

Township of Vernon

TOWNSHIP COUNCIL MEETING MINTUES

November 26, 2018

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:00 p.m. on November 26, 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, Dan Kadish, Mark Van Tassel, John Auberger and Council President Murphy, Business Administrator Charles Voelker and Township Attorney Josh Zielinski.

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
 - b. Personnel

Council President Murphy asked for a motion to go into Executive Session at 6:01 p.m.

MOVED: John Auberger
SECOND: Dan Kadish
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: Jean Murphy
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. November 26, 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, Dan Kadish, Mark Van Tassel, John Auberger and Council President Murphy, Mayor Harry Shortway, Business Administrator Charles Voelker and Township Attorney Josh Zielinski.

SALUTE TO THE FLAG

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

PROCLAMATIONS:

Council Member Ooms read the Proclamation declaring November 2018 as Pancreatic Cancer Awareness Month.

PANCREATIC CANCER AWARENESS MONTH

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

WHEREAS, in 2018, an estimated 55,000 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.

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.

Colleen Lancellotti, [REDACTED] thanked the Township for raising awareness for Pancreatic Cancer as she knows a close friend who perished from this illness.

Seeing no further 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.

MINUTES

Council President Murphy asked for a motion to approve the Special Meeting Minutes November 5, 2018, Executive Meeting Minutes November 5, 2018, Regular Meeting Minutes November 8, 2018 and the Executive Session Minutes of November 8, 2018.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve minutes.

ITEMS FOR DISCUSSION

Best Practices

Ms. Donelle Bright DeCouto, CFO, explained the Best Practices Questionnaire is an annual survey required by the State of New Jersey for state aid. She added this year's survey is more extensive than previous and with assistance from Township Attorney, Labor Attorney, Planner and Engineer, questions were completed and with a score of 82, Vernon is in full compliance. Ms. DeCouto added that with plans to amend Employee Handbook and other procedures, Vernon's score next year should improve. Council Members had no further questions.

CONSENT AGENDA

Council President Murphy read the title and gave a brief explanation of Resolutions #18-240 through #18-246.

Council President Murphy removed Resolutions #18-240 and #18-244 from Consent Agenda for a separate vote.

Council President Murphy removed Resolution #18-246 from agenda at the request of the licensee and Clerk.

Council President Murphy asked for a motion to approve Resolutions #18-241 through #18-243 and #18-245.

MOVED: John Auberger
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion carried to approve Resolutions #18-241 through #18-243 and #18-245.

Resolution #18-241

Authorizing Change Order #1 Of Contract For Traffic Striping Barry Drive North –Phase II With Denville Line Painting, Inc.

WHEREAS, on August 13, 2018, by way of adoption of Resolution #18-195, the Council of the Township of Vernon awarded a contract to Denville Line Painting, Inc. for Traffic Striping for Barry Drive North - Phase II which contract provided for an expenditure of \$4,850.70; and

WHEREAS, in a memo dated November 6, 2018, the Township Engineer states that the contract requires a Change Order #1 for the reduction of two items in amount of \$181.56 resulting in an adjusted total contract amount of \$4,669.14; and

WHEREAS, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will decrease the total contract amount by \$181.56 to an adjusted total contract amount of \$4,669.14.

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 decreasing the total contract amount with Denville Line Painting, Inc. to \$4,669.14; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Denville Line Painting and the Township Engineer.

Resolution #18-242

Authorizing Change Order #1 Of Contract For Guide Rails Barry Drive North Phase II With Road Safety Systems, LLC

WHEREAS, on August 13, 2018, by way of adoption of Resolution #18-195, the Council of the Township of Vernon awarded a contract to Road Safety Systems, LLC for Guide Rails for Barry Drive North - Phase II which contract provided for an expenditure of \$26,340.00; and

WHEREAS, in a memo dated October 18, 2018, the Township Engineer states that the contract requires a Change Order #1 for one extra item in amount of \$750.00 and one supplemental item in amount of \$1,625.00 and by the reduction of one item in amount of \$144.00 resulting in an adjusted total contract amount of \$28,571.00; and

WHEREAS, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase the total contract amount by \$2,231.00 to an adjusted total contract amount of \$28,571.00.

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 Road Safety Systems, LLC to \$28,571.00; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Road Safety Systems, LLC and the Township Engineer.

Resolution #18-243

Authorizing Change Order #1 Of Contract For Traffic Striping Wawayanda Road Improvements With Denville Line Painting, Inc

WHEREAS, on August 13, 2018, by way of adoption of Resolution #18-194, the Council of the Township of Vernon awarded a contract to Denville Line Painting, Inc. for Traffic Striping for Wawayanda Road Improvements which contract provided for an expenditure of \$10,059.30; and

WHEREAS, in a memo dated November 6, 2018, the Township Engineer states that the contract requires a Change Order #1 for the addition of one extra item in amount of \$ \$135.30 and the reduction of one item in amount of \$38.70 resulting in an adjusted total contract amount of \$10,155.90; and

WHEREAS, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase the total contract amount by \$96.60 to an adjusted total contract amount of \$10,155.90.

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 Denville Line Painting, Inc. to \$10,155.90; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Denville Line Painting and the Township Engineer.

Resolution #18-245

Renewal of Inactive Liquor License (HV Holdings, LLC) Requiring Special ruling in the Township of Vernon for the 2018-2019 Licensing Term

WHEREAS, all licenses to dispense alcoholic beverages must be renewed and reissued annually; and

WHEREAS, pursuant to N.J.S.A. 33:1-12.39 the following license required a Special Ruling by the State Division of Alcoholic Beverages as the license is currently inactive prior to its renewal; and

WHEREAS, the State Division of Alcoholic Beverages on June 20, 2018 issued said special ruling for the 2018-19 license terms; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et. seq., the Vernon Township Police Department has made the necessary inspections and reported same to the Township Clerk; and

WHEREAS, the licensee has complied with all of the regulations as set forth by the Alcoholic Beverage Control Commission of the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the following license shall be reissued for the 2018-2019 licensing period effective as of July 1, 2018.

