

Township of Vernon

TOWNSHIP COUNCIL MEETING MINTUES

July 8, 2019

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on July 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. Also present was Business Administrator Charles Voelker and Township Attorney Marlin Townes.

SALUTE TO THE FLAG

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

PROCLAMATIONS:

Council President Murphy requested Recreation Supervisor Mishelle Downtain to come forward and read the Proclamation Designating July as Park and Recreation Month in Vernon Township.

Designation of July as Park and Recreation Month

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including Vernon Township, NJ; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Vernon Township, NJ recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY the Vernon Township Council that July is recognized as Park and Recreation Month in the Vernon Township, NJ.

PUBLIC COMMENTS (On Current Agenda Items Only)

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

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

Peg Distasi, Vernon, questioned how she can obtain answers to questions. Ms. Distasi was advised that she can email Administration who will then forward her questions to the appropriate departments.

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: Patrick Curreri
All members voted in favor.

MINUTES

Council President Murphy asked for a motion to approve the Executive Session Minutes and Regular Meeting Minutes of May 30, 2019.

MOVED: John Auberger
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion was approved.

ITEMS FOR DISCUSSION

A. Town Center Trail

Council President Murphy stated there were several comments from the public and the Council about the easement status needed for trail. Attorney Townes stated easements are in progress and that he will provide follow up information after speaking to Attorney Zielinski. Mr. Voelker stated easements are in progress with property owners, but he has not heard of any results at this point. Council Member Curreri asked for a status update of easements at next meeting.

Council President Murphy stated that it has been posted on social media that she is blocking the trail. Council President Murphy noted that the Council has been discussing the easements since August 2017, and it was the Council that had passed the Ordinance to allow Open Space Funds question to be put on ballot. She added that engineering estimates of the trail were received in September and October of 2018 and that Mayor Shortway provided a presentation at the February 11, 2019 meeting on the trail. The Council approved a resolution which included, \$9,000 for Engineering and \$6,000 in administrative material costs. Council President Murphy noted that what is holding up the trail is the lack of easements. Council President Murphy questioned that since the easements are not yet finalized is there a need to release the project portion of \$170,000 of the Open Space Funds yet.

Council President Murphy noted the timeline:

- In November of 2015, she attended a County meeting advocating for the trail.
- On February 21, 2019, the Council received an Engineering estimate of the trail.
- On March 5, 2019, the Mayor questioned if the Council should take over project because they are the Open Space committee, but the Township Attorney indicated easement negotiations are done by the Mayor in Vernon's form of government.
- On March 11, 2019, two Council Members walked the proposed trail discussing needed easements.
- On April 2, 2019, a resolution asking to release \$176,000 of Open Space Funds included the \$5,000/year for continued maintenance was presented. Council President Murphy questioned why maintenance should be approved when easements were not finalized.

- On April 15, 2019, the Township Engineer requested funds to be released at next meeting, with plan to take Bids on May 8, 2019 and award on May 13, 2019 if Council approves.
- On April 22, 2019, consultant Greener By Design, did a Trail presentation with talk of grants and property acquisitions but no easements were yet finalized.
- On April 20, 2019, an updated map of Vernon Bike Path Trail was received.
- On April 25, 2019, Council President Murphy discussed with Mayor Shortway that \$5,000 maintenance costs should be removed from May 13, 2019 Resolution.
- On May 13, 2019, Resolution was on agenda but still no easements had been finalized for the trail.

Council Member Ooms expressed concern that existing sewer easements were not sufficient to permit a walking trail. Attorney Townes explained that council could approve the Resolution to release the funds but any contract for the project will need further Council approval. Council President Murphy noted that based on satisfactory progress the Council approved to release the funds but remarked the easements are still not finalized.

Council Member Ooms stated that Open Space funds were wasted to create the Engineered Trail maps prior to having the easements finalized and noted Vernon had similar situation with a Main Street property. Council President Murphy noted that Council must assert due diligence with Trail plan to avoid any future issues. Council Member Curreri requested regular updates on easement status and property acquisitions including correspondence between property owners and Vernon.

