

## **Township of Vernon**

### **TOWNSHIP COUNCIL MEETING MINTUES**

**April 8, 2019**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on April 8, 2019 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 3, 2019 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, Patrick Curreri, Mark Van Tassel, John Auberger and Council President Murphy were in attendance. Also present was Mayor Harry Shortway, Business Administrator Charles Voelker, CFO Donelle Bright, Township Auditor William Schroeder and Township Attorney Josh Zielinski.

#### **SALUTE TO THE FLAG**

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

#### **PROCLAMATIONS:**

Council President Murphy read the Proclamation for Child Abuse Prevention Month.

#### **Proclamation**



**WHEREAS**, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

**WHEREAS**, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

**WHEREAS**, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior; and

**WHEREAS**, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community.

**NOW THEREFORE**, be it resolved that the Council of the Township of Vernon does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Given under my hand in these free United States in the Township of Vernon, on this 8th day of April 2019, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council President Murphy read the Proclamation for Earth Day 2019.

#### **Proclamation**



#### **Earth Day**

**WHEREAS**, the first Earth Day was celebrated on April 22, 1970, with the goal of inspiring environmental awareness and encouraging the conservation, and appreciation of our nation's natural resources; and

**WHEREAS**, it is the responsibility of each of use to safeguard the environment, by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being, and development; and

**WHEREAS**, the steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions should be encouraged in Vernon; and

**WHEREAS**, the residents of the Township of Vernon are committed not only to the protection and preservation of our environment, but also to the restoration of ecosystems and habitat; and

**WHEREAS**, the residents of the Township of Vernon, staff, and elected officials have worked closely with federal, state, and local governments, and with non-governmental organizations to develop and implement regulations and ordinances specifically designed to preserve and improve Vernon's fragile ecosystems and the quality of life therein; and

**WHEREAS**, Vernon proudly recognizes all who participate in Earth Day, for their dedication to taking a proactive role in shaping the future of our environment and in protecting Vernon's precious natural resource.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon, County of Sussex , State of New Jersey, have hereby proclaim April 22, 2019 to be

### **EARTH DAY**

**FURTHER**, the Council urges all citizens to be mindful of local, state and national laws which protect our environment, and to join in efforts to preserve the beauty and wonder of the lands, skies, and water of the Earth in all its diversity.

Council Member Ooms read the Proclamation for Parkinson's Disease Awareness Month.

### **Proclamation**



### **Parkinson's Disease Awareness Month**

**WHEREAS**, Parkinson's disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

**WHEREAS**, according to the Parkinson's Action Network, the Parkinson's Disease Foundation, the National Parkinson Foundation, the American Parkinson Disease Association and the National Institutes of Health, there are over one million Americans diagnosed with Parkinson's disease; and

**WHEREAS**, symptoms include slowness, tremor, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

**WHEREAS**, although new medicines and therapies may enhance life for some time for people with Parkinson's, more work is needed for a cure; and

**WHEREAS**, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson's disease; and

**WHEREAS**, a multidisciplinary approach to Parkinson's disease care includes local wellness, support, and caregiver groups; and

**WHEREAS**, April has been proclaimed as World Wide Parkinson's Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's disease.

**NOW, THEREFORE**, the Mayor and Council of the Township of Vernon, do hereby proclaim **April 2019 as Parkinson's Disease Awareness Month in Vernon Township**.

Given under my hand in these free United States in the Township of Vernon, on this 8th day of April two thousand nineteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

## **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: Sandra Ooms

All members voted in favor.

Sally Rinker requested that Budget Presentation include the percent of budget increase, the amount planned to be bonded, what the median home price which the taxes are referred to and the proposed tax increase. She further requested Administration address if there are any increases or decreases in the emergency services budget including Fire Departments and Ambulance Squads.

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

MOVED: Mark Van Tassel

SECOND: John Auberger

All members voted in favor.

## **MINUTES**

Council President Murphy asked for a motion to approve the Special, Executive and Regular Meeting Minutes of March 11, 2019.

MOVED: John Auberger

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve the Special, Executive and Regular Meeting Minutes of March 11, 2019.