Plenary Retail Consumption
HV Holdings LLC

1922-33-004-004

RESOLUTIONS REQUIRING SEPARATE ACTION

Council President Murphy asked for a motion to approve Resolution#18-240 and Resolution #18-244.

MOVED: John Auberger
SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy.

NAYES: None
ABSTAIN: John Auberger
ABSENT: None

Motion carried to approve Resolution#18-240 and Resolution #18-244.

Resolution #18-240
**Authorizing Two (2) Year Contract With Minerva Bunker Gear Cleaners Through Bid 11R-2018
Negotiations Under N.J.S.A. 40a:11-5(3)**

WHEREAS, the Township publicly advertised and sought receipt of public bids on July 24, 2018 at 10:45am and August 14, 2018 at 10:30am for a total of two (2) times for a Fire Department Turnout Gear Cleaning; and,

WHEREAS, the Township has duly advertised for bid #11-2018 and #11R-2018 where no bids were received on both occasions; and,

WHEREAS, the New Jersey State Local 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 authorized negotiations under N.J.S.A.40A:11-5(3) in resolution #18-211, authorized on September 24, 2018; and

WHEREAS, Minerva Bunker Gear Cleaners, 780 East 134th Street, Bronx NY 10454 has provided for a negotiated price offer that is deemed responsive and responsible and consistent with the tenets as sought in bid 11R-2018 and bid 11-2018; and

WHEREAS, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$5,000.00 are available as follows; Account#10575292.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, Sussex County that the Mayor is authorized to enter into a two (2) year contract award to Minerva Bunker Gear Cleaners, 780 East 134th Street, Bronx NY 10454.

Resolution #18-244
**Authorizing The Mayor To Sign A Contract Between The Township And Delta Dental Plan Care Plan For
Township Of Vernon Employees**

WHEREAS, the Township of Vernon ("Township") has a desire to offer the Delta Dental Premier Plus PPO Dental Plan to its employees; and

WHEREAS, the Township desires to execute the contract between the Township and Delta Dental; and

WHEREAS, Delta Dental had submitted a contract, detailing all of the benefits, conditions and costs for the Premier Plus PPO for the period effective January 1, 2019 through December 31, 2019; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 the New Jersey Local Pay-to-Play Law and pursuant to N.J.S.A. 40A:11-5(1) (a) (1) of the New Jersey Local Public Contracts Law, the Township may amend said Agreement without public bidding provided all reporting requirements have been met; and

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 sign contract for the Delta Dental Premier Plus PPO plan effective January 1, 2019 through December 31, 2019.
2. This Resolution shall take effect immediately upon passage in accordance with law.

PUBLIC HEARING/2ND READING OF ORDINANCES

Council President read by title Ordinance #18-30.

Ordinance #18-30: An Ordinance Amending Various Sections Of The Code Of The Township Of Vernon

Council President Murphy asked for a motion to open Public Hearing for Ordinance#18-30.

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

Seeing no member from the public wishing to come forward, Council President Murphy asked for a motion to close the Public Hearing for Ordinance #18-30.

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

Council President Murphy asked for a motion to adopt Ordinance#18-30.

MOVED: Sandra Ooms
SECOND: Dan Kadish

Mayor Shortway questioned the section which states appointment of Public Defender and Prosecutor was appointed by the Council. Clerk Kirkman indicated the section was being corrected to reflect appointment of the Mayor.

A roll call vote was taken:

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

Motion carried to approve Ordinance#18-30.

Council Member Kadish questioned what was advantage of Dental Plan chosen in previously approved Resolution #18-244. Ms. DeCouto explained the Township's broker reviewed various rates for one and two-year plans and the plan chosen is best suited and is for one year only.

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.

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: Dan Kadish
SECOND: Mark Van Tassel
All members voted in favor.

MAYORS REPORT

Mayor Shortway announced Vernon held the 2nd Annual Turkey Trot on Thanksgiving morning with 110 runners and thanked the Recreation Department and other volunteers for their assistance. He further thanked the community for coming out on a very cold day for a very good cause as all proceeds will be donated to the Harvest House for the less fortunate.

Mayor Shortway announced the Township Holiday Tree Lighting will take place on Friday November 30, 2018 at the Vernon Fire House, RT 515 from 6:30 - 8:00 pm. Sponsored by the Vernon Police Athletic League and Recreation Department, this year's theme is "Whoville – Dr. Seuss" and Mayor Shortway encourages the community to dress up and enjoy this great community affair.

Mayor Shortway reminded the public about "Wreaths Across America" wreath laying event will be on Saturday December 15, 2018 @ 12:00 pm at the Glenwood Cemetery, 926 RT 517. Additional information about the event can be found on the Glenwood Cemetery website. Mayor Shortway urges the community to sponsor the event and attend to honor those who have served.

COUNCIL COMMENTS

Council Member Auberger urged the community to have chimneys cleaned by a reputable company to avoid any damage or loss.

Council Member Van Tassel had no comment.

Council Member Ooms had no comment.

Council Member Kadish questioned what the entry on the Bills List for \$500,000.00 was for to Lakeland Bank. Ms. DeCouto explained that entry is a transfer from online tax payments to our current fund accounts.

COUNCIL PRESIDENT COMMENTS

Council President Murphy announced there will be Preliminary 2019 Budget Hearings on November 28th and 29th beginning at 9:00 am at the Municipal Building.

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 Ooms with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:19 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: December 10, 2018