

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING**

**November 13, 2017**

The Meeting of the Township Council of the Township of Vernon was convened at 6:30 p.m. on Monday November 13, 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, and Council President Jean Murphy. Also present was, Township Attorney Joshua Zielinski, Council Member-Elect Auberger.

**EXECUTIVE SESSION**

Mr. Zielinski read the statement to go into 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. Pending Litigation –Mountain Creek Bankruptcy  
(N.J.S.A.10:4-12 (b) 7)  
(Anticipated Time of Disclosure April 2018)
3. This resolution shall take effect immediately.

Council President Murphy asked for a motion to go into executive session.

Motion: Dan Kadish  
Second: Sandra Ooms  
All members were in favor.

Council President Murphy asked for a motion to Close the executive session at 7:02 p.m. and reconvene the meeting at 7:30 p.m..

Motion: Jean Murphy  
Second: Dan Kadish  
All members were in favor.

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday November 13, 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, and Council President Jean Murphy. Also present were Council Member-Elect John Auberger and Council Member - Elect Mark Van Tassel. Mayor Harry Shortway, CFO Elke Yetter, Administrator Charles Voelker, Township Attorney Joshua Zielinski.

### **SALUTE TO THE FLAG**

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

### **PROCLAMATIONS.**

Council Member Ooms read the Proclamation for Pancreatic Cancer Awareness Month, November 2017.

### *Proclamation*

**WHEREAS**, health and safety is important to the happiness, prosperity, and well-being of our communities and families; and

**WHEREAS**, in 2017, an estimated 53,670 individuals will be diagnosed with pancreatic cancer in the United States; and

**WHEREAS**, there are no effective early detection methods presently available, and most symptoms such as weight loss, loss of appetite, feeling tired, and pain in the upper of middle abdomen and back can be mistaken for chronic pains and could be attributed to other conditions; and

**WHEREAS**, when symptoms of pancreatic cancer become apparent it is usually after the cancer has advanced and spread to other organs; and

**WHEREAS**, the good health and well-being of the residents in the Township of Vernon are enhanced as a direct result of increased awareness about pancreatic cancer and research of early detection, causes, and effective treatments; and

**WHEREAS**, throughout the month of November, organizations, health practitioners, and residents in the Township of Vernon are encouraged to take the opportunity to promote awareness about pancreatic cancer and to support those patients currently battling pancreatic cancer and those who have lost loved ones to this horrible disease;

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon that the *MONTH OF NOVEMBER* shall be proclaimed *PANCREATIC CANCER AWARENESS MONTH* in the Township of Vernon, and urge all residents to recognize the need to bring awareness to the fight against this deadly disease.

**November 2017**

### **PANCREATIC CANCER AWARENESS MONTH**

**In Vernon Township**

Council Member Wetzel arrived at 7:32 pm.

### **PUBLIC COMMENTS**

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

MOVED: Dan Kadish

SECOND: Patrick Rizzuto  
All members voted in favor.

Mr. Horler, Barry Lakes, questioned Council why parcel Block 102.12 Lot 25, 15 Beech Tree, was not included in Ordinance for sale of Township properties and has previously expressed interest in purchasing the unbuildable lot. Ms. Yetter explained the parcel in question may be next to another Township lot and may be combined to create a buildable lot.

Christa Geary, congratulated the winners of the 2017 election and thanked outgoing Council Members Rizzuto and Wetzel for their dedication of service for the community. Ms. Geary commented that Ms. Rinker worked tirelessly during the campaign as an innovative thinker and encouraged her to never give up as Vernon needs new ideas to work toward compromise and negotiation. Ms. Geary stated she saw political attacks to candidates on social media where information was taken out of context and where no one had opportunity to dispute it. Ms. Geary claimed that truth never seems to be a virtue in politics as what is repeated over and over again is eventually believed to be. Ms. Geary stressed that the newly elected public officials must begin a new chapter of transparency and have courage to challenge one another and speak up.

Audrey Halgaras, President of Homeowners Association of Lake Panorama, described the recent capital improvement of a sign installed at 'Y' entrance of lake community along side of road. Ms. Halgaras explained the association thought the location of sign was on lake property but was informed it may be on township right of way and commented that they want to work with the Township to remedy the situation.

