

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING**

**June 26, 2017**

The Meeting of the Township Council of the Township of Vernon was convened at 6:30 p.m. on Monday June 26, 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, Patrick Rizzuto and Council President Jean Murphy. Also present were Mayor Harry Shortway, Administrator Charles Voelker, and Township Attorney Joshua Zielinski.

**EXECUTIVE SESSION**

Mr. Zielinski read the Resolution for Council to enter Executive Session for discussion on:

**RESOLUTION TO GO INTO EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 permits the exclusion of the public in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are:
  - a. Pending Litigation –Paladini v. Township of Vernon; Mt. Creek Bankruptcy (N.J.S.A.10:4-12 (b) 7)  
(Anticipated Time of Disclosure November 2017)
  - b. Contract Negotiations- MUA N.J.S.A.10:4-12 (b) 7  
(Anticipated Time of Disclosure December 2017)
3. This resolution shall take effect immediately.

Council President Murphy asked for a motion to enter Executive Session.

Motion: Dan Kadish  
Second: Patrick Rizzuto  
All Members present were in favor.

Council President Murphy asked for a motion to Close Executive Session at 6:52 pm.  
At 6:52 PM Council President Murphy asked for a motion to end Executive Session and return to open session at 7:30 pm.

Motion: Dan Kadish  
Second: Dick Wetzal  
All Members present were in favor.

The Council returned to open session at 7:30 p.m.

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday June 26, 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, Patrick Rizzuto and Council President Jean Murphy. Also present were Mayor Harry Shortway, Administrator Charles Voelker, CFO Elke Yetter, Township Attorney Joshua Zielinski.

### **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: Dan Kadish

SECOND: Dick Wetzel

All members voted in favor.

Jessi Paladini, Highland Lakes commented that she has had differences with the Mayor but never sought to hurt him and offered him place on the Scenic Byway Committee. Ms. Paladini questioned why the Township has stopped mowing the Black Creek Site. Ms. Paladini stated it took DPW personnel only one hour weekly to mow and because of the stoppage, all future summer outdoor historical programs were cancelled. Ms. Paladini added Vernon is 1 of only 7 cities to be included in the New Jersey and National Register of Historical Places and feels the town should continue mowing the site. Ms. Paladini stated she toured the site two weeks ago along with NJDOT official and Director for Scenic Byway only to find grass over grown. Ms. Paladini opined that Mayor Shortway is ruining the archaeological gem meanwhile supporting a new 19-mile trail vision throughout the town. Ms. Paladini added the Historical Society has worked with many governing bodies and feels very emotional about the issue. She added the Mayor stated it was done due to budget constraints but continues to use DPW personnel on state-owned land on Canal Road and asks Council to overrule the Mayor's decision and direct the DPW to mow the Black Creek Site so all residents can enjoy the benefits. Ms. Paladini stated the Mayor did direct DPW to mow a narrow strip to the Historical kiosk which she feels is not enough and if Council does not direct the Mayor then the Historical Society agreed to take care of the whole site with mowing privately.

Council Member Ooms commented mowing said property should be further discussed. Council Member Rizzuto stated he sees great opportunity and recreational value of the natural resource but not sure if Council can direct the Mayor to mow the site and added he would make a motion. Council Member Wetzel commented as a former history teacher, he would support a recommendation for Mayor to reconsider maintaining the Black Creek Site. Council Member Ooms asked why did the Township stop which the Mayor answered he will address issue in his comments later in meeting. Ms. Paladini stated the town continues to mow Canal road and adds the town has paid thousands of dollars in attorney litigation fees regarding \$60.00 owed to her.

Council Member Rizzuto restated his motion to request Mayor Shortway to reconsider having the DPW personnel assigned to the Black Creek Site. Council President Murphy asked who owns property and was told that the State of NJ owns the property.

Motion: Patrick Rizzuto

Second: Dick Wetzel

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Rizzuto, Dick Wetzel

NAYES: Dan Kadish, Jean Murphy

ABSTAIN: None

ABSENT: None

Motion Carried.

Council Member Kadish commented that Ms. Paladini was instrumental on changing to this form of government which cannot direct the Mayor on daily operations and Council can only request a policy.