B. An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Chapter 509 Of The Municipal Code Of The Township Of Vernon Entitled "Taxation" To Include Transient Accommodations

Council Member Ooms stated her understanding of the purpose of Ordinance is for safety, fire protection and registry but she objected to additional personnel needed to administer program. Council Member Ooms suggested that the Lake Communities share their registries. Council President Murphy questioned the point of the Ordinance if fees received were used for added personnel. Mr. Voelker explained that any property that is used as an Air BNB must comply with Building/Fire Prevention inspections and Code requirements and the registry is needed to know how the property is utilized. Council President Murphy noted that property owners are already required to comply with the law and questioned how many Air BNB rentals are there in Vernon. Mr. Voelker stated it was not clear at this time. Mr. Voelker explained that added personnel would be needed depending on how many units register which is difficult to estimate. Council President Murphy added that Vernon has collected \$88,000 in fees for Vacant Property Registry Ordinance. Mr. Voelker stated that with the vacant Ordinance, there was limited voluntary compliance, but other properties required additional follow up by personnel. Council Member Curreri stated the Mayor's idea of Air BNB is a creative solution to fund the future of recreational facilities but not if it requires a new position to be created to enforce the ordinance. Mr. Voelker stated that it is impossible to know how many there will be until the Ordinance is approved and added the theory of a tax designated for a specific purpose is a good idea. Council President Murphy suggested contacting neighboring towns in NJ and NY and Vernon's lake communities to see how Air BNB rentals are handled for statistical purposes. Council Member Curreri questioned if it was feasible to have a six month probationary period to get an idea of how many are in Vernon. Council Member Ooms stated Vernon needs more research on inspections needed for the rentals and address the safety concerns for the community.

CONSENT AGENDA

Council President Murphy stated Resolutions #19-155 and #19-156 will be separated from the Consent Agenda.

Council President Murphy read the titles and gave a brief explanation of Resolutions #19-151 through #19-154.

Council President Murphy asked for a motion to approve Resolutions #19-151 through #19-154.

MOVED: Sandra Ooms
SECOND: John Auberger

A roll call vote was taken:

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

NAYES: None

ABSTAIN: None

ABSENT: None5

Motion Passed to approve Resolutions #19-151 through #19-154.

Resolution #19-151: Refund Overpayment- (Edward P. Azar, LLC) Block 469 Lot 38

Resolution #19-152: Refund Overpayment- (Cornerstone Abstract & Title Agency, LLC)
Block 604 Lot 44

Resolution #19-153: Refund Overpayment- (Interstate 1st Title Agency, LLC) Block 527
Lot 292

Resolution #19-154: Authorize the Award of a Fair and Open Contract for Sourcewell
National Cooperative Contract 041217

**RESOLUTION # 19-151
(REFUND OVERPAYMENT- (Edward P. Azar, LLC)
Block 469 Lot 38**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Interstate Edward P. Azar in the amount of \$2,114.43 representing refund for overpayment of 4th qtr. 2017 property taxes for Block 469 Lot 38 also known as

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**RESOLUTION # 19-152
(REFUND OVERPAYMENT- (Cornerstone Abstract & Title Agency, LLC)
Block 604 Lot 44**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Cornerstone Abstract & Title Agency, LLC in the amount of \$1,581.32 representing refund for overpayment of 2nd qtr. 2017 property taxes for Block 604 Lot 44 also known as

██

**RESOLUTION # 19-153
(REFUND OVERPAYMENT- (INTERSTATE 1ST TITLE AGENCY, LLC)
Block 527 Lot 292**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Interstate 1st Title Agency, LLC in the amount of \$749.12 representing refund for overpayment of 1st qtr. 2017 property taxes for Block 527 Lot 292 also known as

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**RESOLUTION #19-154

AUTHORIZE THE AWARD OF A FAIR AND OPEN CONTRACT**

FOR SOURCEWELL NATIONAL COOPERATIVE CONTRACT 041217

WHEREAS, the Township of Vernon has a need for Leaf Vacuum equipment for its public works function; and

