

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL MEETING

DECEMBER 12, 2016

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday December 12, 2016 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Dan Kadish presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 5, 2016, 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 Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel and Council President Dan Kadish. Also present were Mayor Harry Shortway, Administrator Charles Voelker.

SALUTE TO THE FLAG

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

RESOLUTIONS REQUIRING SEPARATE ACTION

- a. **Resolution #16-286**: Authorizing The Award Of Contract For Professional Services

Council President Kadish asked for a motion to approve Resolution #16-286.

Motion: Sandra Ooms
Second: Jean Murphy

Council Member Rizzuto feels he was unable to obtain information about this appointment from the Mayor and is unsure of the experience of this professional and adds why is Council being asked to decide now and not at the Reorganization meeting in January. Council Member Rizzuto opines that Mr. Ursin served Vernon Township well and challenges the method of the appointment as unprofessional. Mayor Shortway acknowledged Mr. Rizzuto and noted his complaint.

A roll call was taken:

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

Motion carried to approve Resolutions#16-286.

TOWNSHIP OF VERNON

RESOLUTION #16-286

**AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES**

WHEREAS, there is a need for Professional Services to the Township of Vernon for Attorneys; and

WHEREAS, N.J.S.A. 40A:11-5 specifically exempts professional services from provisions of public bidding as provided in the Local Public Contracts Law; and

WHEREAS, said specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession, and whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced field of learning acquired by a prolonged formal course of specialized training and study as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, the Township of Vernon is desirous to enter into an agreement with these professionals as a fair and open contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the Chief Finance Officer has certified in writing that the value of the contracts are available for these purposes subject to the adoption of the 2016 Municipal Budget; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that they hereby authorize and approve the award of contracts of a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:20-1 et seq. to provide Services in accordance with the attached Contracts for Professional Services pursuant to a non-fair and open contract to the following:

1. Township Attorney: Joshua Zielinski, Esq. of Mc Elroy, Deutsch, Mulvaney & Carpenter, LLP

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

- (a) A fully-executed professional services contract detailing the scope of services, established fees for said professional services, mandatory Equal Opportunity Language and Affirmative Action Certificate; and
- (b) Receipt of all statutorily mandated "pay to play" political contribution forms pursuant to N.J.S.A. 19:44A-20.4 et seq.; and
- (c) New Jersey Business Registration Certificate; and
- (d) Upon the aforementioned professional being a member in good standing in his respective profession.
- (e)

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute, seal and deliver the attached Contracts for Professional Services on behalf of and in the name of the Township of Vernon and that the Municipal Clerk shall publish the award of contract as required by law with ten (10) days of passage of this Resolution.

Mr. Zielinski joined the Council on the dais.

PROCLAMATIONS:

Council Member Murphy read Proclamation for Wreaths Across America

WREATHS ACROSS AMERICA

WHEREAS, on Dec. 17, Wreaths Across America will be conducted by a wreath-laying observance in honor of local veterans and will help lay wreaths at Glenwood Cemetery in order to: Remember the fallen, Honor those who serve, and Teach our children the value of freedom; and

WHEREAS, Wreaths Across America began in 2006 as an offshoot of the Arlington National Cemetery wreath project, which was started 20 years ago, in 1992, with the annual placement of wreaths; and

WHEREAS, Glen Meadow Middle School, National Junior Honor Society, is working with Wreaths Across America, a nonprofit organization with a mission to remember, honor and teach about the service and sacrifices of our nation's veterans; and

WHEREAS, Wreaths Across America Groups will help adorn veteran memorials and gravesites in all 50 states with red-ribboned remembrance wreaths on Dec. 17 in stirring, solemn tributes to the courage and sacrifice of those who have guarded and preserved our nation's freedom throughout history; and

WHEREAS, Glen Meadow Middle School, National Junior Honor Society will lay more than 100 Wreaths in observance of Wreaths Across America observances this year; and

WHEREAS, students of Glen Meadow Middle School, and members of the public have sponsored placement wreaths on veterans' graves throughout the Glenwood Cemetery.

NOW THEREFORE BE IT RESOLVED THAT on this day, the twelfth of December, two-thousand and sixteen, the Mayor and the Council of the Township of Vernon hereby honors, recognizes and commends all the volunteers for this patriotic tribute to America's veterans.