## **CONSENT AGENDA**

Council President Murphy read the title and gave a brief explanation of Resolutions #19-98 through #19-102, #19-104 and #19-105. Council President Murphy stated that Resolutions #19-104 and 19-105 were separated out of consent agenda and noted there is no Resolution #19-103.

Council President Murphy asked for a motion to approve Resolutions #19-98 through #19-102.

MOVED: John Auberger

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion passed to approve Resolutions #19-98 through #19-102.

## **#19-98**

### **REFUND FOR TAX COURT JUDGMENT (L&R Equity)**

**WHEREAS**, the Tax Court of New Jersey has entered Judgments on appeals filed by taxpayers in the Township of Vernon; and

**WHEREAS**, the Judgments reduced assessments creating an overpayment of taxes for the year 2019 on certain properties:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Refund Amount</u>
270	6.03 CT1	L&R Equity, LLC	\$129.67
270	6.03 CT2	L&R Equity, LLC	\$129.26
270	6.03 CT5	L&R Equity, LLC	\$161.59
270	6.03 CT6	L&R Equity, LLC	\$164.28
270	6.03 CT7	L&R Equity, LLC	\$325.64
270	6.03 CML8	L&R Equity, LLC	\$2,423.71
<b><u>Total</u></b>			\$3,334.15

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Township of Vernon be authorized to draw a warrant in the amount of \$3,334.15 made payable to Bruce J. Stavitsky, Esq. for the benefit of L&R Equity, LLC for the above mentioned properties.

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

### **RESOLUTION #19-99**

#### **AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS**

**WHEREAS**, as provided for within the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.) the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the State Contract; and

**WHEREAS**, the Township has the need on a timely basis to purchase goods and services utilizing State contracts T-0142 Road and Highway Building Materials: Crushed Stone Sand & Gravel; and

Contract 87732  
EASTERN CONCRETE MATERIALS INC  
250 PEHLE AVE  
PLAZA ONE SUITE 503  
SADDLE BROOK, NJ 07663

Contract 87740  
TILCON NEW YORK INC  
9 ENTIN ROAD  
PARSIPPANY, NJ 07054

; and

**WHEREAS**, the Township has the need on a timely basis to purchase goods and services utilizing State contracts T-0155 Bituminous Concrete; and

Contract 45715  
STAVOLA ASPHALT CO INC  
PO BOX 482  
RED BANK, NJ 07701-0482

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon, authorizes the Qualified Purchasing Agent to purchase certain goods and services from State contracts T-0142 and T0155 pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer

### **RESOLUTION #19-100**

**RESOLUTION AUTHORIZING PURCHASE OF PAVING MATERIALS  
THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL  
CONTRACT #5 THROUGH TILCON NEW YORK INC.**

**WHEREAS**, as provided for within the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.) the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the Morris County Cooperative Pricing Council; and

**WHEREAS**, the Township has the need on a timely basis to purchase goods and services utilizing the Morris County Cooperative Pricing Council, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

**WHEREAS**, the Township intends to enter into contract for procurement of a Paving Materials through Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054, authorized under Morris County Cooperative Pricing Council Contract #5 Paving Materials, term of contract January 1, 2019 through December 31, 2019;

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon, authorizes the Qualified Purchasing Agent to purchase certain goods and services from the approved Morris County Cooperative Pricing Council Contract #5 pursuant to all conditions of the individual cooperative contracts for Paving Materials through Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054; and

**BE IT FURTHER RESOLVED**, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer

**RESOLUTION #19-101**

**Resolution Awarding Bid #3-2019 To AES HVAC in a Fair and Open Award  
for HVAC Project Animal Shelter**

**WHEREAS**, there is a need for a HVAC Project Contractor for improvements to the animal shelter in the Township of Vernon; and

**WHEREAS**, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) encourages the use of public bidding to benefit taxpayers by ensuring that projects are completed in a safe, timely and cost-effective manner; and

**WHEREAS**, the Township duly advertised for public bids for Bid #3-2019 in a fair and open manner, consistent with N.J.S.A.19:44A-20.4 et. Seq., and

**WHEREAS**, the Township of Vernon received bids for HVAC Services under Bid #3-2019 duly advertised and held a public bid opening on March 27, 2019 at 9:00A.M.; and

**WHEREAS**, the Township Council has reviewed the recommendations of the appropriate Township Officials in connection with the proposals that were submitted; and

**WHEREAS**, AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012, has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document in the amount of \$18,596.20; and

**WHEREAS**, the Qualified Purchasing Agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et seq.); and

**WHEREAS**, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$18,596.20 are available as follows: Account#711323.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that:

1. The contract for HVAC Services is hereby awarded to AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012, not to exceed \$18,596.20 for the 2019 budget year for HVAC Services in accord with the tenets of contract found within Bid #3-2019.

