Standards; Requirements For Construction And Maintenance".

Council Member Murphy read the ordinance by title only.

Council President Murphy asked for a motion to open the public hearing for Ordinance#17-15.

MOVED: Dan Kadish

SECOND: Sandra Ooms

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 public hearing for Ordinance #17-15.

MOVED: Dan Kadish

SECOND: Dick Wetzel

All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#17-15.

MOVED: Dan Kadish

SECOND: Patrick Rizzuto

A roll call vote was taken:

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

Nays: None

Abstain: None

Absent: None

Motion carried to adopt Ordinance#17-15.

COUNCIL COMMENTS

Council Member Wetzel reminded the public that when clocks are changed to replace batteries in smoke detectors. He noted that his political signs were being taken down. Council President Murphy explained that the state was removing all political signs within their right-of-way and placing them at their Sussex facility to be picked up.

Council Member Rizzuto noted a friend recently was in need of an AED (Automated External Defibrillator) and recommended Vernon make one available at Maple Grange Park. Administrator Voelker explained the devices need to be temperature controlled and may not be readily available at the parks. Mr. Rizzuto questioned specific litigation bills being processed: dated 9-11-17 Scotland Bauman -\$300.00; Paladini - \$3,097.50; Adler Steinhardt - \$6,772.50; all for legal litigation. Attorney Townes explained Adler Steinhardt is the major property owners of Legends which Vernon filed a Declaratory Judgment in Superior Court.

Council Member Ooms questioned Attorney Townes on status of determination of liability of Mayor's private Facebook page. Attorney Townes explains the Mayor owns his personal page and it is his personal right to post but determination must be fact specific and depends on case brought forward. Council President Murphy added that in past case with a Land Use Board Member, the town defended the individual. Council Member Ooms opined that in preparation of the 2018 Budget, the departments should consider a 10 % decrease similar to the voluntary decrease by the Police in 2017. Council President Murphy suggested purchasing vehicles instead of bonding.

Council Member Kadish wishes the five candidates present calm, quiet success.

COUNCIL PRESIDENT COMMENTS

Council President Murphy noted when Ms. Rinker filed litigation about the bills list on the agenda, a Judge deemed the bills list not mandatory as it is the Mayor's responsibility and not the Council's. Council President Murphy announced the annual "Wreaths Across America" which will be held at 10:00 am on December 16, 2017 at the Glenwood Cemetery at a sponsorship of \$15.00/wreath to be placed on all veteran's sites. Council President Murphy suggested the public consider adopting adult dogs who have been displaced or whose owners have died and that frequently go unnoticed for adoption.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:02 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: November 27, 2017