Presented this 12th day of December 2016

Council Member Rizzuto read Proclamation in Recognition of John F. McGowan

John F. McGowan

WHEREAS, it is the Township's continued pleasure and honor to recognize citizens in our community for their special actions and continuing service; and

WHEREAS, there are many that step forward in dedication and commitment to provide service above oneself in the daily life of our community; and

WHEREAS, John F. McGowan, is one of the longest serving members of the Vernon Township Board of Education with over 31 years of continuous uninterrupted and dedicated service; and

WHEREAS, John is about to complete his final term as a member of the Vernon Township Board Of Education; and

WHEREAS, John, a graduate of Seton Hall University, Vietnam Combat Veteran as well as Infantry Sgt. has also served as the President of the Board of Education and provided strong and effective leadership. John is also an active supporter of Vernon High School's Athletics Program.

NOW, THEREFORE, the Council and Mayor of the Township of Vernon on behalf all citizens in our community, take this opportunity to recognize and honor John F. McGowan for his continued service and dedication to the residents of the Township of Vernon. We all thank John and wish him much health and success in his future endeavors.

Given under my hand in these free United States in the Township of Vernon, State of New Jersey on this 12th day of December, two thousand sixteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council President Kadish noted the passing of John Glenn and the White House request to keep the flags at half staff.

DEATH OF JOHN GLENN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

As a mark of respect for the memory of John Glenn, I hereby order, by the authority vested in me by the Constitution and the laws of the United States of America, that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout

the United States and its Territories and possessions until sunset, on the day of interment. I also direct that the flag shall be flown at half-staff for the same period at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

Mayor Shortway presented Retirement Plaques recognizing John Auberger of the Department of Public Works and David Pullis, Director of the Department of Public Works who both retired in 2016.

Mayor Shortway thanked the men for their hard work and dedication to the Township.

PRESENTATIONS

A. Glenwood Project Presentation

Charles Bates, Chairperson of the Historic Preservation Commission (HPC) introduced members of the Historic Preservation Commission (HPC), Laura Pettinato and Ron Dupont and introduced the North Vernon - Glenwood project. Mr. Bates explained the HPC recognizes structures, sites or properties with historic value. He added the HPC would like to establish the North Vernon – Glenwood area which had been approved by the Vernon Land Use Board. Mr Bates proposed a sign be erected to reflect the significance. Mr. Dupont explained the original name prior to 1860 was North Vernon but when a Post Office was added to this area it was changed to Glenwood which area includes Apple Valley Inn, Gabriel Homestead, a Methodist Church now Pochuck Farms and where Civil War Captain Bailey was born. Captain Bailey, named father of this town, helped in the Railroad line, Glenwood Cemetery and built the Glenwood Grist Mill in 1805. Evidence found on site at the Apple Valley Inn linked Gabriel Houston to the site when a 1831 coin was found under the porch. Mr. Dupont further described the significance of the Glenwood Baptist Church, Glenwood Cemetery and explained the proposed recognition is a non-restrictive historical area which contains no legal restrictions. The designated area would put Glenwood on the map for a tourism spot, appealing to consumers, raise the profile of community's history, heritage and protect investments. Mr. Dupont displayed pictures of the two proposed signs demarcating it as a historical area. Council Member Murphy questioned who will maintain the signs? Mr. Bates stated individual homeowners where the signs are located would be responsible. It was also noted that there is a statue located at Glenwood Cemetery of woman in the Bailey family and the statute is located on Bailey Hill.

PUBLIC COMMENTS

Council President Kadish asked for a motion to open Public Comments.

MOVED: Jean Murphy

SECONDED: Sandra Ooms

All members voted in favor.

Jessi Paladini, commented that Mike Furrey of the HPC and the Historical Society also reviewed and prepared this presentation including Nancy Adam for her part. Ms. Paladini claimed that Mr. Ursin, the previous township attorney was fired on Friday and stated she felt that was an OPMA violation. Ms. Paladini claimed that two members of council were unaware of the change. Council President Kadish stated Mr. Ursin was a holdover from 2015 until new attorney hired and Council Member Murphy noted the Council had just acted to appoint tonight. Ms. Paladini asks about agenda items to appoint Board members and per Faulkner Act, vacancies must be advertised and feels it is a requirement of the Citizens Service Act. Mr. Zielinski commented the Mayor will address the appointments in his report.

Ms. Paladini questioned Council President Kadish's sale of his tenant's home; claiming the appropriate inspections were not done until November. Council President Kadish explained the new owner, Mr. Brown, was responsible for same and paid \$1,500 for it.

Roseanne Brennan, [REDACTED] commented that Town Center needs water for growth and any new business will not come until it is accessible. Ms. Brennan stressed the amount of vacant properties in Vernon. Mayor Shortway added since he has been in office he has worked to move forward with Suez to add water to Church Street and Town Center but will need further engineering information, permits and need to council support to bond. Ms. Brennan added she owns a great location and encourages Council to move forward to flourish as a Township.