Bill Perraca, resident for 8 years on [REDACTED] wanted to make Mayor & Council aware of traffic and noise problem on Canistear Road. Mr. Perraca stated vehicles travel at high rates of speed well over limit and urges Council to lower limit to 35 mph. He added during the summer, impossible to enjoy the outside because of the constant noise of vehicles like motorcycles or trucks and feels he may have to move if problem continues. Council President Murphy asked Mayor Shortway to address situation with Chief Mills and notes the Township does not own a messaging board at this time to remind drivers of limit.

Doreen Edwards, resident since 1985, states she understands cars on Canistear tend to drive over limit and noise from vehicles as well as lawn equipment is making it harder every day to enjoy the peaceful bedroom community.

Sally Rinker, stated she heard misinformation earlier in meeting and commented that in her opinion the Council can direct the Mayor by majority vote and Council can direct the Mayor to give a report on anything topic they wish and feels the public deserves government to have checks and balances.

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: Sandra Ooms

SECOND: Dick Wetzell

All members voted in favor.

## **MAYOR'S REPORT**

Mayor Shortway stated the Executive Committee of the Statewide Insurance Fund instituted a Safety Grant Program to provide support for programs that enhance safety for residents and employees and Vernon Township was awarded \$8,575.00.

On Trail Day, Vernon had 50 volunteers and many local businesses providing help and supplies to clear a half mile of trail in the township. Country Landscaping donated four workers, the Daily Bean donated free coffee, Suez donated cases of water and a Girl Scout Troop added several birdhouses and trail signs.

Mayor Shortway commented that Senators Booker and Menendez and Congressman Gottheimer continue to support our efforts to obtain funds promised by FEMA and read the caption of the response Vernon received from FEMA.

“The Applicant made two written requests for extension of time to submit their second appeal; once on December 4, 2015, and again on January 7, 2016. The Agency does not have a record of responding to those requests. Regardless, both of the Applicant’s requests were submitted beyond the 60-day limit provide by statute and regulation, and FEMA could not have granted them. As of November 16, 2015, 60 days after receipt of FEMA’s first appeal decision, the Applicant’s appeal rights lapsed. Thus, there is no basis to reconsider FEMA’s response to the Applicant’s second appeal.”

Mayor Shortway added that FEMA has taken issue with how the former administration handled this matter and notes Vernon will continue to pursue this matter on behalf of the affected qualified private communities.

Mayor Shortway stated he has received several inquiries related to the Western Scenic Byway and a grant that the Historic Society allegedly received. He adds that on April 10, 2017, Ms. Paladini stated, “The Scenic Byway Committee has hired a consultant to get started with the Management Plan and has received \$150,000-\$200,000 grant for that purpose.”

Since the Mayor took office, he stated that proponents have solicited my support including coming to my home unannounced on a Sunday morning.

Mayor Shortway explained he contacted Ms. Cindy Bloom-Cronin from the NJDOT. Ms. Cronin as the liaison between the NJDOT and Ms. Paladini on the Scenic By-way and the following statements were received from Ms. Cronin.

“The Western Highlands Scenic Byway was designated as the eighth NJ Scenic Byway. As part of the NJ Scenic Byway Program, the Western Highlands Scenic Byway will be assisted in the preparation of a management plan and sign location plans by the consultant Parsons Brinckerhoff. This is not a grant; they did not apply for funds to do the work. No funds will need to be supplied by the byway sponsor, Sussex County or the municipality. The management plan and sign location plan is part of the byway program and funding for this project is to fulfill the NJ Scenic Byway Program’s two-step process for byway designation. Any money in the byway program must be used for a project that benefits all (of the other seven) byways. Money from this program could not be given to this byway to be used towards a greenway and/or parking lot for the Appalachian Trail Boardwalk without going through a grant application process where all of the byways would apply for the same funds.” Ms. Cronin further states in the letter, “Roads other than State Roads do need a resolution of support from the agency that has jurisdiction of that portion of the roadway during the preparation of the corridor management plan and sign location plans.”