## **RESOLUTION 19-102**

### **GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the *Township Council* of the *Township of Vernon*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON *April 8, 2019*.

### **RESOLUTIONS REQUIRING SEPARATE ACTION**

Council President Murphy asked for a motion to approve Resolutions #19-104 and #19-105.

MOVED: Sandra Ooms  
SECOND: Patrick Curreri

Council President Murphy questioned if the increase in purchasing services for the MUA for \$25,000 changes any duties performed by the employees. Council President Murphy inquired as to whom had performed these duties in the past. Ms. Bright noted that in the past that some of these duties were done by the Township however they should not have been. Ms. Bright explained that the MUA had specified that Executive Director be responsible for the purchasing but now the purchasing duties of soliciting quotes and authorizing purchases will be handled by the Finance Office. Ms. Bright added that the Township has a Qualified Purchasing Agent but the MUA does not and noted the MUA authorized adding these extra services to the Interlocal agreement between the Township and MUA.

A roll call vote was taken:

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

Motion passed to approve Resolutions #19-104 and #19-105.

#### **Resolution #19-104**

### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR THE SERVICES OF A CHIEF FINANCIAL OFFICER AND PURCHASING SERVICES**

**WHEREAS**, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (“VTMUA”), a municipal utilities authority established pursuant to N.J.S.A. 40:14-B-1 et. seq. have determined that an Interlocal Service Agreement for the services of a Chief Financial Officer and purchasing services is in the best interest of the parties; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey, that the Mayor is hereby authorized to execute an Interlocal Service Agreement between the Township and VTMUA for the services of a Chief Financial Officer and purchasing services in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption according to law.

#### **Resolution #19-105**

### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR ADMINISTRATIVE SERVICES**

**WHEREAS**, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (VTMUA), a municipal utilities authority established pursuant to N.J.S.A. 40:14-B-1 et. seq. have determined that an Interlocal Service Agreement for Administrative Services is in the best interest of the parties; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey, that the Mayor is hereby authorized to execute an Interlocal Service Agreement between the Township and VTMUA for Administrative Services in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption according to law.

#### **INTRODUCTION OF THE 2019 MUNICIPAL BUDGET**

Council President Murphy read the title and gave a brief explanation of Resolution 19-106. Council President Murphy asked for a motion to approve Resolutions #19-106.

MOVED: Sandra Ooms  
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion passed to approve Resolution #19-106.

#### **Resolution 19-106**

### **RESOLUTION AUTHORIZING USE OF THREE-YEAR**

**AVERAGE FOR TAX COLLECTION RATE AND RESERVE  
FOR UNCOLLECTED TAXES CALCULATION**

**WHEREAS**, the Township of Vernon, County of Sussex realized 95.58% of current tax collections for the year 2018, and

**WHEREAS**, the tax collection percentage was adversely impacted by tax appeals, and

**WHEREAS**, the percentage of cash collections on current taxes for the three prior years was as follows:

Year	Percentage
2017	96.14%
2016	95.84%
2015	96.12%

**AND WHEREAS** the Mayor and Council believe the tax collections for the year 2019 will improve over the year 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that permission be requested by the Director of the Division of Local Services to permit the Township to anticipate a current tax collection percentage experience of 96.03% for the year ended December 31, 2019.

**PRESENTATION OF THE 2019 MUNICIPAL BUDGET**

Council President Murphy asked the Mayor and CFO Ms. Bright to present the 2019 Municipal Budget to the Public.