WHEREAS, the Township of Vernon was authorized through resolution 18-142 on May 14, 2018 to use the Sourcewell (formerly NJPA) national cooperative; and

WHEREAS, Old Dominion Brush Company responded to a publicly advertise bid opening by Sourcewell on April 13, 2017 in response to RFP #041217; and

WHEREAS, the Township desires to purchase model numbers:

Xtreme Vac Model XV500.8 - Leaf Box
Xtreme Vac Model XV450.K87 – Leaf Vac

Total	\$35,915.39
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WHEREAS, Peirce – Eagle Equipment Company, 3388 Route 22 West, Branchburg, NJ 08876 is an authorized distributor for Old Dominion Equipment; and

NOW, THEREFORE, BE IT 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 the Council of the Township of Vernon authorizes the Business Administrator to enter into a contract with Peirce – Eagle Equipment Company through Sourcewell Cooperative number 041217.

Council President Murphy stated the Township Salary Ordinance is a includes a range for each position as a five-year plan. She read the title of Resolution #19-155 and explained it was for the salaried non-union employees and suggested to have the employee names next to the positions to add clarity. She also stated that if an employee retires, the Township is not obligated to hire the replacement at the higher salary.

Council Member Ooms made a motion to approve Resolution #19-155 with amendment to add employee names next to the position and salary.

MOVED: Sandra Ooms as amended
SECOND: Patrick Curreri

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 #19-155 as amended.

RESOLUTION # 19-155
2019 SALARIES FOR NON-UNION FULL TIME AND PART TIME EMPLOYEES

WHEREAS, Ordinance #19-08, amended salary ranges for non-union full time and part time employees; and

WHEREAS, the 2019 Municipal Budget, adopted on May 30, 2019, included funds for the anticipated salaries included herein; and

WHEREAS, the salaries anticipated for 2019 are within the salary ranges indicated on Ordinance 19-08, An Ordinance Amending Salaries for “Non-Union” Employees; and

WHEREAS, the salaries contained herein are anticipated for inclusion with the first payroll of July 15, 2019;

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 #19-08 retroactive to January 1, 2019.

Position	Name	2019 Base Salary
Business Administrator	Voelker	\$ 90,202.68
Confidential Aide to the Mayor	Mills	\$ 60,387.06
Municipal Clerk	Kirkman	\$ 82,805.64
Chief Financial Officer	Bright	\$ 84,660.00
Principal Payroll Clerk	Pullis	\$ 59,415.00
Tax Assessor (Former 1/1/19-4/30/19)	Schweighardt	\$ 99,103.20
Tax Collector	Kimkowski	\$ 71,631.54
Construction Code Official	Condon	\$ 81,182.82
Building Sub Code Official	Cutler	\$ 64,504.80
Electrical Sub Code Official	Murphy	\$ 64,504.80
Land-Use Department Head	Decker	\$ 67,569.90
Zoning Code Enforcement Officer	Larocca	\$ 60,000.00
DPW-Department Head	Babcock	\$ 97,986.30
DPW- Assistant Supervisor(Experienced)	Lazier	\$ 71,088.90
DPW- Assistant Supervisor	Pariso	\$ 68,327.76
Supervising Mechanic	Ribello	\$ 71,088.90
Judge of Municipal Court	Devine	\$ 38,642.70
Fire Official	Tosto	\$ 66,135.78
Director of Community Affairs	Downtain	\$ 50,000.00
Animal Control Officer- Division Head	Epperly	\$ 56,100.00
Animal Control Officer	Scott, Reynolds	\$ 33,813.00
Registrar of Vital Statistics	Kirkman	\$ 5,306.04
Deputy Registrar of Vital Statistics	Shaw	\$ 4,500.00
Keyboarding Clerk	Benagh	\$ 17.69 per hr
Plumbing Sub Code Official	Yequi	\$ 35.70 per hr
Code Enforcement Officer (Zoning)	Burns	\$ 20.81 per hr
Assistant Animal Control Officer	Johnson	\$ 18.70 per hr
Animal Attendant	Martino	\$ 10.00 per hr
Fire Prevention Specialist(Experienced)	O'Connor	\$ 21.23 per hr
Fire Prevention Specialist	Clark	\$ 16.98 per hr
Court Security Guard	Burns	\$ 23.35 per hr
Nutrition Site Manager	Damstra	\$ 19.00 per hr
Food Service Worker	Gormley	\$ 13.00 per hr