Council Member Rizzuto agreed with Ms. Brennan and pledged support to the Mayor in this project with the understanding that additional funding will be needed so infrastructure issues are resolved but adds it can't be done until bond issue brought forward.

Council President Kadish asked for a motion to close Public Comments.

MOVED: Jean Murphy
SECONDED: Sandra Ooms
All members voted in favor.

MAYOR'S REPORT

Mayor Shortway expressed thanks to the following groups for help with Holiday Tree Lighting: Vernon Fire, Police and DPW, Vernon PAL, Vernon Recreation, Beautification Committee, talented students, Donation of Tree by resident of End O' Lane, Haltner Tree Service, Jeanne Buffalino, Mishelle Downtain and Mary Ellen Vichiconti.

Mayor Shortway distributes application by Mountain Creek requesting fireworks display on New Year's Eve which was received after agenda finalized and notes it has been reviewed and approved by Fire Marshall Tosto. Council President Kadish asked for a motion to approve Resolution for Fireworks:

MOVED: Patrick Rizzuto
SECONDED: Jean Murphy
All members voted in favor.

Motion carried to approve allowing Mountain Creek to have fireworks on New Year's Eve.

Mayor Shortway comments during his first year he has addressed changes in staff based on performance and past practices. He added that he chose an attorney outside of Sussex County to guide the administration and protect residents against frivolous lawsuits, and stated Mr. Zielinski's firm has successfully represented many entities at state and federal trials, commercial suits and civil RICO issues and earned national awards and recognition. He is a partner of McElroy, Deutsch, Mulvaney & Carpe, MDMC, members include former Supreme Court Justice from Connecticut, former NJ Judge, former Superior Court Justice and former Dean of Seton Hall School of Law. Partners in MDMC served in Office of US Attorney General and NJ Attorney General and as Assistant Prosecutors of County Prosecutor Offices. Mayor Shortway thanked the Council for their approval in his appointment by acting now to save tax dollars.

Mayor Shortway stated he received a call from Andrew Mulvihill over the summer asking why the administration is enforcing the ABC licensing rules which prior administrations didn't to which Mayor said he is doing it to protect all residents and stabilize taxes. Mayor Shortway added an attorney for Legends hotel informed the Township they may file litigation because of Vernon enforcing Township ordinances on the hotel.

Mayor Shortway stated the Township has possession of the recording of Environmental (EC) meeting where former Mayor Marotta instructs the Commission to sue Township over terms of members. Mayor Shortway added the previous administration failed to correct the terms as required by law but the current administration did under guidance of municipal attorney. He added that former Township Prosecutor Michael Hannifan, who was not reappointed in 2016, claims he will file a lawsuit against the Township on behalf of the Environmental Commission. Mayor Shortway added candidates rejected by Vernon's voters and who had supported Marotta in the election, were then added by 'midnight appointments' at end of Mayor Marotta's term but Mayor Shortway credits some who have pledged to work for all of Vernon residents.

Mayor Shortway states that his administration does not support that the valuable property where Vernon Historical Society is located, which only pays \$1.00 rent/ year for their building to the Board of Education nor has the Township continued to provide the organization with thousands of dollars per year of tax payer money. Mayor Shortway stated he will continue to strive for the wellbeing of all Vernon residents. Mayor Shortway expressed concern that the previous EC recording secretary's mission to disrupt administrative functions, accusing the Administration of hostile work environment, racketeering and Nazi tactics. Mayor Shortway noted her numerous administrative requests have stymied the Township from addressing real issues of water and sewer service. Mayor Shortway expressed dismay that this individual spoke publicly about unsupported and untruthful allegations against Council President Dan Kadish. Mayor Shortway said he would not succumb to political bullying. Mayor Shortway stated Vernon must fight the fight to move forward. It is in the best interest of the people that this Council consented to appoint Mr. Zielinski tonight to protect and serve the people, allow our residents and businesses the opportunity to prosper and allow Vernon realize its full potential. Happy and Healthy Holidays to all.

MINUTES

Regular Meeting Minutes November 14, 2016.

Council Member Murphy asked for correction to minutes presented on page 18 about changing the terms to state to “rely on future councils”.

Council President Kadish asked for motion to approve minutes of November 14, 2016 with revision.

MOVED: Jean Murphy with correction stated

SECONDED: Sandra Ooms

Roll Call:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Regular Minutes of November 14, 2016 with revision.

CONSENT AGENDA

Council President Kadish gave a brief explanation of the Resolutions.