Ms. Bright stated her presentation focuses on how the municipal budget figures translate into the services that government provides to the residents. She added that taxes include the municipal budget as well as County and Board of Education budgets which the Township has not control of. Ms. Bright commented Vernon is a four-season community, full of natural resources, hiking trails, and beauty for residents and visitors to enjoy. Residents moved to Vernon to avoid crowds, traffic, noise and cramped lifestyle and enjoy the tranquility of lakes, ponds, streams and fresh produce from the local farms. Ms. Bright noted with Vernon being over 64 sq. miles and a population of approximately 24,000 who must commute daily, the budget reflects the topography and population impacts.

Ms. Bright stated the 2019 Budget is \$26,378,350.00 and the average tax is \$1,477.00 annually based on median home of \$214,000.00. She noted that Vernon is the best bargain in Sussex County being the fifth lowest cost for a town with a Police Department. Vernon is controlling its costs and budget with the future of Vernon in mind and the 2019 budget will see a decrease of over \$100,000 in operating costs. Ms. Bright explained the only increases are for Debt Service, Capital items and Reserve for Uncollected Taxes. Ms. Bright compared the average tax bill of \$1,477 or \$4.05 daily to be half the cost of a family cell phone plan which averages \$3,000.00 annually.

Ms. Bright detailed what services are provided to the residents for \$4.05 daily.

- \$0.50/day – Includes all Municipal office services for building & zoning permitting, court transactions, animal control licensing, collection of taxes, assessments and appeals, marriage licenses, birth and death certificates, administer Land Use Board, process all invoices, deposits and municipal payroll.
- \$0.59/day – All insurance costs which is offset by employee contributions, some who pay 35% premium.
- \$0.30/day – Employee Taxes and Pension costs which are statutory expenses.
- \$0.47/ day – Reserve for Uncollected Taxes in budget to cover full payments to the Board of Education and County when property owners fail to pay.
- \$0.90/day - Capital and Debt Service which include vehicles, equipment, dispatch equipment, major building, park or sewer improvements. Capital requests are reviewed each year and noted that not all are granted. The Township has made every effort to stabilize the capital and

debt plan, be aggressive to pay down existing debt, so more tax dollars can be used for improvements and not interest.

- \$0.77/day – Public Safety which includes the Police Department, Dispatch Center, Fire and Ambulance contributions, equipment repairs to Fire and Ambulance Squads, and Fire Prevention inspections and safety programs.
- \$0.46/day – Department of Public Works which includes all Township Road repairs, fleet maintenance, all municipal facilities and ground maintenance, Recycling Center Operation, Municipal Services Act reimbursements, as well as maintenance of roadways during winter snow and ice events. Ms. Bright noted the DPW will continue the community event “Touch A Truck” which allows children to view the equipment up close.
- \$0.06/day – Recreation and Senior Center including all programs and events run by Vernon PAL and Vernon Township at Maple Grange Park, Veteran’s Park and other facilities. Ms. Bright explained Capital Improvements include the proposed replacement of two rear turf fields fencing and adequate walkways at Maple Grange and ADA complaint walkway at Veteran’s Park to ensure access to the entire community. Ms. Bright explained the Senior Center is used by 30+ seniors on a daily basis as a Nutrition Lunch Site as well as for exercise, garden, craft classes and holiday parties. The success of the Center is greatly attributed to the part-time Senior Center Director and staff as well as the Sussex County Busing Services which was used 7100 times in 2018.

Ms. Bright summarized that the \$4.05 per day includes all the services noted including a long-term debt management plan that removes our reliance on borrowing in the future. The budget also protects Vernon’s interest through the Mountain Creek bankruptcy, foreclosures, liens on vacant properties while growing the fund balance, increasing efficiency and providing great service to our residents.

Council President Murphy asked for a motion to approve Resolution #19-107 with a Public Hearing to be on May 13, 2019.

MOVED: Mark Van Tassel  
SECOND: Patrick Curreri

Council Member Ooms questioned why the funds given to Ambulance Squads was decreased in the 2019 budget. Mr. Voelker explained the decrease was done to make the distribution more equitable to all of the volunteer emergency services and was reasonable since the Ambulance Squads were handling 21% less coverage time now that St. Claire’s covers the day shifts during the week. Council Member Curreri noted that he cannot support a cut of \$1,500.00 to the first responders but is in favor of an aggressive debt payment plan. He added the proposed \$80.00 increase is a compromise as it is difficult to vote against Recreation, Police, Senior Center which are used by many on a daily basis.