Tony Anari, Lake Panorama, stated when the Association chose a spot for the new community sign, they were under the assumption the parcel was owned by delinquent lake dues payer and that the telephone poles were the line of road easement. Mr. Anari added the sign was to enhance the community and suggested if sign is on Township property that the association may offer to buy the property. Mr. Anari stated the association payed over \$10,000 toward the construction of the wall and sign and respects the Township stop work order but requests permission from Council to allow the construction to stay until it can be purchased from Township.

Council Member Ooms explained there is a process to follow when constructing a sign and Township officials from the Zoning, Building and DPW can explain the requirements needed. Mr. Anari described a picture of the constructed wall & sign submitted; the sign was located behind the telephone pole demarcation line as no reliable survey is available. Mr. Anari again requested permission to leave wall and sign up for now and commented the association wants to make it right.

Tom Maellaro, maintenance manager for Association, commented that the new wall/sign will help the erosion problem that exists at entrance of community improving safety for the only entrance for residents. Council Member Ooms suggests that the association meet with the Township staff to review the ordinances and statutes.

Brianna Wagner, questioned why Township owned parcel, Bloc 103.12 Lot 32 was not on list currently being sold and provides contact information with Mr. Voelker to follow up.

Matt Beveridge, commented that the wall and sign in Lake Panorama is an aesthetic improvement which also fixed a drainage problem preventing icy roadway and improves the township property. He opined the structure was under 4 feet and caused no harm.

Craig Williams, Glenwood, member of Vernon Township Environmental Commission and Greenway Action Advisory Committee, explained the proposed grant application is the next step to expand the trail system for recreational hiking and biking. He adds many volunteers are involved in support of the expansion and encouraged the Council to support the grant application.

Mike Furrey, ██████████ Chairman of Environmental Commission and Greenway Action Advisory Committee, expressed the importance of Resolution #17-192 Grant Application as it supports the efforts of many volunteers to move forward with the expansion of the trail system.

Sally Rinker, Vernon, congratulated the newly elected Council Members and claimed the success of the Township rests on the current issues. She added that residents place trust in elected

individuals and hope they make a difference. Ms. Rinker suggested the new Council must read the Faulkner Act Form of Government.

Tony Cilli, requested support from Council to approve grant application in Resolution #17-192 because many residents and visitors use the Greenway trails.

Seeing no one further wishing to come forward, Council President Murphy asked for a motion to close the meeting to Public Comments

MOVED: Dan Kadish

SECOND: Patrick Rizzuto

All members voted in favor.

## **MAYOR'S REPORT**

Mayor Shortway encouraged support from the Council for Resolution #17-192, authorizing the application of a grant to expand the Trail System in Vernon and stated Township Engineer Cory Stoner was present to answer any questions Council may have.

Mr. Stoner explained the priority NJDOT grant application is for the proposed road improvements for Wawayanda Road. The secondary NJDOT grant application is for the \$250,000 Bike Trail project which is planned to start in Town Center, travel through the PAL property towards Black Creek Drive. He added the matching required funds for the Trail grant can be monetary or 'in kind' such as DPW assistance and total project could take up to 18 months to complete. Mr. Stoner explained cost has been conservatively estimated because amount awarded may not be 100% and fluctuation in asphalt and excavation costs must be considered. Council Member Ooms asked if trail is totally on Town owned property. Mr. Stoner stated 90 % is on Township property and remainder will require easements from Baldwin and PAL which have been verbally received at this time. Mayor Shortway added the trail system will increase resident's passive recreation of walking or riding a bike through the Township. He adds the Trail system will be on existing Township property, so no budget to purchase Open Space is needed.

Council Member Kadish questioned if the Trail System will be ADA compliant making possible Federal Funds available. Mayor Shortway indicated that Vernon will work toward that goal to allow trail for all citizens. Mr. Kadish added the application described Vernon as depressed and the scope misidentified the 55+ yr. old restricted housing as senior housing. Mr. Stoner explained the description was about the undeveloped Town Center area. Mayor Shortway added no easement agreements have been drafted yet and full design of trail with parking areas will be distributed to Council when all details are finalized.

