

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING MINUTES**

**May 31, 2018**

The Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on Monday May 31, 2018 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting has been provided to the public and the press on January 5, 2018 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

**ROLL CALL OF MEMBERS**

Present were Council Members Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, and Council President Jean Murphy, CFO Elke Yetter, Administrator Charles Voelker, Township Attorney Josh Zielinski, Township Auditor William Schroeder.

**SALUTE TO THE FLAG**

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

**PUBLIC COMMENTS (On Current Agenda Items Only)**

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

MOVED: John Auberger  
SECOND: Mark Van Tassel  
All members voted in favor.

Mary Cummins, Pleasant Valley Lake Association Board President, regarding Resolution #18-157, expressed thanks to the Council and Township for their partnership with the Association in collection of assessments and final closeout for the Dam Restoration project.

Seeing no more members of the public 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 Executive and Regular Meeting Minutes of May 14, 2018.

MOVED: Dan Kadish  
SECOND: John Auberger  
A roll call vote was taken:  
AYES: Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: None

Motion Carried to approve the Executive and Regular Meeting Minutes of May 14, 2018.

**CONSENT AGENDA**

Council President Murphy gave a brief explanation of Resolutions #18-154 to #18-165.

Council Member Ooms questioned why Township is acting on Resolution #18-161. Ms. Yetter stated Resolution is to make Township aware of the County annual contribution to the two Vernon Volunteer Ambulance Squads.

Council President Murphy asked for a motion to approve Resolutions #18-154 to #18-165.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, John Auberger (except #18-158,18-159,18-160, and 18-164), Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: John Auberger from Resolution #18-158,18-159,18-160, and 18-164.

ABSENT: None

Motion carried to approve Resolutions #18-154 to #18-165.

### **RESOLUTION #18-154**

#### **REFUND OVERPAYMENT – WELLS FARGO (Block 199.01 Lot 12)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Wells Fargo Real Estate Tax Service in the amount of \$762.05 representing refund for overpayment of 2<sup>nd</sup> qtr. 2018 property taxes for Block 199.01 Lot 12 C0008, also known as [REDACTED]

### **RESOLUTION #18-155**

#### **REFUND OVERPAYMENT- CORELOGIC (Block 206.11 Lot 3)**

**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 \$1,335.12 representing refund for overpayment of 4<sup>th</sup> qtr. 2017 property taxes for Block 206.11 Lot 3, also known as [REDACTED]

## **TOWNSHIP OF VERNON**

### **RESOLUTION #18-156**

#### **RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,407,500 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

Pursuant to a bond ordinance of the Township of Vernon, in the County of Sussex (the "Township") entitled: "Bond ordinance appropriating \$2,380,870, and authorizing the issuance of \$1,453,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on April 23, 2018 (#18-17), bond anticipation notes of the Township in a principal amount not exceeding \$1,407,500 shall be issued for the purpose of temporarily financing the

improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and

things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

This resolution shall take effect immediately.

#### **Resolution #18-157**

#### **RESOLUTION –RECOGNIZING THE COMPLETION OF THE PLEASANT VALLEY LAKE SPECIAL ASSESSMENT AND AUTHORIZING REIMBURSEMENTS TO THE PLEASANT VALLEY LAKE HOMEOWNER’S ASSOCIATION**

**WHEREAS**, on April 29, 1998 the Township of Vernon and the Pleasant Valley Lake (“PVL”) Homeowner’s Association entered into a co-borrower’s agreement for the special assessment for the PVL Dam Rehabilitation Project; and

**WHEREAS**, the Township has completed the necessary billing per the assessment; and

**WHEREAS**, the NJ Department of Environmental Protection Loan has been paid in full in connection with the PVL Dam Rehabilitation Project; and

**WHEREAS**, the final accounting has been performed and amounts are due back to the PVL Homeowner’s Association per the attached schedule.