Resolution #19-155: 2019 Salaries For Non-Union Full Time And Part Time Employees

Council President Murphy stated Resolution #19-156 is for an Open Space Consultant contract. Council Member Ooms stated she does not agree with the Contract at \$90/hr. because it is our current vendor who has taken too long on current projects wasting the Open Space funds. Council President Murphy stated the Council is the Open Space Committee but Township Attorney states the Mayor does the negotiations for contracts and agreed with Ms. Ooms that it has taken three years on the Wisteria property. Council Members discussed possibility of tabling Resolution until such time the need exists for the consultant.

MOVED: Patrick Curreri to table with no further date set
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 Passed to table Resolution #19-156 with no further date set.

Mr. Voelker explained that Mayor Shortway negotiated this contract with Mr. Canace as a less expensive agreement to be used only when needed. Council President Murphy stated that approval of this Resolution would give permission to Administration to contact the consultant without approval from the Open Space Committee/Council.

Resolution #19-156: Resolution Authorizing Agreement With Conservation Advising Services, LLC For Open Space Consulting

NOT ADOPTED

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #19-15: Bond Ordinance Providing For The Installation Of Turf Fields At Maple Grange Park In And By The Township Of Vernon, In The County Of Sussex, New Jersey, Appropriating \$872,750 Therefor And Authorizing The Issuance Of \$692,750 Bonds Or Notes Of The Township For Financing Such Appropriation

Council President Murphy read by title Ordinance #19-15.

Council Member Curreri stated Maple Grange is important which is why he voted for the fields but suggested based on engineering information given that staggering the replacements may be an option. He noted concern about the Engineer from Pellow's firm advising the Council that both must be replaced now but he was unsure about the degradation process. Further, he has not yet provided the Council with an amended report with his recommendation.

Council Member Ooms stated she received a citizens letter which contained important safety information about toxicity of turf fields. She added a coordinated effort with the Board of Education should be done with replacement of the fields and continued maintenance to lower overall costs.

Council President Murphy stated she called Township Engineer Cory Stoner and played section of meeting recording where the Pellow Engineer contradicted what was previously reported by himself. She noted that her vote was based on data received and the turf field replacement became a political football before it even came before the Council. On May 30, 2019, 12:00 the Mayor and CFO stated a slight change in the budget was needed by the state. but we may not have approval to vote at next meeting. At 3:00 that day, an employee tracked me down and said the state approved the budget and it could be voted on the next meeting. Council President Murphy stated stories were spread that Council was stalling vote for the fields which was not true. She explained Council removed budget for \$627,000 for improvements at Veterans Park and \$100,000 amphitheater because Maple Grange fields had to be replaced so proposed design for \$9,000 was approved by the entire Council. She then requested the testing reports and correspondence from the Risk Manager about the condition of the fields which was not provided until after the April 22nd meeting which was attended by many urging Council to move it forward. She explained Council Members need to be responsible to be informed on matters voted on.

Council Member Ooms questioned why the condition of the turf blades was never brought up sooner in previous budget cycles. Voelker explained it was discussed in the 2017 and 2018 budget meetings with plan to replace two fields in 2019. Council President Murphy stated the Mayor should have added it to the budget. Council Member Ooms stated although test reports have been received, further comparison with the turf fields at the High School should be researched. Council Member Curreri noted there is movement to get the item on the ballot but questioned how much did we waste examining this issue. Council President Murphy explained that should the item go onto the ballot and fail; the Township cannot do anything for two years. She added there has been discussion if the Open Space funds can be used for the purpose of replacement fields or if replacement can be staggered but emphasized that it is up to what the public wants. Council President Murphy stated it would be difficult to move forward without further research on toxicity and its long term affects. She added this Council has stuck by residents' concerns of abandoned homes and dirt brokers by approving enforceable laws but noted this topic has created hysteria and divided the community.