Mayor Shortway commented the Western Scenic Byway plan includes Sand Hill and Mc Peek Roads and stated there is no Council Resolution by the governing body in support of adding these municipal roads to the byway and there is confusion regarding this matter and he further stated he will not commit Township funds to this project at this time.

Mayor Shortway explained that due to manpower and budget restraints, he has directed DPW personnel direct their efforts on our township parks and not State meadows for example the park and memorials at Veterans Memorial Park were found in great need of attention. He added his wife Cherie, President Murphy and himself weeded the war memorial area and scraped off the remaining paint, re-painted it and planted two flats of flowers to honor our military and those who made the ultimate sacrifice. He has directed the DPW that the memorial is a priority and is to receive the utmost upkeep at all times.

Regarding the pasture located at the Black Creek site opposite the Great Lawn at Maple Grange Park, Mayor Shortway directed that it not be mowed at the present time, however, the trail around the meadow and a path to the kiosk were to be maintained. He added that Mrs. Paladini who is a steward of this state property, requested this morning, that the trail and pathway not be mowed by our DPW and believes that an agreement has been reached that the historic field will not be mowed by the Township and grounds will be maintained as the federal government practices on the Battlefields of Gettysburg as hollow grounds, “will remain in their natural historic state.”

Mayor Shortway reported that the roof repairs on the Municipal Building are essentially complete and a review of the punch list and a final walk around inspection remains to be executed but explains project came under budget by \$20,725.

Council Member Ooms questioned why Township stopped mowing the Black Creek site when the whole town can benefit from it and we should do what is right. Mayor Shortway explained DPW manpower is needed on Vernon Township parks which need attention and notes the state denied our request to create Lenape Tree Grove on the site. Council Member Rizzuto opined that previous administrations found the time and funds to satisfy the requirements of the parks and township assets. He added the Scenic Byway grant is not given to localities and controlled by the State Byway project and wants public to understand the potential benefits of the Byway and requests the Mayor to overlook personal agendas and do what is best for all of the township. Council Member Wetzel states he worked many camps for the Historical Society and expresses the cultural benefits children and adults receive and does not want the area neglected.

## **MINUTES**

Council President Murphy asked for a motion to approve the Regular Minutes of May 22, 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 Minutes of May 22, 2017

Council President Murphy asked for a motion to approve the Executive Session Minutes of May 22, 2017.

Council Member Rizzuto opined that the terms of the agreement in the executive session minutes was not reflected in the minutes and should be changed. Mr. Zielinski explains there is no binding vote in executive session. Mr. Rizzuto asked if vote can be taken at present time. Council President Murphy notes the agreement is not an agenda item and when it is added it can be changed if needed. Council Member Kadish opined that the Mayor does the negotiation not the Council.

Motion: Sandra Ooms - to change the May 22, 2017 Executive Session Minutes to reflect that majority of Council supported the change of agreement term from 1 to 3 years  
Second: Patrick Rizzuto

A roll call vote was taken:  
AYES: Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Jean Murphy  
NAYES: Dan Kadish  
ABSTAIN: None  
ABSENT: None

Motion carried to approve revising the Executive Session Minutes of May 22, 2017 to reflect that majority of Council supported the change of agreement term from 1 to 3 years

Council President Murphy asked for a motion to approve the Executive Session Minutes with the approved revision of May 22, 2017.

Motion: Sandra Ooms  
Second: Patrick Rizzuto

A roll call vote was taken:  
AYES: Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Jean Murphy  
NAYES: Dan Kadish  
ABSTAIN: None  
ABSENT: None

Motion carried to approve the Executive Minutes with the approved revision of May 22, 2017.

Council Member Kadish opined that Council Member Ooms did not express an opinion in the Executive Session of May 22, 2017 about the number of years and therefore it was not the majority of the Council.

## **ITEMS FOR DISCUSSION**

### NW Financial Group

Ms. Yetter explained a financial advisor will provide assistance to the Township in matters such as restructuring long-term debt, Redevelopment, PILOT plans and public-private partnerships and have a vast knowledge of the bond market, NJEIT and work with the Local Finance Board. The funds for this service are allocated in the approved 2017 Budget, maximum of \$5,000.00 and the proposal from NW Financial is \$205.00 per hour based on service or project and does not include a retainer. Ms. Yetter added the provider will not supersede Bond Counsel and has knowledge in sewer/ water and utilities and restructuring debt to help lower burden. She added Vernon

Township has used this provider in past and Vernon's Bond Counsel recommends we contract an advisor to move forward. Council President Murphy recommends having a contract and resolution for next agenda for this service.