Council Member Ooms suggested that the Township Engineer should be present at Council Meetings to explain all grant applications as it was very informative.

Mr. Stoner discussed reason for Resolution #17-208, Rejection of Water Service Bids, was due to very high bids received and will need to rework design and go out for rebid in 2018. He added that SUEZ will need to make the lines clear when the Township awards a bid early next year.

## **CONSENT AGENDA**

Council President Murphy asked for a motion to bring Resolution #17-192 from the Table.

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

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

MOVED: Dan Kadish

SECOND: Sandra Ooms

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #17-192.

### **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**

**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-Vernon Town Center Bike & Walking Tr-00553 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.

Council President Murphy gave a brief explanation of Resolutions #17-200 through #17-208.

Council Member Ooms requested Resolution #17-204 to be removed from Consent Agenda.

Council President Murphy asked for a motion to approve Resolutions #17-200 to #17-203 and #17-205 to #17-208.

MOVED: Dan Kadish

SECOND: Patrick Rizzuto

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions #17-200 to #17-203 and #17-205 to #17-208.

### **RESOLUTION #17-200**

#### **AUTHORIZING THE AWARD OF CONTRACT FOR CONTAINER SERVICE AT THE TOWNSHIP'S PUBLIC WORKS AND ANIMAL CONTROL FACILITIES**

**WHEREAS**, there exists a need to haul and dispose of solid waste (type 10) containers at the Township's Public Works and Animal Control facilities and;

**WHEREAS**, Gaeta Recycling Company was contracted for these services during the contract period November 1, 2016 through October 31, 2017, Res#16-236; and

**WHEREAS**, the Director of the Department of Public Works solicited formal quotes for these services, of which Gaeta Recycling Company was the lowest cost of two respondents; and

**WHEREAS**, the Qualified Purchasing Agent recommends awarding a contract to Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson, New Jersey 07053 who submitted the pricing of \$1295.00 per month for a total of \$15,540.00 for the contract period of November , 2017 through October 31, 2018; and

**WHEREAS**, the Chief Financial Officer pursuant to NJAC 5:30-5.5(b), has certified these funds are available; 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 contract with Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson NJ 07053 not to exceed \$15,540.00

**RESOLUTION #17-201**

**AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR  
SES AMERICOM ZB#3-04-3  
FOR BLOCK 180 LOTS 25, 25.01 and 25.02**

**WHEREAS**, SES Americom, Inc. was approved for a Preliminary and Final Site Plan on Block 180 Lots 25, 25.01 and 25.02 in the Township of Vernon, pursuant to the Zoning Board File ZB#3-04-3; and

**WHEREAS**, SES Americom, Inc. sold the property in 2015; and

**WHEREAS**, SES Americom, Inc has made a request for the bond to be released in full; and

**WHEREAS**, the Vernon Township Engineer has reviewed said request and recommends to approve the \$148,260.00 bond and the \$14,826.00 cash deposit plus interest less the costs of any engineering inspection fees be released as contained in a memorandum to the Land Use Board Secretary, dated August 14, 2017.

**NOW THEREFORE BE IT RESOLVED**, this 11<sup>th</sup> day of September by the Township Council of the Township of Vernon, County of Sussex, hereby approves and authorizes that the performance bond in the amount of \$148,260.00 and the \$14,826.00 cash deposit plus interest less the costs of any engineering inspection fees is to be released in its entirety.