**NOW THEREFORE, BE IT RESOLVED**, that the Council of the Township of Vernon hereby recognizes that the special assessment of the Pleasant Valley Lake Dam Rehabilitation Project as final and complete; and

**BE IT FURTHER RESOLVED**, that the Council of the Township of Vernon authorizes the Chief Financial Officer to remit payments to Pleasant Valley Lake Homeowners Association for the amounts listed on the attached schedule, and

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

#### **RESOLUTION #18-158**

#### **RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JUNE 30, 2018 WITH RAIN DATE OF JULY 7, 2018 WITHIN THE TOWNSHIP OF VERNON**

**WHEREAS**, N.J.S.A.21:3-1et seq. Explosive and Fireworks, provides that a Municipal Governing Body must authorize the display of fireworks within its boundaries as a pre-condition to such display in accordance with the New Jersey Fire Prevention Code; and

**WHEREAS**, Tall Timbers Property Owners Association has submitted an application to Vernon Township to conduct a fireworks display on June 30, 2018 with rain date of July 7, 2018; and

**WHEREAS**, the proposed fireworks display will take place at 100 Tall Timbers Road, in the Beach area; and

**WHEREAS**, Tall Timbers Property Owners Association has engaged in a contract with Garden State Fireworks, Millington, NJ, to perform the public fireworks and special effects display and has provided the required certificate of liability insurance to the Township.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Vernon, in the County of Sussex, hereby authorizes the fireworks display, performed by Garden State Fireworks Inc. on June 30, 2018 with rain date of July 7, 2017, at Tall Timbers Beach area, located at 100 Tall Timbers Road, Vernon, NJ upon satisfaction of all statutory and departmental requirements.

**RESOLUTION #18-159**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF VERNON, NEW JERSEY AND COUNTY OF ORANGE, NEW YORK FOR USE OF THE ORANGE COUNTY FIRE TRAINING CENTER**

**WHEREAS**, the Township of Vernon, State of New Jersey and County of Orange, State of New York, Department of Emergency Services wish to enter into an agreement for the use of the Orange County Fire Training Center; and

**WHEREAS**, the County of Orange, New York is the fee owner of the County Fire Training Center located at 9 Fire Training Lane, New Hampton, New York; and

**WHEREAS**, the Vernon Township Fire Department, Pochuck Valley Fire Department, McAfee Fire Department and Highland Lakes Fire Department (hereafter “Fire Departments”) desire to utilize these facilities and will cover all costs associated with the use of these facilities **at no cost to the Township**; and

**WHEREAS**, the Chiefs of the various Fire Departments have requested that the Township of Vernon contract for the use of these facilities on their behalf so they may use the various fire training and classroom facilities.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon, County of Sussex, State of New Jersey that the Mayor and Clerk are authorized to execute an agreement, which is attached hereto and made part hereof, between the Township of Vernon, New Jersey and County of Orange, New York for the use of the Orange County Fire Training Center for the Township’s Fire Departments, commencing June 1, 2018 through May 31, 2020.

**RESOLUTION #18-160**

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS (SCBA Packs)**

**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; and

**WHEREAS**, the Township intends to enter into contracts with AAA Emergency Supply 635 North Broadway, White Plains, NY. 10603, New Jersey State Contract A80945 for Self-Contained Breathing Apparatus manufactured by Scott Health and Safety, New Jersey State Contract A80961, applicable to all the conditions to current State contracts.

**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 AAA Emergency Supply of White Plains, N.Y. through Sate Contract A80945 and A80961 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 # 18-161**

**AUTHORIZING APPROVAL OF SUSSEX COUNTY CONTRIBUTION TO THE  
VERNON AND GLENWOOD –POCHUCK AMBULANCE SQUADS**

**WHEREAS**, Vernon Township is in receipt of Request for Certification for Rescue Squad Contribution of \$2,800.00 per squad from the County of Sussex; and

**WHEREAS**, per a resolution approved by the Board of Chosen Freeholders on February 28, 2001, Sussex County established policy to appropriate aid to Emergency Rescue Squads for the benefit of the county residents; and

**WHEREAS**, the policy stated that prior to approval, the appropriate municipality must approve the Emergency Rescue Squad seeking financial assistance.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Certification for Rescue Squad Contribution to the Vernon and Glenwood – Pochuck Ambulance Squads within Vernon Township and approves the receipt of financial assistance in the amount of \$2,800.00 per squad for the calendar year 2018; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Sussex County Administrative Center, Vernon and Glenwood-Pochuck Ambulance Squads.