### Pump Station Two

Mayor Shortway explains with the recent filing of Chapter 11 by Mountain Creek, the replacement of pump station 2 is more complicated but if it breaks down it must be replaced which could take from 18 -24 months. The Township is researching the NJEIT trust for help with the situation and the bond financial advisor will be important to provide assistance.

Mayor Shortway stated that last week the Sand Hill pump station's roof was found to be compromised and restated his criticism of the former administration for not following through on forcing Mountain Creek to replace this component of the sewer system which should have been completed in 2012. The Mayor added that according to the VTMUA Director, Mr. John Scerbo the roof issue creates an unsafe structure and leaks create infiltration resulting in further weakening of the structure. Mayor Shortway explained he met with VTMUA Chairman Zinno and Mr. Scerbo during the first few days of my term because I desired to know why the pump station had not been replaced by July 1, 2012 as required by the 2012 Interlocal Agreement between Mountain Creek and the Township to which they both informed me there was an extension which when he requested a copy of the agreement, neither MUA officials could produce it. Research of former council and MUA minutes, and resolutions were absent of any such extension.

Mayor Shortway stated that approximately three weeks ago a letter between Mayor Marotta and Mr. Andrew Mulvihill was discovered in a file which was the agreement dated March 28, 2013 and signed by Mr. Marotta. He added the letter created a time table that extended the replacement of the pump station pass the deadline in part the letter reads, the upgrade "need not be completed by July 1, 2013." MCRI requested the 2012 Agreement be amended and the schedule may not require immediate action by MCRI. Mayor Shortway further added that there is no council resolution to support this agreement and the pump station has not been rebuilt as required by the 2012 Funding Agreement even though the VTMUA's own engineer identified hazards within the structure from as early as Dec. 7, 2012.

Mayor Shortway notes Mountain Creek has provided escrow but explains the Council may need to decide to bond by January 1, 2018 for the replacement as Vernon cannot wait for it to break down. He added Mr. Scerbo and Ms. Yetter have applied for the NJEIT funds and added a loan may be partially forgiven. Council Member Rizzuto indicated that congressional support is needed to assist Vernon in the application process.

### **CONSENT AGENDA**

Council President Murphy gave a brief explanation of Resolutions #17-134 through #17-140.

Council President Murphy asked for a motion to approve Resolutions #17-134 through #17-140.

MOVED: Dan Kadish made motion to approve with exception of #17-134.

SECOND: Sandra Ooms

A roll call vote was taken:

AYES: Dan Kadish, Sandra Ooms, Patrick Rizzuto, Dick Wetzel but abstains vote on #17-135, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions #17-135 thru #17-140.

### **17-135**

### **Resolution Enabling Agent and Contracting for Online Power Purchase**

**WHEREAS** the NJ Department of Community Affairs, Division of Local Government Services, permits public entities – as per P.L.2001, c.30 – to utilize Division-approved online purchasing agents to secure energy supply contracts through an online bidding/reverse auction process; and

**WHEREAS** the services of said approved agents are exempt from public bidding, as per P.L.2001, c.30; and

**WHEREAS** the governing body of the Township of Vernon desires to utilize Premiere Marketing, LLC dba Transparent Energy (“TE”) – a BPU certified and DCA approved provider of online energy procurement services – to secure natural gas and electricity supply contracts; and

**WHEREAS** the NJDCA and NJBPU advise that contracts for power supply should be awarded shortly after an online auction is conducted in order to ensure the lowest possible rates;

**THEREFORE, BE IT RESOLVED**, that the governing body of the Township of Vernon authorizes TE to investigate market conditions and, when directed by approved Township of Vernon officer(s), conduct online auctions for the purpose of securing natural gas and electricity supply contracts for its utility accounts.