Resolution #16-265: Authorizing The Mayor To Sign A Contract Between Horizon Blue Cross Blue Shield Of New Jersey For Option Of Alternative Prescription Plan For Township Of Vernon Employees

Resolution #16-266: Authorizing The Mayor To Sign A Contract Between The Township And VSP Vision Care Plan For Township Of Vernon Employees

Resolution #16-268: Authorizing The Mayor To Sign A Renewal Contract Between Horizon Blue Cross Blue Shield Of New Jersey For Health And Prescription Plans For Township Of Vernon Employees

Resolution #16-281: Authorizing The Mayor To Sign A Contract Between The Township And Delta Dental Plan Care Plan For Township Of Vernon Employees

Council Member Rizzuto questioned if these changes in medical coverage for employees are in accordance with labor agreements and acceptable? Ms. Yetter explained the current labor agreements contain clauses to offer alternative plans for employees who want to save money.

Council President Kadish asked for a motion to approve Resolutions#16-265, #16-266, #16-268 & #16-281.

MOVED: Jean Murphy

SECONDED: Sandra Ooms

Roll Call:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions#16-265, #16-266, #16-268 & #16-281.

RESOLUTION #16-265

AUTHORIZING THE MAYOR TO SIGN A CONTRACT BETWEEN HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR OPTION OF ALTERNATIVE PRESCRIPTION PLAN FOR TOWNSHIP OF VERNON EMPLOYEES

WHEREAS, the Township of Vernon ("Township") has been notified of a 36% increase in prescription premiums; and

WHEREAS, the Township desires to offer an optional Horizon Prescription Plan with higher co-payments from Horizon Blue Cross Blue Shield for its employees; and

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

WHEREAS, the Township desires to execute the contract between the Township and Horizon Blue Cross Blue Shield of New Jersey; and

WHEREAS, Horizon had submitted a contract, detailing all of the benefits, conditions and costs for the Horizon prescription plan for the period effective January 1, 2017 through December 31, 2017; 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 Horizon optional prescription plan with Horizon Blue Cross Blue Shield of New Jersey effective January 1, 2017 through December 31, 2017.
2. This Resolution shall take effect immediately upon passage in accordance with law.

RESOLUTION #16-266

AUTHORIZING THE MAYOR TO SIGN A CONTRACT BETWEEN THE TOWNSHIP AND VSP VISION CARE PLAN FOR TOWNSHIP OF VERNON EMPLOYEES

WHEREAS, the Township of Vernon ("Township") has a desire to offer the VSP Signature Vision Plan to its employees; and

WHEREAS, the Township desires to execute the contract between the Township and VSP Vision Care; and

WHEREAS, VSP Vision Care had submitted a contract, detailing all of the benefits, conditions and costs for the VSP Signature Plan for the period effective January 1, 2017 through December 31, 2017; 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 VSP Vision Care Signature Vision Plan effective January 1, 2017 through December 31, 2017.
2. This Resolution shall take effect immediately upon passage in accordance with law.

RESOLUTION #16-268

AUTHORIZING THE MAYOR TO SIGN A RENEWAL CONTRACT BETWEEN HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR HEALTH AND PRESCRIPTION PLANS FOR TOWNSHIP OF VERNON EMPLOYEES

WHEREAS, the Township of Vernon ("Township") has a desire to renew the Horizon PPO and OMNIA 3 optional plan of health insurance and renew the existing Horizon Prescription plan from Horizon Blue Cross Blue Shield for its employees; and

WHEREAS, the Township desires to execute the contract between the Township and Horizon Blue Cross Blue Shield of New Jersey; and

WHEREAS, Horizon had submitted a contract, detailing all of the benefits, conditions and costs for the above mentioned plans for the period effective January 1, 2017 through December 31, 2017; 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 and Clerk of the Township of Vernon is hereby authorized to sign renewal contract for the Horizon PPO, Omnia 3 optional plan and Horizon Prescription Plan with Horizon Blue Cross Blue Shield of New Jersey effective January 1, 2017 through December 31, 2017.
2. This Resolution shall take effect immediately upon passage in accordance with law.

RESOLUTION #16-281

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, 2017 through December 31, 2018; 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, 2017 through December 31, 2018.
2. This Resolution shall take effect immediately upon passage in accordance with law.

Council President Kadish asked for a motion to approve Resolutions#16-267 & #16-269.

MOVED: Jean Murphy
SECONDED: Sandra Ooms

Council Member Ooms asks if Resolution 16-267 is to give additional choice to employees. Ms. Yetter explains Resolution #16-267 is an additional choice for health care plan and has a PPO and flex spending where employees pay premium and put own money in, no township contribution to spending account. Ms. Yetter explains Res#16-269 is contract for Benecard for reporting & actuary services, at a cost of \$5,500, to receive subsidy from Federal government for covered retirees which is estimated at \$33,000.00 annually.

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

Motion carried to approve Resolutions#16-267 & #16-269.