**Resolution #17-202**

**RESOLUTION – AUTHORIZING THE CANCELLATION  
OF CAPITAL APPROPRIATION BALANCES**

**WHEREAS**, Ordinance #17-09 authorized appropriations in the amount of \$3,636,500.00 for Various Capital Improvements including the purchase of Self-Contained Breathing Apparatus in the amount of \$746,000.00 per Section 3 (b) of the Ordinance; and

**WHEREAS**, the amount in Section 3 (b) of the Ordinance included the amount for a Federal Emergency Management Agency grant in the amount of \$361,000; and

**WHEREAS**, the grant was not awarded to the Township for the Self-Contained Breathing Apparatus; and

**WHEREAS**, it is necessary to formally cancel said balances so that the grant receivable and the unused debt authorizations may be canceled:

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon, that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

<u>ORD</u>	<u>DATE</u>	<u>PROJECT</u>	<u>AMOUNT CANCELLED</u>
17-09	06-26-2017	VARIOUS IMPROVEMENTS	361,000.00

**RESOLUTION #17-203**

**CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION AMENDING THE 2017 BUDGET AS A REVENUE AND APPROPRIATION OF \$2,081.41**

**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 \$2,081.41 Fiscal Year 2017 Bulletproof Vest Partnership Grant from the United States Department of Justice Bureau of Justice Assistance; 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 \$2,081.41 which is now available as a revenue from the United States Department of Justice and;

**BE IT FURTHER RESOLVED** that a like sum of \$2,081.41 is hereby appropriated under the caption 2017 Federal Bulletproof Vest Grant.

**RESOLUTION # 17-205**

**2017 SALARIES FOR NON-UNION FULL TIME EMPLOYEES**

(Animal Control Officer – Dept. Head)

**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 position 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>	
Animal Control Officer	\$ 50,000.00

**BE IT FURTHER RESOLVED**, that the following position be compensated at the annual salary or wage, the same being consistent with Ordinance #15-20 effective July 1, 2018:

<u>Position</u>	<u>July 1, 2018 Base Salary</u>
<u>Ordinance 15-20</u>	
Animal Control Officer	\$ 55,000.00

**RESOLUTION # 17-206**

**2017 SALARY FOR NON-UNION PART TIME EMPLOYEE (Dispatcher)**

**WHEREAS**, Ordinance #16-03 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 persons be compensated at the hourly salary or wage, the same being consistent with Ordinance #16-03 retroactive to November 1<sup>st</sup>, 2017.

Position	Name	2017 Base Salary
<u>Ordinance 16-03</u>		
Part Time Public Safety Tele-communicator	Heather Dyk	\$17.00 per hour

**RESOLUTION #17-207**

**RESOLUTION OF THE TOWNSHIP OF VERNON  
AUTHORIZING CANCELLATION OF 2017 TAXES FOR  
PROPERTIES KNOWN AS BLOCK 94, LOT 1.01 AND  
BLOCK 91, LOT 7.03 PURSUANT TO N.J.S.A. 54:4-99**

**WHEREAS**, on or about May 7, 2015 the Conservation Fund, a non-profit corporation organized and existing under the laws of the state of Maryland, having an address at 1655 North Fort Myer Drive, Suite 1300, Arlington, Virginia 22209, purchased properties designated as Block 91, Lot 7.03, Block 94, Lot 1.01 and Block 94, Lot 2.02 (collectively “Properties”) on the Official Tax Maps of the Township of Vernon (“Township”), as evidenced by a special warranty deed filed with the Sussex County Clerk’s Office in Book 3361, page 550; and

**WHEREAS**, on May 15, 2015 the Conservation Fund sold the Properties to the United States of America, acting by and through the Department of the Interior, National Park Service having an address at 1849 C Street NW (2540), Washington, D.C. 20240, as evidenced by a special warranty deed filed with the Sussex County Clerk’s Office in Book 3361, page 563; and

**WHEREAS**, prior to the May 7, 2015 sale, the Property was owned by a private individual and as such, the Properties were assessed and taxed at true value *in accordance with New Jersey’s Local Property Tax Law*; and

**WHEREAS**, since May 15, 2015 the Properties have been continuously owned by the Federal Government and used exclusively for a public purpose, specifically recreational parkland; and

**WHEREAS**, the Properties fully qualify for a real property tax exemption under Federal law; and

**WHEREAS**, as a result of an error in the tax records, Block 94, Lot 1.01 and Block 91, Lot 7.03 have been taxed as non-exempt property since May, 2015; and

**WHEREAS**, as a result of the error, tax collection records show past due taxes, assessments and municipal charges for these properties; and