**BE IT FURTHER RESOLVED**, that the governing body of the Township of Vernon authorizes Mayor Shortway or his designee to award and sign power supply contracts on the day that the auctions close, provided that the natural gas and electricity rates procured are at least 7% and 12% lower – respectively – than those provided by the local utility company.

#### **RESOLUTION #17-136**

#### **AUTHORIZING CHANGE ORDER #2 AND CHANGE ORDER #3 OF CONTRACT WITH BILLY CONTRACTING & RESTORATION INC. FOR MUNICIPAL ROOF REPLACEMENT**

**WHEREAS**, on March 13, 2017 by way of adoption of Resolution #17-79, the Council of the Township of Vernon awarded a contract to Billy Contracting & Restoration, Inc. to replace the roof at the Municipal Building which contract provided for an expenditure of \$231,700.00 which included an allowance up to of \$30,000.00 for changes to original bid specifications; and

**WHEREAS**, per the Township Project Architect, a Change Order No. 1 was approved via resolution 17-120 on May 22, 2017 for \$8,195.00, and

**WHEREAS**, per the Township Project Architect, a Change Order No. 2 was recommended as the antenna relocation work performed came in under budget which equates to a credit in the amount of \$3,920.00 to the Township; and

**WHEREAS**, per the Township Project Architect, a Change Order No. 3 was recommended as the Township has additional materials and services which it would like to exchange, specifically Billy Contract will be removing an old antenna wire and provide the Township with four (4) packs of shingles in exchange for a rebate on eight (8) unused plywood sheets which equates to a final credit for the general allowance in the amount of \$16,805.00 to the Township; and

**WHEREAS**, the Township Project Architect, in concurrence with the Mayor and Business Administrator, recommends approving Change Order No. 2 and Change Order No. 3 for the betterment and safety of those working or visiting the Municipal Building.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Project Architect’s recommendation and authorizes the Mayor to execute said Change Order No. 2 and Change Order No. 3 for said project allowing a total credit of \$20,725.00 to the Township of Vernon, and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Billy contracting & Restoration, Inc., and the Township Project Architect.

**RESOLUTION # 17-137**  
**2017 SALARIES FOR NON-UNION FULL TIME EMPLOYEES**

**WHEREAS**, Ordinance #16-22, Ordinance #16-28, Ordinance #16-19, Ordinance #16-03, Ordinance #15-22 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 #16-22, Ordinance #16-28, Ordinance #16-19, Ordinance #16-03, Ordinance #15-22 and Ordinance #15-20 retroactive to January 1, 2017.

<u>Position</u>	<u>2017 Base Salary</u>
<u>Ordinance 15-20</u>	
Land Use Administrator	\$ 64,945.00
Zoning Code Enforcement	\$ 55,713.00
Tax Collector	\$ 68,850.00
DPW-Director	\$ 89,250.00
Administrative Clerk- DPW	\$ 54,121.00
Animal Control Officer-Department Head	\$ 62,316.00
Animal Control Officer	\$ 37,885.00
Recreation Aide	\$ 31,837.00
Construction Code Official/Plumbing SubCode	\$ 78,030.00
Building Sub Code Official	\$ 65,848.00
Electrical Sub Code Official	\$ 65,848.00
 <u>Ordinance 15-22</u>	
Municipal Clerk	\$ 79,590.00
 <u>Ordinance 16-03</u>	
Purchasing Agent	\$ 5,200.00
Administrative (Confidential) Assistant	\$ 54,121.00
DPW- Assistant Supervisor	\$ 68,328.00
Municipal Court Administrator	\$ 81,547.00
Fire Official	\$ 63,568.00
 <u>Ordinance 16-19</u>	
Deputy Registrar of Vital Statistics	\$ 3,500.00
 <u>Ordinance 16-22</u>	
Principal Payroll Clerk	\$ 57,107.00
 <u>Ordinance 16-28</u>	
Supervising Mechanic	\$ 68,328.00

**RESOLUTION # 17-138**  
**2017 SALARY FOR NON-UNION PART TIME EMPLOYEES**

**WHEREAS**, Ordinance #15-20, and Ordinance #16-03 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 hourly salary or wage, the same being consistent with Ordinance #15-20 and Ordinance #16-03 effective July 1, 2017.