RESOLUTION #16-267

AUTHORIZING THE MAYOR TO SIGN A CONTRACT BETWEEN HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR OPTION OF HORIZON MY WAY HSA PLAN FOR TOWNSHIP OF VERNON EMPLOYEES

WHEREAS, the Township of Vernon ("Township") has a desire to offer an optional Horizon MyWay HSA Direct Access plan of health and prescription insurance from Horizon Blue Cross Blue Shield for its employees; and

WHEREAS, the Township desires to execute the contract between the Township and Horizon Blue Cross Blue Shield of New Jersey; and

WHEREAS, Horizon had submitted a contract, detailing all of the benefits, conditions and costs for the Horizon MyWay HSA Direct Access plan for the period effective January 1, 2017 through December 31, 2017; 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 and Clerk of the Township of Vernon is hereby authorized to sign contract for the Horizon MyWay HSA Direct Access option plan with Horizon Blue Cross Blue Shield of New Jersey effective January 1, 2017 through December 31, 2017.
2. This Resolution shall take effect immediately upon passage in accordance with law.

RESOLUTION #16-269

AUTHORIZING THE PARTICIPATION IN THE MEDICARE RETIREE DRUG SUBSIDY PLAN AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTS WITH BENECARD SERVICES, LLC TO ADMINISTER THE PLAN AND WITH CIRKIEL ACTUARIAL CONSULTING LLC TO PREPARE THE ACTUARIAL ATTESTATION FOR THE PLAN APPLICATION

WHEREAS, the Township of Vernon ("Township") has a desire to participate in the Medicare Retiree Drug Subsidy Plan in order to receive subsidy payments from Medicare to help offset the prescription drug costs for our retirees; and

WHEREAS, the Township desires to execute the contract between the Township and Benecard Services, LLC to administer this plan; and

WHEREAS, Benecard had submitted a proposal, detailing all of their services for the administration of the plan; and

WHEREAS, the Township desires to have Cirkiel Actuarial Consulting LLC perform the actuarial attestation for the Plan application.

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 with Benecard Services, LLC to apply for and administer the Medicare Retiree Drug Subsidy Plan.
2. The Mayor of the Township of Vernon is hereby authorized to sign contract with Cirkiel Actuarial Consulting LLC to perform the actuarial attestation for the Medicare Retiree Drug Subsidy Plan.
3. This Resolution shall take effect immediately upon passage in accordance with law

Resolution #16-270: Resolution Of The Township Council Of The Township Of Vernon Donating A Truck To The Pochuck Fire Department (Clarifying Resolution 16-208)

Resolution #16-271: Amending Resolution #16-05 Petty Cash Custodian

Resolution #16-272: Resolution: Rescinding Petty Cash Fund

Resolution #16-273: Authorizing The Use Of A Request For Proposal Process And Authorizing The Township Business Administrator Of The Township Of Vernon To Advertise The Request For Proposal And Notice To Bidders For Revaluation Of All Real Properties

Council President Kadish asked for a motion to approve Resolutions#16-270-#16-273.

MOVED: Jean Murphy

SECONDED: Sandra Ooms

Roll Call:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions#16-270-#16-273.

Resolution No. 16-270

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON DONATING A TRUCK TO THE POCHUCK FIRE DEPARTMENT (Clarifying Resolution 16-208)

WHEREAS, Resolution 16-208 authorized the donation of a truck to the Pochuck Fire Department on September 26, 2016; and

WHEREAS, the original resolution identified a 2002 Chevy 4x4 Blazer with an approximate value of \$2,000; and

WHEREAS, the Fire Department has now requested a 2004 black Chevy Blazer, vin #1GNNDT13X94K149774 with the same value in lieu of the 2002 Chevrolet 4x4 Blazer.

NOW THEREFORE IT BE RESOLVED that Resolution 16-208 is clarified by referencing the vehicle identified in this resolution. The Council authorizes the donation of this truck to the Pochuck Fire Department.

RESOLUTION # 16-271

AMENDING RESOLUTION #16-05 PETTY CASH CUSTODIAN

WHEREAS, Resolution #16-05, Resolution Reauthorizing Petty Cash Funds for Calendar Year 2016, listed the custodians of the Township Petty Cash Funds; and

WHEREAS, the Department of Public Works custodian is no longer Dave Pullis.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Vernon, hereby amends Resolution # 16-05 to reflect that the new Custodian of the Petty Cash Fund of the Department of Public Works is Clarence Babcock.

