

Township of Vernon

TOWNSHIP COUNCIL MEETING

April 24, 2017

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday April 24, 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, Dick Wetzel and Council President Jean Murphy. Also present were CFO Elke Yetter, Administrator Charles Voelker and Township Attorney Joshua Zielinski. Council Member Patrick Rizzuto appeared via phone.

SALUTE TO THE FLAG

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

PUBLIC COMMENTS

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

MOVED: Sandra Ooms

SECOND: Dick Wetzel

All members voted in favor.

Jeff Anderson, President of the McAfee Fire Department. Mr. Anderson explained that the Fire Department was running with a 25 year old ladder truck. Mr. Anderson said they are concerned for a catastrophic failure Mr. Anderson indicated the truck needed replacement. Mr. Anderson stated the SCTA packs also required to be replaced as they are due to expire next year. Mr. Anderson expressed that the Fire Company needed to be included in this budget.

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

MOVED: Dan Kadish

SECOND: Dick Wetzel

All members were in favor.

MAYOR'S REPORT

Mayor Shortway was unable to attend the meeting. Administrator Voelker indicated that as the Council was aware the budget had not passed. Administrator Voelker stated the Mayor had been given a mandate to reduce spending. Administrator Voelker stated the Mayor reviewed all the expenditures this year as some things were delayed while others were absolutely necessary. Administrator Voelker stated the cuts are reasonable, there is a decrease by \$230,000 which is mostly done by delaying hiring of new employees and delaying water to Town Center, which was the bulk of the expense. Administrator Voelker noted that the amount of time required to bring water would mean likely the project would not be started until 2018 as permitting and engineering studies were required. Administrator Voelker noted that while the Township would have liked to bond for this project for this year and make adjustments as needed next year, this item had been removed from the budget. Administrator Voelker stated it was important to keep the legal and engineering lines as drafted because the Township wants to go forward with planning for the water. Administrator Voelker indicated that the other funds for legal were kept because the Township wanted to foreclose on an additional 50 properties this year which excluding the outstanding liens at Legends and Tall Timbers would bring the level of foreclosures up 21%. Administrator Voelker stated the Township is still negotiating with the MUA for an interlocal agreement to use the DPW employees. Council President Murphy questioned if there was specific employees that were being delayed. Administrator Voelker

stated that employees in the Police Department and DPW were being delayed. Council Member Wetzel stated nothing was done for the safety of the community the budget was not touched. Council Member Wetzel stated a lot of gentleman were there from the fire department and that was still included. Council Member Wetzel questioned the interlocal agreement revenue went from \$45,000 to \$80,000 and questioned if this was going to be just a one year contract. Attorney Zielinski indicated it was a one year contract. Council Member Wetzel stated that he did not feel it was wise because the cost would increase next year. Administrator Voelker stated that is why the Township was doing a one year agreement because the cost to the Township goes up every year, so the Township will want to renegotiate next year. Council President Murphy questioned if the MUA would now be paying the health benefits for the employees. Administrator Voelker stated that it was anticipated that it was going to be paid by the MUA. Council Member Ooms questioned why the township had only anticipated receiving \$80,000 in revenue from the MUA for the service; noting she felt it should be more. Administrator Voelker the Township currently has not agreement to do this. CFO Yetter noted that the Township had introduced the budget with \$48,000 as anticipated revenue; it had been amended to \$80,000 because the agreement was scheduled to run through July. However, if the agreement lasted longer those funds would go into fund balance. CFO Yetter noted the Township cannot anticipate revenue that they do not have an agreement for. Administrator Voelker noted that the original budget accounted for the average household receiving an increase of \$4.06 a month; with the amended budget the increase would be \$2.26 per month.

MINUTES

Council President Murphy asked for a motion to approve the Special Meeting Minutes of March 6, 2017 and the Regular Meeting Minutes of March 27, 2017.

MOTION: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve the Regular Meeting Minutes of March 27, 2017.

CONSENT AGENDA

Council President Murphy read Resolution #17-103 for Municipal Clerk's Week and thanked the Clerk. The Clerk was also presented with flowers from the Council.

Council President Murphy gave a brief explanation of Resolutions #17-104 through #17-109.

Council President Murphy asked for a motion to approve Resolutions #17-103 through #17-109.