Council Member Van Tassel questioned how evasive is the construction if only one field is replaced at a time; and will the other field still be accessible and noted the fields are important to many residents passionate about sports.

Council Member Auberger stated Vernon fields lasted 14 years of a 10-year life and noted the test scores are only 20 points from failing. He recommended to move forward to replace both fields and put funds aside annually for the next needed replacement, so this issue does not resurface.

Attorney Townes called a Point of Order to Public speaking out.

Council Member Ooms recommended having maintenance done for remainder of 2019, get all needed answers then bring issue forward next year.

Council President Murphy stated money was budgeted for this purpose but then used for sewer system and deferred pension payments. Council Member Ooms asked if the taxpayer funds paid by the Township for the Mountain Creek Sewer Bond can be used to pay for the field replacement and requested a narrative from the CFO of the exact amount to be reimbursed to the Township which Council President Murphy stated would be approximately a total of \$1.5 million.

Council President Murphy explained the issue became a blowout through social media instead of getting the correct information and answers to the Council's questions. Council Member Curreri questioned if there are savings doing only one field at a time and expressed concern of conflicting information from Township Engineer. Council President Murphy questioned cost of splitting the ordinance to separate fields, but Municipal Clerk stated issue to be deferred to Bond Counsel for Local Government Services approval as the CFO is required to file a supplemental debt statement as of the day Ordinance is introduced. Mr. Voelker added the CFO would need to file a new supplemental debt statement should changes be made to proposed Ordinances and asked Council if he can contact her to confirm.

Council President Murphy asked for a motion for Council would take a 10 minute recess at 8:20 pm.

MOTION: Patrick Curreri
SECOND: John Auberger
Motion approved at 8:20 pm

Council President Murphy asked for a motion for Council to return to the meeting at 8:30 pm.

MOTION: John Auberger
SECOND: Mark VanTassel
Motion approved at 8:30 pm.

Mr. Voelker noted he was unable to contact the CFO.

Council President Murphy explained the Township is unsure when the Mountain Creek settlement will occur, and how the funds received will be used. Council Member Curreri stated the Mayor has closed the permitted fields on July 1, 2019 but the Park is not closed. He added the testing done on the Football field is in line to be replaced in 2 years.

Council President Murphy stated the decision not to approve the Ordinance was based on lack of data, not funds, and subsequent information and tests have still not been provided to Council. She stated she will vote to introduce the Ordinance tonight pending having the requested answers by the next meeting and suggested to use half of Mountain Creek funds to be set aside for a field.

Council Member Auberger made a motion to approve Ordinance #19-15 as long as questions posed are answered in writing.

Council Members posed the following questions to be answered.

Potential Toxicity of Turf fields cannot be determined by next meeting and individuals can research if needed

Can funds from Mountain Creek settlement be used to fund replacement of the fields.
Provide narrative of how much taxpayer funds were used to cover mountain Creek Sewer bond payments

Council requested to be provided copies of quotes from Turf Manufacturer.

Verification of conflicting information on Township Engineering Report

Provide Council with Proposed Ordinance to Amend Rental Fees for Turf Fields as they are currently substandard.

Mr. Voelker asked the Council Members to email him in morning of July 9 should they have any follow up questions which will be answered in writing to the Council by July 18, 2019. Council President Murphy noted decision hinges on Vernon settling with Mountain Creek. Attorney Townes reminded Council not to speak about pending litigation.

A motion was made to Introduce Ordinance #19-15 with a public hearing to be held on July 22, 2019 pending getting answers to questions posed by July 18, 2019 and relying on funds received by Mountain Creek even if initially bonded.

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 Introduce Ordinance #19-15 with Public Hearing to be held on July 22, 2019.