**WHEREAS**, based upon the qualifying ownership and use of the exempt properties, the taxes, assessments and municipal charges that have accrued since May, 2015 are unauthorized and as such must be cancelled; and

**WHEREAS**, N.J.S.A. 54:4-99 and N.J.S.A. 54:4-100 permits a governing body to abate, revise, alter, adjust and settle past due taxes, assessments and other municipal charges, which are unauthorized by law, including principal, interest and penalties thereon, and as shall be deemed equitable and just and for the best interests of the municipality; and

**WHEREAS**, based upon the foregoing, it is in the best interest of the municipality to cancel the taxes, assessments and charges that have accrued; and

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

1. The Tax Collector is hereby directed to cancel all taxes, assessments and municipal charges that have accrued on Block 94, Lot 1.01 and Block 91, Lot 7.03 since May, 2015 pursuant to the authority vested in the Township Council by N.J.S.A. 54:4-99 and N.J.S.A. 54:4-100.



2. Block 94, Lot 1.01 and Block 91, Lot 7.03 shall be permanently removed from any and all Tax Sale Foreclosure Lists of the Township of Vernon effective immediately.
3. A certified copy of this resolution shall be forwarded to the Tax Collector for the Township of Vernon for her information, attention and compliance.

**RESOLUTION # 17-208**

**RESOLUTION AUTHORIZING TOWNSHIP COUNCIL TO REJECT ALL BIDS  
FOR THE PROPOSED WATER SERVICE LINES TO THE  
VERNON TOWNSHIP MUNICIPAL BUILDING & DPW GARAGE**

**WHEREAS**, the Township of Vernon publicly advertised for bids in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. for the Proposed Water Service Lines to the Vernon Township Municipal Building & DPW Garage; and

**WHEREAS**, on the publicly advertised bid date of October 19, 2017 @ 11:00 am, the Township accepted bids from the two (2) following vendors: Walkkill Group, Inc. and Bob Viersma & Sons, Inc.; and

**WHEREAS**, in a memo dated November 7, 2017, the Township Engineer states upon review of the bids received, recommends the bids from Walkkill Group, Inc. and Bob Viersma & Sons, Inc. be rejected, due to the costs exceed the available budget for the project; and

**WHEREAS**, the Local Public Contracts Law, specifically N.S.J.A.40A:11-13.2 (b) authorizes the Township to reject the bids received for these reasons.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon, County of Sussex, State of New Jersey, that it hereby accepts and approves the Township Engineer's recommendations to reject all bids for the Proposed Water Service Lines to the Vernon Township Municipal Building & DPW Garage; in accordance with the Local Public Contracts Law and the reasons set forth in this Resolution.

**BE IT FURTHER RESOLVED**, that the Township Clerk is hereby authorized and directed on behalf of the Township to return any bid bonds submitted by the vendors in accordance with the latest bid proposal submission.

This Resolution shall take effect immediately.

Council President Murphy asked for a motion to approve Resolution #17-204.

Council Member Ooms questioned with this resolution, what will be the total budget amount in the legal line which Ms. Yetter stated possibly up to \$500,000. Funds in the 2017 budget remain in the salary line for seasonal employees as well as the Group Insurance line and can now be transferred to cover unexpected litigation costs.

MOVED: Dan Kadish

SECOND: Sandra Ooms

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #17-204.

**RESOLUTION # 17-204**

**TRANSFER RESOLUTION- BALANCE TRANSFERS**

**WHEREAS**, the Township of Vernon Municipal Budget requires certain modifications to cover potential expenses that may occur in excess of the original budget...

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Vernon that the following Transfer of Appropriations (2017 Municipal Budget) in accordance with N.J.S.A 40A-58/59 are hereby approved.