MOVED: Dan Kadish
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve Resolutions #17-103 through #17-109.

Council Member Kadish questioned the requirement of the Township to pay taxes in relation to the water being connected to the building. Attorney Zielinski indicated the Township would be eligible to apply for refunds through the State of New Jersey to offset the costs of installing the water and related taxes. Council Member Kadish questioned the end date for the remedy on issue; Attorney Zielinski indicated it is a two year time period. Council Member Wetzel asked if this was a tradeoff of giving the pipes for \$1 for water to be brought to phase two. Council Member Wetzel asked if this is for the water park. CFO Yetter indicated it was not.

Resolution #17-103

RECOGNIZING MUNICIPAL CLERK'S WEEK

WHEREAS, a Municipal Clerk is a professional who provides continuity in government from administration to administration, seeing to it that the business of local government continues uninterrupted while providing experienced and dedicated public service to the governing body, colleagues and residents; and

WHEREAS, one of the oldest positions of public servants in local government, the Municipal Clerk's Office was established when the early colonists came to America and began setting up forms of local government; and

WHEREAS, a Municipal Clerk has core duties prescribed by state statute, including but not limited to 1) acting as secretary to the municipal corporation; 2) acting as secretary to the governing body; 3) serving as chief administrative officers in all elections; 4) serving as chief registrar of voters in their municipality; 5) serving as the administrative officer responsible for accepting and issuing various licenses and permits; 6) serving as coordinator and records manager; and 7) performing other such duties as are imposed by statute, regulation of municipal ordinance or resolution; and

WHEREAS, in recognition of Municipal Clerk's Week (May 7-13, 2017), the Municipal Council of the Township of Vernon wishes to recognize its Municipal Clerk, Lauren Kirkman, and her staff for their outstanding services with which they provide to our community.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that while recognizing the importance of its role and functions of the Municipal Clerk's Office and the impact it has on the public, that it salutes its Municipal Clerk and the Clerk's Office for their dedication and commitment to Vernon Township's local government; and

BE IT FURTHER RESOLVED, that the Municipal Council of the Township of Vernon recognizes all New Jersey's Municipal Clerks and their staff members for their service to their respective local governments and calls upon other communities to join them in recognizing their Municipal Clerks and staff members the week of Municipal Clerk's Week, May 7-13, 2017.

RESOLUTION #17-104

AUTHORIZING REFUND OF TAXES Block 150.017, Lot 26

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$1,499.54 representing refund for overpayment of 1st qtr. 2017 property taxes for Block 150.17 Lot 26, also known as [REDACTED]

RESOLUTION #17-105

AUTHORIZING REFUND BLOCK 150.17, LOT 26 (4TH QUARTER)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$1,504.69 representing refund for overpayment of 4th qtr. 2016 property taxes for Block 150.17 Lot 26, also known as [REDACTED]

RESOLUTION #17-106

AUTHORIZING REFUND FOR BL. 199.01, LOT 31 (3RD QUARTER, 2016)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to All-Pro Title Group, LLC in the amount of \$586.80 representing refund for overpayment of 3rd qtr. 2016 property taxes [REDACTED]

Resolution # 17-107

AUTHORIZING IN REM FORECLOSURE PROCEEDINGS

WHEREAS, the Township of Vernon holds Tax Sale Certificates more specifically set forth in the annexed Tax Foreclosure List, which pertain to property within Vernon Township; and

WHEREAS, the Council of the Township of Vernon has determined that said Tax Sale Certificates shall be foreclosed by summary proceedings In Rem.

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

That the Tax Certificates, as shown on the annexed Tax Foreclosure List, Now held by the Township of Vernon, be foreclosed by summary process In Rem as described in N.J.S.A. 54:5-104.29 et seq., as amended, and Pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

TOWNSHIP OF VERNON TAX FORECLOSURE LIST
(Attachment to Resolution No. 17-107)