Ordinance #19-16: Bond Ordinance Appropriating \$1,165,918, And Authorizing The Issuance Of \$856,777 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 read by title Ordinance #19-16.

Council President Murphy asked for a motion to Introduce Ordinance#19-16 with a public hearing to be held on July 22, 2019. No Council discussion.

MOVED: John Auberger
SECOND: Patrick Curreri

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 adopt Ordinance #19-16 with a public hearing to be held on July 22, 2019.

Ordinance #19-17: Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Chapter 89 Of The Municipal Code Of The Township Of Vernon Entitled "Personnel Policies" To Create Article IV Entitled "Anti-Nepotism Policy"

Council President Murphy read by title Ordinance #19-17.

Council President Murphy asked for a motion to Introduce Ordinance#19-17 with a public hearing to be held on July 22, 2019. No Council discussion.

MOVED: Patrick Curreri
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 passed to adopt Ordinance #19-17 with a public hearing to be held on July 22, 2019.

Council Member Ooms requested the Township Attorney to draft an Anti-Cronyism Ordinance. Attorney Townes questioned what specifically she is requesting. Mr. Voelker noted that Vernon Township is a Civil Service Municipality.

PUBLIC HEARING/2ND READING OF ORDINANCES

Council President read Ordinance #19-12 by title.

Ordinance #19-12: An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Ordinance #16-17 Authorizing Purchase Of Real Property Commonly Known As 9 Wisteria Court And Identified As Lot 2, Block 92 On The Tax Map Of The Township Of Vernon

Council President Murphy asked for a motion to open the Public Hearing for Ordinance #19-12.

MOVED: Sandra Ooms
SECOND: John Auberger
All members were 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 #19-12.

MOVED: John Auberger
SECOND: Mark Van Tassel
All members were in Favor

Council President Murphy asked for a motion to adopt Ordinance#19-12.

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 adopt Ordinance #19-12.

Council President Murphy read Ordinance #19-13 by title.

Ordinance #19-13: An Ordinance Of The Township Council Of The Township Of Vernon, County Of Sussex And State Of New Jersey Amending Certain Portions Of Chapter 99 Entitled "Vehicles And Traffic," Section 50 Entitled "Hiring Of Off Duty Police Officers" Of The Township

Council President Murphy asked for a motion to open the Public Hearing for Ordinance #19-13.

MOVED: John Auberger
SECOND: Sandra Ooms
All members were 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 #19-13.

MOVED: Mark Van Tassel
SECOND: Patrick Curreri
All members were in Favor

Council President Murphy asked for a motion to adopt Ordinance#19-13.

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 adopt Ordinance #19-13.

Council President Murphy read Ordinance #19-14 by title.

Ordinance #19-14: Capital Ordinance providing for Veteran's Memorial Park Improvements by the Township of Vernon, in the County of Sussex, New Jersey, appropriating therefore the sum of \$15,000.00 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 open the Public Hearing for Ordinance #19-14.

MOVED: John Auberger
SECOND: Mark Van Tassel
All members were 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 #19-14.

MOVED: Mark Van Tassel
SECOND: Sandra Ooms
All members were in Favor

Council President Murphy asked for a motion to adopt Ordinance#19-14.

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 adopt Ordinance #19-14.

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

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

MOVED: Sandra Ooms
SECOND: Patrick Curreri
All members voted in favor.

Peg Distasi thanked the Council for holding a very informative meeting where Council took time to thoroughly discuss the issues at hand.

Cherie Shortway, Vernon questioned if any Council Member has been on the turf fields specifically the goal areas where turf was replaced due to degradation and now stands an inch higher then rest of playing field leaving a tripping hazard. She commented to Council Member Ooms suggestion about sharing maintenance equipment with the High School and noted High School is over 5 miles away and not feasible. Ms. Shortway explained option to only replace one field will require heavy

machinery, dumpsters and materials in close proximity making other field unusable and possibility of collaborative damage ultimately increasing cost of entire project.