RESOLUTION #16-272

Resolution: Rescinding Petty Cash Fund

WHEREAS, it is the desire of the Council of the Township of Vernon, County of Sussex that the petty cash fund for the Recreation Department be rescinded.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Vernon County of Sussex hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services,

RESOLUTION #16-273

AUTHORIZING THE USE OF A REQUEST FOR PROPOSAL PROCESS AND AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF VERNON TO ADVERTISE THE REQUEST FOR PROPOSAL AND NOTICE TO BIDDERS FOR REVALUATION OF ALL REAL PROPERTIES

WHEREAS, the Township of Vernon has determined the need to contract for services to prepare and execute a complete program of revaluation or real property in the Township; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, that the use of a Request for Proposal process pursuant to N.J.S.A. 40A:11-4.1 et seq. for the above project is hereby authorized and that the Township of Vernon Business Administrator, Tax Assessor on CFO are hereby appointed to administer the Request for Proposal process; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and the State of New Jersey, that for the purposes of submission of any Request for Proposals that the Municipal Clerk of the township of Vernon be and is hereby authorized and directed to advertise for Request for Proposals for execution a complete program of revaluation of real property in the Township.

Council President Kadish asked for a motion to approve Resolutions#16-274 - #16-280.

MOVED: Jean Murphy

SECONDED: Sandra Ooms

Roll Call:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions#16-274 - #16-280.

RESOLUTION #16-274

AUTHORIZING THE AWARD OF A CONTRACT FOR 2017 BETWEEN THE TOWNSHIP OF VERNON AND SPATIAL DATA LOGIC FOR GEOLOGIC SOFTWARE SUPPORT IN THE AMOUNT OF \$9,750.00

WHEREAS, there exists a need for Geologic Software Support for the Township of Vernon in the Planning & Zoning, Building, Manager's, Fire Prevention's departments and the Assessor's Office; and

WHEREAS, the Township had previously invested in software from Spatial Data Logic, Somerset, NJ, which is currently being used in the above mentioned departments for permitting, licensing, electronic maintenance of all inspection reports and transmission of monthly activity reports directly to the Department of Community Affairs; and

WHEREAS, Technical Customer Support and Upgrades of this system are needed to operate efficiently in these departments and Spatial Data Logic is the sole provider of these maintenance services to Vernon Township's current system; and

WHEREAS, the cost for the 2017 Technical Customer Support and upgrades to currently owned modules for the Township of Vernon is \$9,750.00; and

WHEREAS, the Chief Financial Officer of the Township of Vernon, has determined and certified the funds of this agreement subject to the adoption of the 2017 Municipal Budget.

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 Township of Vernon is authorized to engage Spatial Data Logic for the purpose of Technical Customer Support and Upgrades to currently owned modules.
2. The Mayor and Township Clerk are hereby authorized and directed to Contract with Spatial Data Logic, Somerset, NJ

RESOLUTION #16-275

**RESOLUTION OF PARTICIPATION
A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY
FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL
JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.**

WHEREAS, the Township of Vernon Police Department wishes to apply for funding of approximately \$60,000 with a match of \$173,374 for an approximate project total cost of \$233,374 for a project under the State of New Jersey Safe and Secure Grant Program, Grant #P-7064-17; and

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

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

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

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

Resolution #16-276

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

WHEREAS, certain 2014 Appropriation Reserve Balances remain that are no longer needed; and

WHEREAS, a STORM RECOVERY RESERVE TRUST FUND was established by Resolution #07-68 and approved by the Division of Local Government Services on April 17, 2007; and

WHEREAS, it is necessary to formally cancel said balances from appropriation reserves and fund the Snow Removal Trust Fund,

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon, that the following unexpended balances of the Appropriations Reserves be cancelled:

Road Repairs & Maintenance - SW	\$ 51,000.00
Road Repairs & Maintenance - OE	<u>49,000.00</u>
TOTAL	<u>\$ 100,000.00</u>

Resolution #16-277

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

WHEREAS, certain 2015 Appropriation Reserve Balances remain that are no longer needed; and

WHEREAS, an ACCUMULATED ABSENCES TRUST was established by Resolution #02-44 and approved by the Division of Local Government Services on April 05, 2002; and

WHEREAS, it is necessary to formally cancel said balances from appropriation reserves and fund the Accumulated Absences Trust Fund,

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon, that the following unexpended balances of the Appropriations Reserves be cancelled:

Police Department- S&W	<u>\$ 45,000.00</u>
TOTAL	<u>\$ 45,000.00</u>

RESOLUTION #16-278

CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION AMENDING THE 2016 BUDGET AS A REVENUE AND APPROPRIATION OF \$5,000.00

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 \$5,000.00 2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown from the New Jersey Division of Highway Traffic Safety; and wishes to amend its 2016 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 2016 in the sum of \$5,000.00 which is now available as a revenue from the New Jersey Division of Highway Traffic Safety,

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 is hereby appropriated under the caption 2016 Get Sober or Get Pulled Over Year End Holiday Crackdown Grant.