Certificate					Amount to Redeem
Number	Block	Lot	Qual	Assessed to	As of 4/24/2017
02-00091	74.09	9		Melillo, Joseph N Sr & Michele	\$ 32,519.41
02-00092	74.09	10		Melillo, Joseph N Sr & Michele	\$ 33,674.36
03-00073	141.02	2		Evans, Joseph & Eleanor	\$ 126,639.95
05-00092	268.14	36	-QFARM-	Lombardi, Mark R & C Scott & Donna	\$ 18,177.22
05-00093	268.18	76		Dragonetti, Daniel D & Joan	\$ 28,382.20
07-00055	85.12	13		NJ Opportunities, LLC	\$ 13,645.77
07-00056	102.12	24		Lodi Holdings LLC	\$ 16,212.27
07-00058	103.22	16		Todaro, Anthony & Mililer, Louis	\$ 13,690.34
07-00084	269.08	45		De Pasqua, Salvatore & Antonia	\$ 22,268.53
07-00085	269.09	9		Lomonaco, Maria % Richard	\$ 22,052.74
07-00086	269.09	11		Pascale, T & C % Andrea	\$ 22,195.41
08-00028	73.16	45.01		Sebastian, Ronald A	\$ 16,910.36
08-00029	74.04	14		Sebastiani, Raniero	\$ 9,157.07
08-00030	74.04	15		Sebastiani, Raniero	\$ 9,550.97
08-00031	85.12	4		Bajin, Sheyhullah & Safiye	\$ 20,342.35
08-00032	85.12	16		NJ Opportunities, LLC	\$ 17,559.12
08-00033	90.02	8		Fischer, Erik R % Petrucci	\$ 18,874.12
08-00046	159.02	30		Caravello, John & Frances	\$ 15,146.19
08-00062	269.02	6		Anievas, Arturo	\$ 19,175.43
08-00064	269.09	12		Grant, Marie De Prima	\$ 10,967.52
09-00026	20.04	14		Krawse, Stephen	\$ 54,903.24
09-00027	42.07	14		Innovative Home Improvement, Inc.	\$ 13,392.87
09-00028	42.07	16		Ostroskie, Joan % Mildred Ostrows	\$ 16,572.73
09-00034	90.09	5		Perez, Pascual % Dr Garcia	\$ 16,349.23
10-00132	61	2		Mazur, Tatyana D/B/A Amaco	\$ 46,399.21
10-00134	73.02	13		Amaco	\$ 12,469.21
10-00137	74.03	22		Ballew, Audrey E	\$ 13,750.26
10-00144	102.12	22		Gerbacia, George Executor	\$ 7,359.78
10-00154	159.02	29		TLR IV, LLC	\$ 34,623.96
10-00180	200.06	6		Mc Cabe, Ed & Dorothy % Mc Cabe	\$ 12,513.23
10-00184	269.06	8		Kondra, Doris A	\$ 13,947.69
11-00039	73.02	2.01		Niedzinski, Edward F & Helen M	\$ 9,715.53
13-00125	131.02	10		Top of Vernon Inc % Dale	\$ 16,268.56
13-00154	206.19	23		Hartzog, David R	\$ 6,008.04
13-00163	268.06	27		Vonderhorst, William	\$ 18,876.89
14-00063	10	22.02		Jalbert, Patrick & Kuehnm-Jalbert, J	\$ 41,381.76
14-00067	73.09	30		Wright, Shirley A	\$ 4,887.91
14-00068	74.03	21		Lucio, John	\$ 5,614.70

14-00111	180	4	WAF Construction, Inc. New Life Community Development	\$	16,357.40
14-00112	182	4.04	Corp	\$	20,550.65
14-00116	200.06	5	Moradi, Isaac	\$	1,423.44
14-00122	268.14	39	Vincenza Realty	\$	5,408.13
14-00125	269.09	8	Miseirvitch, Nicholas & Florence	\$	6,265.13
15-00001	20.04	15	Kaczala, Walter & Lillian % Irwin	\$	10,058.95
15-00014	103.03	13	Terrana, Antonio & Yolanda	\$	3,474.33
15-00015	103.03	14	Terrana, Antonio & Yolanda	\$	3,397.01
15-00031	170.14	20	Higgins, Matthew & Michele	\$	12,895.69
15-00088	204.08	4	Branciforte, John & Dorothy	\$	3,334.17
15-00089	204.08	5	Siemer, Raymond G & Josephine	\$	8,907.27
15-00090	204.10	12.02	Tyranski, Ronald & Bonnie	\$	4,092.88