Council Member Ooms questioned why there are additional funds in the salary line items of two departments that will not be needed this year and suggested they be reduced. Mayor Shortway noted that the budget is not zero-lined, and the need exists for flexibility should personnel change in the future. Mayor Shortway suggested Council consider adding the Short-Term Rental Ordinance on a future agenda to increase revenues to replenish the fund balance. Council Member Ooms commented that in future budget documents, individual salaries should be divided in the multiple departments as some departments break out the salaries and others do not. Ms. Bright explained it was done that way in past budgets, but Administration can change that next year if needed.

Council Member Ooms questioned where the \$80,000-line item, for Ambulance Services from the 2018 budget, get moved to since it was not used. Ms. Bright explained the 2018 appropriation was cancelled by an accounting entry and moved to fund balance. Council Member Auberger, Van Tassel and Curreri had no further comments.

Council President Murphy explained that voting for or against the budget is not voting against various departments because most salary costs are contractual. Council President Murphy expressed concern of total tax increase for residents as the Board of Education has announced their increase of \$190.00. She added it was mutually agreed by Administration and Council to not introduce the budget at the March 25<sup>th</sup> meeting and was asked to reduce increase from \$160.00 to \$80.00 which Administration and the CFO did. Council President Murphy commented that salary line items are higher than needed to cover approved salaries and leaves the possibility of extra increases given to individuals by Administration and further suggested to re-look at budget where further cuts can be made.

Council Member Ooms commented that since the Township needs to bond for the Band-shell increasing debt, that it should be not done at this time as people come to Vernon for the low taxes. Council President Murphy commented many residents are on a fixed income, there was a tax increase in 2018, and with revaluation this year, residents are fearful. She stated she reviewed every line item of the budget and is not sure what can be done. Council Member Curreri commented he understands the concern but feels that people are attracted by the great schools and recreation opportunities. Council Member Auberger added that Vernon needs to pay down the debt. Council Member Van Tassel concurred that Vernon needs to start paying down the debt. Council Member Ooms explained that Council was sold on need to go into debt and now process is a complete turnaround. Council President Murphy added that in 2015, Vernon Township was required to pay a pension deferral from 2009 and used bonded funds to save interest.

Council President Murphy commented that further discussion is need for proposed stipend for Administration of the Clean Communities Grant to prevent incorrect stipend issue that happened with the Tree Grant. Mr. Voelker explained that an employee received Certification in 2018 for the administration, budgeting and reporting of this grant and requested Council to consideration the possible stipend.

A roll call vote was taken:

AYES: Patrick Curreri, Mark Van Tassel, John Auberger

NAYES: Sandra Ooms, Jean Murphy

ABSTAIN: None

ABSENT: None

Motion passed to approve Resolution #19-107.

#### **RESOLUTION #19-107**

#### **INTRODUCTION OF 2019 BUDGET**

**BE IT RESOLVED** that the Local Municipal budget of the Township of Vernon, County of Sussex, New Jersey for the fiscal year 2019 be approved by the Governing Body of the Township of Vernon, and the Clerk is hereby instructed to advertise in the New Jersey Herald on April 18, 2019 and that a final public hearing before passage will be held on May 13, 2019 at 7:00 P.M. at the Municipal Building 21 Church Street, Vernon and that said budget shall authorize total general appropriations of \$26,378,350.59 and the anticipated revenues of \$8,627,695.00 leaving an amount to be raised by taxes for municipal purposes of \$17,750,655.59.

## **INTRODUCTION/1<sup>ST</sup> READING OF PROPOSED ORDINANCES**

### **Ordinance #19-09:**

Council Member Murphy read Ordinance #19-09 by title only and brief explanation of purpose.

Capital Ordinance Providing For A Traffic Messaging Trailer By The Township Of Vernon, In The County Of Sussex, New Jersey, Appropriating Therefore The Sum Of \$18,500.00 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Of The Township

Council President Murphy asked for a motion to introduce Ordinance #19-09 with public hearing to be held on April 22, 2019.