Resolution #16-279

RESOLUTION – AUTHORIZING THE CANCELLATION OF CAPITAL APPROPRIATION BALANCES

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Capital Fund Balance, and 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:

ORD	DATE	PROJECT	AMOUNT CANCELLED
11-08	04-28-2011	EMERGENCY SERVICE IMPROVEMENTS	1,395.65
13-15	09-09-2013	VARIOUS IMPROVEMENTS	1,181.75
14-05	04-28-2014	VARIOUS IMPROVEMENTS	289.46

Resolution #16-280

Temporary Budget- Debt Service

WHEREAS, N.J.S.40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year, and

WHEREAS, the date of this resolution is subsequent to that date, and

WHEREAS, principal and interest will be due on various dates from January 1, 2017 to January 31, 2017, inclusive, on bonds and notes issued and outstanding,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, in the County of Sussex, New Jersey, that the following appropriations be made to cover the period from January 1, 2017 to January 31, 2017 inclusive:

Payment of Bonds	\$1,691,265.00
Interest on Bonds	330,971.88
Principal on Road Assessment	<u>33,735.00</u>
Total	<u>\$2,055,971.88</u>

Resolution #16-282: 2016 Salaries For Non-Union Full Time Employee (Supervising Mechanic)

Resolution #16-284: Authorizing The Execution Of A Shared Service Agreement Between The Township Of Vernon And Borough Of Sussex For 9-1-1 Services

Resolution #16-285: Resolution Authorizing Tennessee Gas Pipeline To Install Electrical Lines Across Canistear Road Within Vernon Township

Council President Kadish asked for a motion to approve Resolutions#16-282, #16-284 & #16-285.

MOVED: Jean Murphy
SECONDED: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel (16-282, 16-284)
Dan Kadish

NAYES: None

ABSTAIN: Dick Wetzel (16-285 only)

ABSENT: None

Motion carried to approve Resolutions#16-282, #16-284 & #16-285.

RESOLUTION # 16-282

2016 SALARIES FOR NON-UNION FULL TIME EMPLOYEE (Supervising Mechanic)

WHEREAS, Ordinance #16-28 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 annual salary or wage, the same being consistent with Ordinance #16-28 retroactive to January 1, 2016.

Position	Name	2016 Base Salary
<u>Ordinance 16-28</u>		
Supervising Mechanic	Peter Ribello	\$ 66,988.23

RESOLUTION #16-284

AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND BOROUGH OF SUSSEX FOR 9-1-1 SERVICES

WHEREAS, the Township of Vernon and the Borough of Sussex wish to enter into a Shared Service Agreement for 9-1-1 dispatching services; and

WHEREAS, the Council of Vernon Township authorizes the Mayor and on behalf of the Township of Vernon to enter into a telecommunications agreement, effective January 1, 2017, to provide a telecommunications service to the Sussex Fire Department, First Aid Squad and Emergency DPW calls. The service of answering telephone or telephone dispatching emergency services by radio as may be required as a result of telephone calls received over said telephones and

WHEREAS, N.J.S.A. 40:8A-1 et seq. permits municipalities to enter into a local service agreement for the sharing of services and expenses.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey that the Mayor is authorized to execute a Shared Service Agreement between the Township of Vernon and the Borough of Sussex for 9-1-1 dispatching emergency services for 3 years, starting January 1, 2017 at an annual amount of \$15,000.00 to be paid by the Borough of Sussex quarterly; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the Mayor and Clerk of the Borough of Sussex.

RESOLUTION # 16-285

RESOLUTION AUTHORIZING TENNESSEE GAS PIPELINE TO INSTALL ELECTRICAL LINES ACROSS CANISTEAR ROAD WITHIN VERNON TOWNSHIP

WHEREAS, Tennessee Gas Pipeline has requested to construct an aerial electrical line across Canistear Road within Vernon Township for the purpose of cathodic protection of the pipeline; and

WHEREAS, the proposed electrical line would be installed by Sussex Rural Electric within the Tennessee Gas Pipeline right-of-way; and

WHEREAS, Tennessee Gas Pipeline has obtained the required permits from the Board of Public Utilities, Sussex Rural Electric and Sussex County Engineering and has provided the Township liability insurance for this project; and

WHEREAS, the Township Engineer has reviewed the proposed plans and recommends installation of an aerial electrical line for this purpose.

NOW, THEREFORE BE IT RESOLVED, the Council of the Township of Vernon hereby approves installation by Sussex Rural Electric of an aerial electrical line across Canistear Road within the Tennessee Gas Pipeline right-of way for the purpose of cathodic protection of the pipeline.