RESOLUTION #17-108

AUTHORIZING TOWNSHIP OF VERNON TO ENTER INTO DEVELOPER’S AGREEMENT WITH SUEZ WATER NEW JERSEY INC. TO PROVIDE WATER SERVICE TO 21 CHURCH STREET AND 32 CHURCH STREET IN THE TOWNSHIP OF VERNON

WHEREAS, Suez Water New Jersey Inc. (“Water Company”) is the owner and operator of a water system (the "System"), located in the Township of Vernon Sussex County, New Jersey; and

WHEREAS, the Water Company currently holds a franchise to provide water service to certain parts of the Township pursuant to a municipal consent granted by the Township to the Water Company and approved by the New Jersey Board of Public Utilities (the "Franchise Area"); and

WHEREAS, the Township owns a tract of land located at 21 Church Street in Vernon, New Jersey (Block 141, Lot 10), known as “Town Hall” and requires both domestic water service as well as fire protection service (via a sprinkler system only), up to an estimated 2550 gpd for domestic water service and up to an estimated 300 gpm at 60 psi for fire protection service. The Township also owns a tract of land located at 32 Church Street in Vernon (Block 141.05, Lot 1) which contains the “DPW” and the “Animal Control” buildings that require domestic water service up to an estimated 875 gpd and 400 gpd, respectively; and

WHEREAS, water mains currently exist to provide water to Town Hall, the DPW and Animal Control buildings; and

WHEREAS, the Water Company and the Township have agreed to the respective rights and obligations of each other with respect to obtaining approvals for and completing the expansion of the System to serve Town Hall, the DPW and Animal Control Buildings and each party agrees that it is in their mutual best interests to enter into a Developer’s Agreement setting forth such rights and obligations;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that the Mayor is authorized to execute a developer’s agreement with Suez Water New Jersey Inc. to provide water to 21 Church Street and 32 Church Street in the Township of Vernon.

RESOLUTION #17-109

REFUND FOR DUPLICATE TAX PAYMENT Bl 42.07, Lot 22 (3rd Quarter)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$1,571.53 representing refund for overpayment of 3rd qtr. 2016 property taxes for Block 42.07 Lot 22, also known as [REDACTED]

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #17-06: Ordinance Establishing The Salary Ordinance For “Non-Union” Employees

Council President Murphy asked for a motion to introduce Ordinance #17-06 with a public hearing on May 8, 2017.

MOVED: Dan Kadish
SECOND: Dick Wetzel

A roll call vote was taken:

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

Motion carried to Introduce Ordinance #17-06 with a public hearing to be held on May 8, 2017.

2017 MUNICIPAL BUDGET AMENDMENT

Council President Murphy asked for a motion to introduce Resolution 17-110 with a public hearing on May 8, 2017.

MOVED: Sandra Ooms
SECOND: Dick Wetzel

A roll call vote was taken:

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

Motion carried to introduce Resolution 17-110 with a public hearing on May 8, 2017.

**TOWNSHIP OF VERNON
RESOLUTION #17-110
TO AMEND INTRODUCED BUDGET**

Whereas, the local municipal budget for the year 2017 was approved on the 13th day of March, 2017, and Whereas, the public hearing on said budget has been held as advertised, and,

Whereas, it is desired to amend said approved budget,

Now, Therefore, Be It Resolved by the Governing Body of the Township of Vernon, County of Sussex, that the following amendments to the approved budget of 2017 be made:

	FROM	TO
GENERAL REVENUES:		
3. Miscellaneous Revenues:		
D) Special Items of General Revenue		
Anticipated		
with Prior Written Consent of Director of Local Government Services		
Shared Services Agreements		