MOVED: John Auberger  
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to Introduce Ordinance #19-09 with public hearing to be held on April 22, 2019.

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

### **Ordinance #19-08:**

Council Member Murphy read Ordinance#19-08 by title only and asked for a motion to open the public hearing.

Ordinance Amending The Salary Ordinance For “Non-Union” Employees

MOVED: John Auberger  
SECOND: Sandra Ooms  
All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #19-08.

MOVED: John Auberger  
SECOND: Sandra Ooms  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#19-08.

MOVED: John Auberger  
SECOND: Sandra Ooms

Council Member Curreri commented that Vernon Township outsources far less important things than setting salary ranges and opined a professional should review all employee ranges.

Council President Murphy explained that the former CFO created a five-year salary plan listing all existing employees, their positions, their salaries and requested to make salary ranges to cover increases of 2% or per union contract schedules. Council President Murphy indicated that due to recent retirements including the Court Administrator and Assessor positions whose ranges were on higher side due to long years of service, Vernon now has opportunity to adjust the ranges to be more responsible and not out of proportion. Council President Murphy noted that if an employee reach the top of their ranges, the Council could at that time consider amending Ordinance to expand the range. Council President Murphy questioned why Administration and employees feel they are being hurt or slighted with this Ordinance. Council President Murphy explained the Police Chief salary is determined by Statute 40A:14-179 but noted that range was reduced when previous Chief retired.

Council President Murphy explained that circumstances occurred which brought concern to the Council to reevaluate the ranges. She added that Administrative employees received raises later in the year in 2016, 2017 and 2018 but they were all retroactive to January 1 of the respective year.

Mr. Voelker questioned the Attorney the legality of the current Employment Advertisement for the Tax Assessor because it the current salary range but by the time the employee is hired the range may be amended. Attorney Zielinski stated Vernon must notify all individuals that are affected if in fact the Ordinance is approved. Council President Murphy commented the five-year plan contained names, positions, salaries and the increases over the next five years and that was what was used to determine the salary ranges in the first place.

Attorney Zielinski read Faulkner Act Statute 40:69A-43A: Administrative Department Salaries:

“The mayor shall, subject to any pertinent civil service requirements and any pertinent contractual obligations, and within the general limits of the municipal budget, fix the amount of salary, wages or other compensation to be paid to employees of the administrative departments of the municipal government, except that the salary, wages or other compensation paid the director of each department shall be fixed by the council pursuant to subsection (c) of section 17-31 of P.L. 1950, c. 210 (C. 40:69A-180), and except that salaries of officers which are required by law to be fixed by ordinance shall be fixed by ordinance.

Council President Murphy questioned if the Mayor can set the salary if the funds are approved in the budget if the ranges were higher. Council Member Curreri stated that an unbiased professional in compensation could do a study to determine what salary ranges should be. Council President Murphy opined it is not responsible to spend taxpayer funds on an outside evaluation which is subject to change by any Council.

**A roll call vote was taken:**

Ayes: Sandra Ooms, John Auberger, Jean Murphy

Nays: Patrick Curreri, Mark Van Tassel

Abstain: None

Absent: None

Motion carried to adopt Ordinance #19-08.

Council President Murphy stated that Mayor Shortway commented he would veto Ordinance #19-08 if approved so the decision is up to the Mayor to do the right thing.

**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: Patrick Curreri

All members voted in favor.

Sally Rinker commented it is difficult to follow along with Council without having copies of the proposed budget available for the public. She added the decrease in funds to the Ambulance Squads would hurt their operations and urged the Council to reconsider. Ms. Rinker commented on Council President Murphy's vote on the budget. Ms. Rinker objected on the nomination process to fill the Council Seat at the March 11, 2019 meeting. Ms. Rinker commented on former Council Member Kadish intentions to run for Mayor.

Jessi Paladini questioned when copies of the budget will be made available to the public. CFO Bright indicated she would be happy to provide her with a copy.