**RESOLUTION 18-162**

**RESOLUTION AUTHORIZING PURCHASE OF DUMP BODY  
EQUIPMENT THROUGH NATIONAL JOINT POWERS ALLIANCE  
CONTRACT 080114-HPI THROUGH HENDERSON PRODUCTS INC.**

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

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

**WHEREAS**, the Township of Vernon has the need to procure certain dump body accessories for a Freightliner Truck purchase in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

**WHEREAS**, the Township of Vernon has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the National Joint Powers Alliance, and;

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

**WHEREAS**, the equipment and corresponding National Joint Powers Alliance contract is 080114-HPI for Henderson Products Inc; and

**WHEREAS**, the cost savings determination as required under LFN 2012-10 is \$36,528.00; and

**WHEREAS**, the quoted cost under the National Joint Powers Alliance contract \$85,233.00;

**NOW THEREFORE BE IT RESOLVED THAT**, the Business Administrator is hereby directed to effectuate the purchase of herein approved equipment for the approved cost of \$85,233.00 in accord with the provisions of the tenets as established within 40A:11-1 et. Seq.,

**RESOLUTION #18-163**

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE CONTRACT VENDORS (Freightliner 108SD Single Axle Truck)**

**WHEREAS**, the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the Educational Services Commission of New Jersey Cooperative Pricing System; and

**WHEREAS**, the Township has the need on a timely basis to purchase goods and services utilizing Educational Service Commission of New Jersey Contracts, 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 Freightliner 108SD through Campbell Freightliner LLC authorized under Educational Services Commission of New Jersey Cooperative Purchasing award, dated March 23, 2018 through March 22, 2020; and

**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 those approved Educational Services Commission of New Jersey Contracts extended to municipal units, pursuant to all conditions of the individual cooperative 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; and

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

**RESOLUTION #18-164**

**Resolution Accepting Bid of Campbell Supply Co Inc for Fire Apparatus and Ambulance Repair Bid**

**WHEREAS**, there is a need for a Fire Apparatus and Ambulance Repair Bid contractor 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 goods and services are procured in a safe, timely and cost-effective manner; and

**WHEREAS**, the Township of Vernon received bids for Fire Apparatus and Ambulance Repair Bid under bid 5-2018 duly advertised and held a public bid opening on May 24, 2018 at 12:30pm; and

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

**WHEREAS**, Campbell Supply Co Inc., 1015 Cranbury So River Rd. South Brunswick, N.J. has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; 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.);

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

1. The contract for Fire Apparatus and Ambulance Repair Bid is hereby awarded to Campbell Supply Co Inc.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a two (2) year contract with Campbell Supply Co Inc. for Fire Apparatus and Ambulance Repair Bid in accord with the tenets of contract found within Bid 5-2018, commencing June 1, 2018:

<b>Contract Year</b>	<b>HOURLY RATE</b>	<b>MINIMUM HOURS (if any)</b>	<b>PARTS % COST ABOVE WHOLESALE</b>
Contract Year 1 (12 months)	\$124.00/ Hour	0	20%
Contract Year 2 (12 months)	\$129.00/ Hour	0	20%

**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 # 18-165  
2018 SALARIES FOR NON-UNION EMPLOYEES**

**WHEREAS**, Ordinance #17-11, Ordinance #17-06, Ordinance #16-28, Ordinance #16-22, Ordinance #16-19, Ordinance #16-03, Ordinance #14-04 and Ordinance #15-20 amended salary ranges for non-union full time and part time employees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that the following persons be compensated at the annual salary or wage, the same being consistent with Ordinance #17-11, Ordinance #17-06, Ordinance #16-28, Ordinance #16-22, Ordinance #16-19, Ordinance #16-03, Ordinance #15-22 and Ordinance #15-20 retroactive to January 1, 2018.