Interlocal Service Agreement- DPW, Vernon MUA	48,000.00	80,000.00
Total Section D: Shared Service Agreements Offset With Appropriations	234,650.00	266,650.00
6. Amount To Be Raised By Taxes for Support of Municipal Budget:		
A) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	16,500,295.00	16,238,352.00
Total Amount To Be Raised By Taxes for Support of Municipal Budget:	16,500,295.00	16,238,352.00
7. Total General Revenues	24,754,580.00	24,524,637.00
CURRENT FUND APPROPRIATIONS:		
8. GENERAL APPROPRIATIONS:		
"(a) Operations - Within "CAPS":		
Administrative and Executive		
Salary & Wages	158,700.00	153,500.00
Municipal Clerk		
Salary & Wages	137,430.00	131,780.00
Other Expenses	58,000.00	53,000.00
Arts Committee- Other Expenses	1,500.00	0.00
Police:		
Salary & Wages	3,579,863.00	3,539,863.00
Public Works Functions:		
Streets & Roads Maintenance		
Salary & Wages	1,124,200.00	1,087,200.00
Fleet Management		
Salary & Wages	219,000.00	215,000.00
Parks & Recreation Functions:		
Maintenance of Parks:		
Salary & Wages	150,000.00	155,000.00
State Uniform Construction Code Construction Official		
Salaries and Wages	392,250.00	381,250.00
Total Operations (Item 8(A)) within "CAPS"	15,130,376.00	15,026,026.00
Total Operations Including Contingent within "CAPS"	15,130,376.00	15,026,026.00
Detail:		
Salaries and Wages	7,380,286.00	7,282,436.00
Other Expenses (Including Contingent)	7,750,090.00	7,743,590.00
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	17,054,376.00	16,950,026.00
(A) Operations- Excluded from "Caps"		
Interlocal Service Agreements:		
DPW Services	48,000.00	80,000.00
Total Shared Service Agreements	234,650.00	266,650.00
Total Operations: Excluded from "CAPS"	1,990,279.00	2,022,279.00
Detail:		
Salaries and Wages	294,650.00	326,650.00
(C) Capital Improvements - Excluded from "CAPS"		
Capital Improvement Fund	265,000.00	116,680.00
Total Capital Improvements Excluded from "CAPS"	265,000.00	116,680.00
(H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS"	5,247,979.00	5,131,659.00
(O) Total General Appropriations - Excluded from "CAPS"	5,247,979.00	5,131,659.00
(L) Subtotal General Appropriations (Items (H-1) and (O))	22,302,355.00	22,081,685.00
(M) Reserve for Uncollected Taxes	2,452,225.00	2,442,952.00
9. TOTAL GENERAL APPROPRIATIONS	24,754,580.00	24,524,637.00

Be It Further Resolved, that this complete amendment, in accordance with the provisions of

N.J.S.A. 40A:4-9, be published in the NJ Herald, in the issue of April 27, 2017, and that said publication contain notices of public hearing on said amendment to be held at the Vernon Municipal Building on May 8, 2017 at 7:30pm.

Be It Further Resolved, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for their certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the

COUNCIL COMMENTS

Council Member Wetzel commented on two disasters in NY where fireman in New York were killed and five people were burned to death. Council Member Wetzel stated when you think of people putting their lives in their hands you think of Police and Fire. Council Member Wetzel commended the fire department.

Council Member Rizzuto echoed the sentiments of Council Member Wetzel and noted that he had requested no money be taken out of the budget in regards to the fire department as well as no issue with the delay in staff. .

Council Member Ooms questioned if there was ever an appraisal for the Faline building. Administrator Voelker indicated stated that it was still being worked on as the building as existing would not bring as much money as the potential for that site. Administrator Voelker indicated the appraiser is looking at reviewing a price in context of a best and possible use. Council Member Ooms thanked Administrator Voelker and CFO Yetter for taking the time to go over and review the budget and meeting with anyone with questions.

Council Member Kadish noted there had been 91 deaths due to narcotics this year in Sussex County, even with the introduction of NARCAN. Council Member Kadish indicated there were several incidents in Vernon this week but two were saved due to the use of NARCAN. Council Member Kadish indicated that members of the Council had attended a meeting held by Senator Oroho where he discussed the State budget and how it will affect the residents as well as the municipalities.

COUNCIL PRESIDENT COMMENTS

Council President Murphy stated she had also attended the meeting with Senator Oroho and indicated the business administrator would be meeting with the Senator regarding the USDA grants to get help on the lift stations; noting the Township was pursuing all avenues. Council President Murphy questioned if Council Member Wetzel had responded to Mayor Shortway's invitation to join the Economic Development. Council Member Wetzel indicated he had not spoken with the Mayor. Council President Murphy stated that if that is the case then she would ask if any members of the public who were interested on being on the Economic Development Committee to submit an application.

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 Kadish with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:59 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: May 22, 2017