Effective 11/1/2016



		Per Hour	
Ordinance 15-20			
Security Guard- Court	Michael Burns	\$	22.44
Ordinance 15-20			
Accounting Assistant- Part-time	Elizabeth Hanisch	\$	26.52
Animal Control Officer- Part-time	Bonita Johnson	\$	17.97
Animal Control Officer- On Call	Bonita Johnson	\$	167.36 Per Week
Nutrition Site Manager	Jane Damstra	\$	17.34
Food Service Worker	Carol Gormley	\$	11.22
Fire Prevention Specialist	Kenneth Clark	\$	16.32
Fire Prevention Specialist	Paul O'Connor	\$	20.40
Building Inspector/Fire SubCode Official	James Cutler	\$	35.70
Animal Attendant	Thomas Martino	\$	8.67
Laborer- Recycling	Daniel Balemian	\$	13.26

**RESOLUTION #17-139**

**AUTHORIZATION TO ENDORSE A TREATMENT WORKS APPROVAL APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CONSTRUCTION OF AN ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM ALTERATION AT NATIONAL WINTER ACTIVITY CENTER LOCATED AT 44 BREAKNECK ROAD BLOCK 192.02 LOT 25 AND BLOCK 192.01 LOT 13**

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJDEP”) is responsible for administering the Treatment Works Approval (“TWA”) program, which establishes and implements minimum standards for building, installing, modifying, and operating treatment works; and

**WHEREAS**, N.J.A.C. 7:14A-22.2 and 22.3 requires the filing of a TWA permit application with the NJDEP for building or modifying a sewer connection or extension; and

**WHEREAS**, in accordance with N.J.S.A. 58:10A-1 et seq., a municipality must endorse such application for review by the NJDEP; and

**WHEREAS**, National Winter Activity Center was approved by the Vernon Township Land Use Board, for plans to construct a Main Lodge Addition and new Cross Country Complex Building and the construction of the approved plans will require the construction of On-Site Wastewater Treatment and Disposal System alterations; and

**WHEREAS**, the Township Engineer has reviewed the Treatment Works Approval Permit Application and has recommended in a memorandum dated June 21, 2017 that the Township Council authorize the signing of the Statement of Consent supplement to the Treatment Works Approval Permit Application.

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

1. The Township will endorse the submission of the TWA application for the aforesaid project.
2. The Township Mayor is hereby authorized to sign the TWA on behalf of the Township.
3. This Resolution shall be made a part of the application submitted to the NJDEP.
4. This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION #17-140**

**RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF VERNON  
FOR THE 2017-2018 LICENSING TERM**

**WHEREAS**, all licensees to dispense alcoholic beverages are required to submit annually, no later than June 30, 2017, the necessary paperwork and fees for renewal of their liquor license; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that the following licenses shall be reissued for the 2017-2018 licensing period effective as of July 1, 2017.

**CLUB LICENSE**

Wallkill Valley VFW Memorial Post #8441 1922-31-010-002

**HOTEL EXCEPTION**

Stone Hill Recreation Corp. (Minerals Resort and Spa) 1922-36-011-001

**PLENARY RETAIL CONSUMPTION**

Drew's Tavern, Inc. (Lamp Post Inn) 1922-33-001-004  
Great Gorge Entertainment LLC (Golf course) 1922-33-003-008  
FLME, Inc. (The George Inn) 1922-33-008-003  
Smokeys Glenwood Grill, LLC (Smokeys Brick Oven Tavern) 1922-33-013-003  
Appalachian Liquors Corp. Debtor in Possession 1922-33-007-015

**LIMITED RETAIL DISTRIBUTION**

LWS2 Inc. (Lake Wanda Store) 1922-43-005-003

**PLENARY RETAIL DISTRIBUTION**

Highland General Store Inc. 1922-44-002-002  
Mac & Lindy's LLC (Mac & Lindy's Fine Wine & Spirits) 1922-44-012-001

**PLENARY RETAIL CONSUMPTION (INACTIVE LICENSE)**

JD Vernon Lodge & Inn, LLC (Scully's Tavern and Grill) 1922-33-009-004

Council President Murphy asked for a motion to approve Resolution #17-134.