**FROM:**

CURRENT FUND BUDGET

Volunteer Emergency Services- OE	\$80,000.00
Economic Development- OE	\$1,500.00
Parks Maintenance- S&W	\$6,000.00
Social Security- OE	\$30,294.31
Technology-OE	\$6,000.00
Group Insurance -OE	\$55,000.00
Other Insurance-OE	\$5,000.00
Police-OE	\$10,000.00
Building & Grounds-OE	\$5,500.00
	<hr/>
	\$199,294.31
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**TO:**

CURRENT FUND BUDGET

Legal-OE	\$191,794.31
Recycling-OE	\$1,500.00
Road Repairs & Maintenance S&W	\$6,000.00
	<hr/>
	\$199,294.31
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**INTRODUCTI ON/1<sup>ST</sup> READING OF PROPOSED ORDINANCES**

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

**Ordinance #17-17:** Ordinance of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Chapter 5 Of The Code Of The Township Of Vernon Regarding Bureau Of Animal Control

Council President Murphy asked for a motion to Introduce Ordinance #17-16 with a public hearing to be held on November 22, 2017.

Mr. Voelker explained the decision to move forward with reassigning the Animal Control Department began last year and with prosecution of dangerous dog case this year, it became evident that efficiency and effectiveness would be increased with this change. The only change would be the Animal Control Officer would report to the Chief of Police rather than the Business Administrator.

Council Member Kadish stated last sentence should be swapped with 2<sup>nd</sup> sentence clarifying that the Mayor appoints the Animal Control Officer and a sunshine clause should be added.

Council Member Rizzuto opined that the change was not needed as the department is run very well. Mr. Voelker added that there is room for improvement in every department and with this

change, as all dispatched calls are through the police department, responses and effectiveness will be enhanced.

Township Attorney Mr. Zielinski stated motion of revision in first paragraph of Ordinance shall read: Subordinate Officers and employees of the Bureau of Animal Control may also be appointed and removed by Mayor. The Certified Animal Control Officer shall be supervised by the Chief of Police or his designee. This provision of Township Code will expire after three years of being enacted.

Ms. Kirkman questioned what status will be after three-year period. Mr. Zielinski stated ordinance will be reverted to previous ordinance

MOVED: Dan Kadish with revision as noted

SECOND: Jean Murphy

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 #17-17 with revision as noted with a public hearing to be held on November 22, 2017.

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

Council Member Murphy read the ordinance 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 open the public hearing for Ordinance#17-16.

MOVED: Dan Kadish

SECOND: Dick Wetzel

All members voted in favor.

Roseanne Brennan, questioned why the Faline Building was not included in Ordinance #17-16 and Ms. Yetter explained it will be added to the sale in the Spring of 2018.

Seeing no more members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #17-16.

MOVED: Sandra Ooms

SECOND: Dan Kadish

All members voted in favor.

Ms. Yetter stated that the Township needs to remove Block 200.10 Lot 26, 552 Grandview Drive from Ordinance#17-16 due to issue with selling property which is allowed per state statute prior to bid opening.

Council President Murphy asked for a motion to adopt Ordinance#17-16 with removal of Block 200.10 Lot 26.

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#17-16 with removal of Block 200.10 Lot 26.

**COUNCIL COMMENTS**

Council Member Wetzel congratulated Mr. Auberger and Mr. Van Tassel on their victories.

Council Member Ooms congratulated the newly elected council members as well as Ms. Murphy for her re-election. She added congratulations on the retirement of Tom Maellaro, Animal Control Officer and suggested presenting a Proclamation at next meeting.

Ms. Ooms requested to have a resolution added to the next council meeting authorizing the bills list to be added to Council agendas going forward and requests the Township Attorney to prepare the resolution.

Council Member Rizzuto congratulated the newly elected Council Members and commented that there are many problems confronting Vernon and it is important to consider the long-term implications of your actions.

Council Member Wetzel thanked the public for exercising their right to vote as it is one’s civic responsibility and duty and wishes the public a Happy Thanksgiving.

**COUNCIL PRESIDENT COMMENTS**

Council President Murphy reminded the public about the annual “Wreaths Across America”, wreath laying ceremony which will be held @ 10:00 am on December 16, 2017 at the Glenwood Cemetery at a sponsorship fee of \$15.00/wreath to be placed on veteran’s sites.

**ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:44 p.m.

Respectfully submitted,

\_\_\_\_\_  
Lauren Kirkman, RMC, CMR  
Municipal Clerk

\_\_\_\_\_  
Jean Murphy,  
Council President

Minutes approved: January 8, 2018