Martin O'Donnell, Chairman of PAID, (People Against Illegal Dumping), thanked the Mayor, Council and Police for their support and assistance fighting against illegal dumping on 3 Silver Spruce. Mr. O'Donnell commented that through collaboration Vernon is stronger and more powerful in working with the DEP Officials. He announced there will be a county wide meeting on May 16, 2019 of Mayors, Council Members, Freeholders, and citizens at location to be determined to assist every Sussex County town on how to deal with illegal dumping. Mr. O'Donnell acknowledged that the job is done and expressed appreciation for continued support from the Township.

Andrew Pitsger, PAID member, thanked the Township for their support in dealing with the illegal dumping and noted the importance of the meeting on May 16 and the Power in the People.

Mike Furrey, [REDACTED] Greenway Action Advisory Committee (GAAC), commented the importance of cooperation to solve the serious issue of illegal dumping. Mr. Furrey noted the GAAC has been working hard on developing the Trail systems, Economic Development, Farmers Market and urged Council to continue their support of the Town Center Trail utilizing Open Space funds of \$185,000 based on Mayor Shortway's plan. Mr. Furrey added that many volunteers have spent many hours creating trails, but funds are needed to continue their efforts to move forward and get the plan done.

Joyce Brensinger, Recreation Board member, commented she understands there are budget constraints, but urges Council to consider approving replacement of the turf fields at Maple Grange as they are a major amenity used and enjoyed by many residents and visitors.

Craig Williams commented he was involved in planning stages of the Vernon Trail system many years ago and applauds the Township for the genuine progress recently made. Mr. Williams added the trails will take time to complete and expressed appreciation to all of the volunteers who continue to give of their time in this effort.

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

MOVED: Mark Van Tassel

SECOND: John Auberger

All members voted in favor.

## **MAYORS REPORT**

Mayor Shortway reported that Vernon Township was awarded a \$220,000 NJDOT Municipal Aid Grant and thanked Township Engineer Stoner for his assistance. Mayor Shortway added that road improvements are also planned for Warwick Turnpike. Mayor Shortway thanked Mishelle Downtain and the Recreation Committee for their continued support in planning the Pavement to Pinwheel program beginning on April 16 to introduce residents and visitors to the Vernon Trail system and promote economic sustainability.

## **COUNCIL COMMENTS**

Council Member Curreri commented that Mayor Shortway and Mr. Williams met with Scout leadership to discuss future service projects or opportunities to earn awards in the Trail system for all levels of scouts. Council Member Curreri explained that every day with an incomplete trail system, Vernon is missing out on matching grant opportunities and urged the Council to discuss this at the next Council Meeting.

Council Member Ooms had no comments.

Council Member Van Tassel had no comments.

Council Member Auberger had no comments.

## **COUNCIL PRESIDENT COMMENTS**

Council President Murphy commented that recently Council Member Van Tassel and Curreri accompanied Mayor Shortway, Mr. Canace from Greener by Design and the Township Engineer on the proposed trails and suggested to have Greener by Design do a presentation for remainder of Council. Council President Murphy stated she was asked to add a Resolution to the April 8 agenda to approve funds for trail but noted the Introduction of the Budget was already scheduled and felt it would not be fair to public to add the resolution before the public presentation was done. Council President Murphy commented it is important to concentrate on the real issues of the Township budget with no time to push other things through. Council President Murphy explained any action on a resolution for the trails should not be done without giving the other Council members and the public the opportunity to see the information provided.

Council President Murphy thanked the Township Assessor for running two public informational sessions about the upcoming Township Revaluation.

Council President Murphy questioned the status of the proposed agreement with Highland Lakes regarding the sidewalk. Attorney Zielinski explained the process is ongoing and Vernon is waiting for the Highland Lakes to submit a proposal.

Council President Murphy questioned status of zoning concerns of the constructed wall by the Association of Lake Panorama. Attorney Zielinski stated he requested a meeting with the Lake Association's attorney with a proposed plan, but a meeting has not yet been scheduled. Council President Murphy noted the zoning violations still exist and need to be resolved.

Council President Murphy stated that Chris Hordyck came before Council recently questioning the Development easement of property on Valley View Drive. Council President Murphy stated the claim was that the agreement stated that developer would give an easement for emergency access only. Attorney Zielinski explained the development agreement does not support the allegations or comments of Mr. Hordyck.

#### **ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:39 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: May 13, 2019