Council Member Kadish asked if people have been contacted about the checks which Ms. Yetter explains the Court Administrator has handled the process.

MOVED: Patrick Rizzuto

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

**RESOLUTION #17-134**

**AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES**

**WHEREAS**, the Chief Financial Officer has determined that the following Township checks have been outstanding for a period in excess of six months:

**GENERAL ACCOUNT # 639403719:**

<b>Check No.:</b>	<b>Date Written:</b>	<b>To Whom:</b>	<b>Amount:</b>
2102	01/04/2016	Michael Skarica	\$ 1.00
2125	03/07/2016	Helen Rein	\$ 72.00
2195	10/03/2016	Acme Supermarket	\$274.00
2202	11/15/2016	Heather Sullivan	\$ 10.00
<b>TOTAL</b>			<b>\$357.00</b>

**THEREFORE**, be it resolved that the above outstanding checks be restored to the Township cash balances.

Motion carried to approve Resolution #17-134.

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

Council Member Murphy read Ordinance #17-10 by title only.

**Ordinance #17-10:** Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Chapter 148 And Chapter 250 Of The Code Of The Township Of Vernon Regarding Potentially Dangerous Dogs

Council President Murphy asked for a motion to introduce Ordinance #17-10 with public hearing on July 10, 2017.

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 Introduce Ordinance #17-10 with public hearing on July 10, 2017.

Council Member Murphy read Ordinance #17-11 by title only.

**Ordinance #17-11:** Ordinance Amending The Salary Ordinance For “Non-Union” Employees

Council President Murphy asked for a motion to introduce Ordinance #17-11 with public hearing on July 10, 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 Ordinance #17-11 with public hearing on July 10, 2017.

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

Council Member Murphy read the ordinance by title only.

**Ordinance #17-09:** Bond Ordinance Appropriating \$3,636,500, And Authorizing The Issuance Of \$2,948,000 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

Council President Murphy asked for a motion to open the public hearing for Ordinance#17-09.

MOVED: Patrick Rizzuto

SECOND: Dick Wetzel

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 #17-09

MOVED: Dan Kadish

SECOND: Dick Wetzel

All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#17-09.

MOVED: Dan Kadish

SECOND: Patrick Rizzuto

A roll call vote was taken:

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

Nays: None

Abstain: None

Absent: None

Motion carried to adopt Ordinance#17-09.

## **COUNCIL COMMENTS**

Council Member Kadish opined about recent comments on the internet asking who is the responsible for the sewer contracts and commented that the individuals who negotiated and signed the agreements are responsible and should be investigated to obtain true facts.

Council Member Ooms questioned why the Township purchases new vehicles and doesn't buy certified pre-owned to avoid the hit of devaluation and that they could be serviced by the Township mechanics to save the taxpayer money. Ms. Ooms explained a list of expenses spent on potential purchase of property on Wisteria road totaled \$20,000 not counting engineering fees and Land Conservancy services and notes the council was not afforded the opportunity to vote on the process.

Council Member Rizzuto commented that the largest taxpayer in Vernon who is going through financial issues held a Sussex County Resident Day offering free admission for a donation of canned foods to help our local food bank and expresses appreciation for their wonderful gesture.

Council Member Kadish commented he does not feel money spent on potential purchase of Wisteria property was an effort to be well informed and was not a waste. He added he is aware of a farmer who could mow the Black Creek Site if needed.

## **COUNCIL PRESIDENT COMMENTS**

Council President Murphy commented about an article about Great Gorge Village and Comet, the management company used. Council President Murphy noted that the township provides reimbursements for services under the Municipal Services Act to pay for snow plowing costs.

Council President Murphy asked Mayor Shortway if owner of Wisteria property will remove contaminated soil. Mayor Shortway explained the owner was told to clean up site before Towns could consider purchasing which the owner has not done.

Council Member Ooms commented again that she felt the Wisteria Road services was a waste of money.

**ADJOURNMENT**

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Council Member Rizzuto, 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 8:51 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: August 14, 2017