Ms. Shortway commented that Council President Murphy wanted to do what the public wants, and her vote against the fields was not personal. Ms. Shortway stated over 100 residents were present at each of the last two Council Meetings in support of the replacement of turf fields with not one resident opposed to the project. Ms. Shortway noted her extensive experience on turf fields and questioned why the idea of possible toxicity, which has not been scientifically proven, was never a concern to the Council until the replacement was proposed. Ms. Shortway commented if the fields are not replaced, the idea posed to use the Great Lawn as a field will require increased maintenance on a daily basis, as well as cost of temporary lighting. Ms. Shortway urged the Council that the fields need to be replaced because they are unsafe based on reports from the Engineer and testing company. As a referee throughout New Jersey and other states, Ms. Shortway stated the Township is not only putting children at risk but also the coaches, and officials.

Dan Kraus commented it was good feeling to see the community get involved with the replacement of the fields as it was an important reason why he moved to Vernon. He added Maple Grange Park is a true asset which will increase property values and bring families to the community.

Christa Geary, Vernon, expressed disappointment with public at last meeting when council rejected the bond ordinance, then lights were turned off, derogatory statements made, and police were summoned. Ms. Geary stated her understanding that parents want children to be safe and continue to use Maple Grange Fields. She commented the Mayor and Council have a difference in opinion as to what is safe and what isn't. Ms. Geary commented Engineer said fields are unsafe while Council's research found they may last longer with maintenance saving taxpayers money this year.

Ms. Geary commented it is very unfair to treat anyone disrespectfully as this is not an easy decision as some residents will always be for or against an issue. She noted everyone has the right to express views to freely agree or disagree but wished everyone would use more decorum as both sides have valid explanations for their stance.

Katie O'Toole, Interim President of Vernon Youth Soccer, on behalf of all Vernon youth sports groups, commented that although there are not as many present tonight that Council needs to be aware support is still here. Ms. O'Toole commented the test results were done by averages of specific points which ranged from fine and very bad but noting difficulty for children only to play on certain areas, so they are safe.

Pat Distasi questioned how will the revenue be generated by the Township from the Pathway Project as plan needs to be made to promote the Eco-Tourism. Mr. Distasi commented that Council noted a contingency to use the funds from Mountain Creek settlement to fund the field replacement project but suggested an alternative plan should be made. Mr. Distasi suggested hiring a third party Engineer to verify the reports and consulting with Sparta Township who is installing four new fields this year to move this project forward.

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: Patrick Curreri
SECOND: Mark VanTassel
All members voted in favor.

MAYORS REPORT

There was no Mayor's Report due to Mayor Shortway's absence at Council Meeting.

COUNCIL COMMENTS

Council Member Ooms questioned about resident letter stating Township has not provided a response to issue. Mr. Voelker stated the resident's letter has been forwarded to the Township Attorney for review and concerns were addressed by the Zoning Officer.

Council Member Curreri explained there are many pros and cons with the material and possible toxicity used in the replacement of the turf fields and further discussion is needed.

Council Member Van Tassel had no further comments.

Council Member Auberger made no comment.

COUNCIL PRESIDENT COMMENTS

Council President Murphy requested status of Ordinance Change to allow feather flags for commercial properties by Mayor Shortway. Mr. Voelker will discuss with Land Use Board Administrator if action needs to go before Board first.

Council President Murphy informed the public that the school enrollment when the fields were installed in 2005 was approximately 5300 and now is at 2700.

Council President Murphy noted that Council Members are elected officials who are scrutinized for conflicts and added that for-profit businesses who comment on the field replacement should be careful.

Council President Murphy thanked Ms. Distasi for complimenting the Council and added when attacks are made for no reason, chaos occurred at the last two meetings. She stated she has received calls from residents that feel differently but refrain from attending meetings to be attacked. She added all residents have different needs such as fields, roads, trails, and it is Council's job to address all of them. Council President Murphy stated that the funds coming from Mountain Creek is imminent, but nothing has been released.

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 Curreri with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:22 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: August 12, 2019