Council President Kadish asked for a motion to approve Resolution#16-283.

MOVED: Jean Murphy
SECONDED: Sandra Ooms

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

Motion carried to approve Resolution#16-283.

RESOLUTION 16-283

RESOLUTION OF THE TOWNSHIP OF VERNON COUNTY OF SUSSEX STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SECOND ADDENDUM TO A CONTRACT FOR THE SALE OF REAL PROPERTY

WHEREAS, the Township entered into a Contract to purchase 9 Wisteria Court from Classiclake Enterprises, LLC which Contract was dated July 6, 2016; and

WHEREAS, there was a need to amend the Contract in order to extend the due diligence period and to include an appraisal contingency clause (the "First Addendum"); and

WHEREAS, there is a need to further extend the due diligence period in order to provide for an additional time to perform a Phase 2 environmental assessment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, Township of Vernon, County of Sussex, State of New Jersey that the Mayor and Clerk are hereby authorized to execute and attest to the Second Addendum as describe herein.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

None

PUBLIC HEARING/2ND READING OF ORDINANCES

Council President Kadish read Ordinance 16-27 by title only:

Ordinance #16-27: An Ordinance Amending Chapter 330-184.B Adding An Additional Permitted Use For The Town Center, McAfee Area And C-2 Zone

Council President Kadish asked for a motion to open the public hearing for Ordinance#16-27.

Motion: Sandra Ooms
Second: Patrick Rizzuto
All members voted in favor.

There was no public comment.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-27.

Motion: Patrick Rizzuto
Second: Sandra Ooms
All members voted in favor.

Council President Kadish asked for a motion to adopt Ordinance#16-27.

Motion: Jean Murphy
Second: Sandra Ooms

Roll Call:
Ayes: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
Nays: None

Abstain: None
Absent: None
Motion carried to adopt Ordinance#16-27.

Council President Kadish read Ordinance 16-29 by title only:

Ordinance #16-29: An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Amending Chapter 518 Of The Township Code Entitled "Towing"

Council President Kadish asked for a motion to open the public hearing for Ordinance#16-29.

Motion: Sandra Ooms
Second: Jean Murphy
All members voted in favor.

There was no public comment.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-29.

Motion: Sandra Ooms
Second: Jean Murphy
All members voted in favor.

Council President Kadish asked for a motion to adopt Ordinance#16-29.

Motion: Patrick Rizzuto
Second: Jean Murphy
Roll Call:
Ayes: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
Nays: None
Abstain: None
Absent: None
Motion carried to adopt Ordinance#16-29.

APPOINTMENTS

Attorney Mr. Zielinski stated the lottery previously held at the November meeting gave the Mayor the authority to set the terms of the appointments to the Environmental Commission, Land Use Board and the Historic Preservation Commission and his firm will prepare the proper documentation to affect the terms. Mayor Shortway declared the appointments chosen by the lottery still stand and Mr. Zielinski adds then no further action is needed at this time.

COUNCIL COMMENTS

Council Member Murphy stated she has continued to work on determining whose responsibility it is to maintain the center divider on Route 515 and has asked the county to provide a contract, but has not received it yet. Council Member Murphy noted the Clerk's Office has received approximately 420 OPRAs in 2016, 320 in 2015 and 220 in 2014 and needs additional part time personnel to handle this going forward if the volume continues. Mayor Shortway adds the cost would need to be added in the 2017 budget just to handle OPRAs.

Council Member Ooms thanked the Vernon Recreation Board and Vernon Fire Department for the Township Tree Lighting. Ms. Ooms thanked all volunteers on the Boards and Commissions for their service. Council Member Ooms thanked the Beautification Committee and Mary Ellen Vichiconti for the holiday decorations at the Municipal Building and throughout the Township.

Council Member Wetzel made note of Mr. Bates comments that teamwork is needed in 2017 and stressed the importance to become a Mayor and Council of five not three. He added for Vernon to grow we need to move forward with sewers and water so town center can be developed and wished everyone a Happy New Year and safe holiday, cautioning all not to overload electrical circuits.

Council Member Rizzuto agreed with Council Member Wetzel and wants working relationships with entire Council and to move forward for growth in Vernon. Council Member Rizzuto wished a Merry Christmas and Happy New Year to all.

Mr. Zielinski commented he is looking forward to working with all employees, the Mayor and Council on the important issues and opportunities and hopes to win over those who are skeptical of his appointment.

ADJOURNMENT

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

The regular meeting of the Township Council of the Township of Vernon was adjourned at 8:48 p.m..

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President 2017

Dan Kadish,
Council President 2016

Minutes approved: January 30, 2017