Position	2018 Base Salary
<u>Ordinance 15-20</u>	
Zoning Code Enforcement	\$ 56,827.00
Tax Collector	\$ 70,227.00
DPW-Director	\$ 91,035.00
Animal Control Officer	\$ 33,150.00
Director of Community Affairs	\$ 45,951.00
Construction Code Official/Plumbing SubCode	\$ 79,591.00
Building Sub Code Official	\$ 63,118.00
Electrical Sub Code Official	\$ 63,240.00
 <u>Ordinance 14-04</u>	
Municipal Clerk	\$ 81,182.00
 <u>Ordinance 16-03</u>	
Administrative (Confidential) Assistant	\$ 55,203.00
DPW- Assistant Supervisor(Experienced)	\$ 69,695.00
Municipal Court Administrator	\$ 83,178.00
Fire Official	\$ 64,839.00

<u>Ordinance 16-19</u>		
Deputy Registrar of Vital Statistics	\$	3,570.00
<u>Ordinance 16-22</u>		
Principal Payroll Clerk	\$	58,249.00
<u>Ordinance 16-28</u>		
Supervising Mechanic	\$	69,695.00
<u>Ordinance 17-06</u>		
P/T Administrative Assistant (Tax Collection)	\$16.00 Per Hour	
<u>Ordinance 17-11</u>		
Chief Financial Officer	\$	97,419.00
Tax Assessor	\$	97,160.00
Registrar of Vital Statistics	\$	5,202.00

## 2017 ANNUAL AUDIT

Council President Murphy gave a brief explanation of Resolution #18-166.

Township Auditor William Schroeder came forward and explained his firm assessed the internal control structure of Vernon Township, test functionality, and make sure balance sheets can be substantiated based on statutory requirements of the State. Results of the Audit showed an increase in Fund Balance from \$240,000 to \$1,843,000 at year end December 31, 2017. Notes in the Financial Statements include the potential effect of the Mountain Creek Bankruptcy as a hardship on the Vernon Township Budget. Mr. Schroeder explained one recommendation is the need for segregation of duties due to low numbers of staff but stated overall it was a very good audit.

Council Member Kadish questioned increase in the storm recovery line. Ms. Yetter explained that line is for snow removal cost and was increased to cover spikes of bad weather years. Mr. Kadish questioned amount for waiver of benefits should be no more that \$5,000 which Mr. Schroeder noted they will investigate next year. Council Member Kadish questioned if included health services for the county employees from Vernon Township. Ms. Yetter explained Vernon currently pays for health services for one retired employee but there are two others which will need to be covered in the future. Council Member Kadish asked what the line for shelter fees is used for. Ms. Yetter explained the funds are used by Animal Control for adoption of pets.

Council President Murphy asked for a motion to approve Resolutions #18-166.

MOVED: Sandra Ooms

SECOND: Dan Kadish

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #18-166.

Clerk Kirkman requested the Council Members sign the Audit affidavit following the meeting.

## RESOLUTION #18-166

### 2017 ANNUAL AUDIT

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS, R.S. 52:27BB-34** authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS,** the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS,** such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS,** all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS,** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED,** that the Township Council of the Township of Vernon, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Council President Murphy read Ordinance #18-19 by title only:

**Ordinance #18-19:** Ordinance Amending The Salary Ordinance For “Non-Union” Employees

Council President Murphy asked for a motion to Introduce Ordinance #18-19 with a public hearing to be held on June 11, 2018.

MOTION: Dan Kadish  
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion carried to approve Introduction of Ordinance#18-19 with a public hearing to be held on June 11, 2018.

Council Member Ooms questioned why the Salary Ordinance was not a discussion item before the Ordinance was introduced as she had requested. Council Member Auberger explained he made suggestions to the Administration about positions that needed to be filled and salary increases. Council Member Van Tassel questioned how many ranges were changed in Ordinance#18-19. Council President Murphy stated some ranges were increased, some decreased. Council Member Kadish stated in this form of government, the executive powers go to the Mayor and it is the Mayor’s prerogative to determine salaries within the Council approved budget and suggested the Police Chief’s range should be lowered. Council Member Ooms recommended that the stipend amounts should not be given percentage increases and opined the ranges should be lowered so the top end of the range is not given. Council President Murphy explained the Council approves the

budget, then approves the Salary Ordinance and then approves a Resolution setting the salary for non-union employees. She added the range gives the Township opportunity to hire more experienced employees.

**PUBLIC COMMENTS** *(Limited to 3 minutes on any topic)*

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

MOVED: John Auberger

SECOND: Mark Van Tassel

All members voted in favor.

Scott Geysels, Barry Lakes Homeowners Association Trustee, questioned when the completion of paving Barry Lakes Drive will be completed. Mr. Voelker stated the catch basins need to be replaced first and will get back to Mr. Geysels when timeline can be determined.

Sally Rinker thanked Council Member Ooms for constantly addressing checks and balances in the Township budget. Ms. Rinker commented that Vernon must protect its natural resources from the illegal dumping of dirt occurring in Vernon Township recently and noted she reported dumping in Settler's Notch over two years ago. Ms. Rinker added that with the newly adopted Soil Fill Ordinance, the Township can work to stop the dumping. She opined that the Environmental Commission has not been involved dealing with this issue and urges the Township to not expect the County or State to handle the issue, Vernon must act with a Public Awareness Campaign. Ms. Rinker commented that Vernon residents want assurance the fill being dumped is clean and safe as pollution will adversely affect property values.

Norma Adeland expressed concern about the illegal dumping affecting her well and urges the fill be tested and removed if contaminates are found.

Frank White questioned if the dirt from the Truck motor vehicle accident spread over RT 515 was tested and noted past requirements of the NJDEP used to be very strict.

Michele Schaefer expressed concern of problem of very large piles of dirt being dumped in a residential area and questioned if \$75,000 fine ordered by the Judge was paid.

Donna Smith stated she lives next door to where dumped soil has raised backyard by 8 feet and urges that the soil be tested due to close distance to neighboring wells.

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

MOVED: Dan Kadish

SECOND: Sandra Ooms

All members voted in favor.

Zoning Officer Allison LaRocca addressed Council to detail how the Township is dealing with the illegal soil dumping occurrences. Ms. LaRocca explained the complaints have been filed with the State DEP as well as County Soil Conservation resulting in a Stop Work order, but dumping has continued. She added six summonses were given and the next court date is on June 12, 2018. Council President Murphy stated the Township has sent letters to Senator Oroho's office about Vernon's concerns with no resolve to date. Council Member Ooms opined that the Zoning Officer should investigate the fact that the person in question is running a commercial business in a residential zone. Ms. LaRocca noted her comment.

Mr. Frank White commented that based on topographical maps, the soil dumping occurs on a parcel that borders wetlands which should not be allowed or be a NJDEP violation.

Council Member Van Tassel agreed that the soil is a great concern for all residents and NJDEP should investigate and test to determine if contaminated. Council President Murphy stated the soil issue has been going on too long with no action, as some records date back to 2009 and any new information should be sent to Senator Oroho's office.

**MAYORS REPORT**

Mr. Voelker stated there is no Mayor's report.

Council Member Ooms questioned when the Township will be sweeping the streets of snow grits. Mr. Voelker explained DPW has begun the annual sweeping of Township roads but noted due to the extended winter, they are a bit behind schedule but will send update to Council.

### **COUNCIL COMMENTS**

Council Member Auberger commented he is interested in moving forward with an Ordinance allowing residents to have chickens.

Council Member Kadish had no comments.

Council Member Van Tassel had no comments.

Council Member Ooms thanked the other Council Members for their discussion on the Salary Ordinance. Ms. Ooms questioned what the status of the Ordinance is allowing an electric fence for Beekeepers which Ms. Murphy stated will be included within the Chicken Ordinance.

Council Member Ooms commented that the salaries of all employees should be on the website for transparency reasons and questioned why some salaries were reduced.

### **COUNCIL PRESIDENT COMMENTS**

Council President Murphy commented that in 2015, a work-session was held to discuss a Property Maintenance Ordinance which was tabled with no action taken and suggested it should be brought back and reviewed so enforcement can be done. Council President Murphy stated the Vacant Property Ordinance needs to be amended to include commercial sites and noted that over 100 letters have been sent to owners for registrations. Ms. Yetter commented there is a specific line item on the monthly budget reports where the Council can view the receipt of collections.

Council President Murphy added the weather was great for the annual Memorial Day Parade held on May 28th which many attended.

### **ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:57 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: June 25, 2018