

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING MINTUES**

**January 14, 2019**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. January 14, 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, Dan Kadish, Mark Van Tassel, John Auberger and Council President Murphy, Mayor Harry Shortway, Business Administrator Charles Voelker, CFO Donelle Bright DeCouto and Township Attorney Marlin Townes.

**SALUTE TO THE FLAG**

Council President 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.

Sally Rinker expressed displeasure for the inclusion of resolution 19-59 on the agenda. Ms. Rinker urged the Council to vote no on the resolution which awarded a consulting contract to evaluate the Fire Departments and Ambulance Squads at cost of \$30,000. Ms. Rinker commented her dissatisfaction that no new ratables has been realized in Vernon as in other neighboring communities. Ms. Rinker reiterated to the Council not to waste taxpayer funds on studies and to vote no on Resolution 19-59.

Seeing no further 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: Sandra Ooms

All members voted in favor.

**MINUTES**

Council Member Kadish asked that each date of Minutes be voted on separately.

Council President Murphy asked for a motion to approve the Regular Minutes of December 10, 2018.

MOVED: John Auberger

SECOND: Sandra Ooms

A roll call vote was taken:

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

NAYES: None

ABSTAIN: Dan Kadish

ABSENT: None

Motion carried to approve the Regular Meeting Minutes of December 10, 2018.

Council President Murphy asked for a motion to approve the Special Joint Meeting and Executive Session Minutes of December 20, 2018.

MOVED: Dan Kadish  
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve the Special Joint Meeting and Executive Session Minutes of December 20, 2018.

Council President Murphy asked for a motion to approve the Reorganization Minutes of January 2, 2019.

MOVED: John Auberger  
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion carried to approve the Reorganization Minutes of January 2, 2019.

## **CONSENT AGENDA**

Council President Murphy read the title and gave a brief explanation of Resolutions #19-40 through #19-62. Council asked to remove Resolutions #19-40, #19-59 and #19-62 from Consent Agenda for separate vote.

Council President Murphy asked for a motion to approve Resolutions #19-41 through #19-58, #19-60 and #19-61.

MOVED: John Auberger  
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to approve Resolutions #19-41 through #19-58, #19-60 and #19-61.

- Resolution #19-41: Resolution Of Participation A Resolution Approving Participation With The State Of New Jersey Federal Grant Program Administered By The Division Of Criminal Justice, Department Of Law And Public Safety
- Resolution #19-42: Refund Overpayment- (Corelogic Tax Services, LLC)
- Resolution #19-43: Approval To Evaluate The Possibility Of A Shared Services Agreement With The County Of Sussex For The Purposes Of Document Management Processes
- Resolution #19-44: Authorizing Assignment Of Tax Title Liens To Tall Timbers Property Owners Association

- Resolution #19-45: Resolution Authorizing Fireworks To Be Displayed On February 4, 2019 Within The Township Of Vernon
- Resolution #19-46: Refund For Totally Disabled Veteran (O’Leary)
- Resolution #19-47: Total Disabled Veteran (Block 222 Lot 11.01)
- Resolution #19-48: Resolution In Support Of Path To Progress Recommendations Made By New Jersey Economic And Fiscal Policy Workgroup
- Resolution #19-49: Refund For Totally Disabled Veteran (Block 73.16 Lot 87 – Roman)
- Resolution #19-50: Resolution Accepting The Completion Of Project To Construct Water Service Lines To The Vernon Municipal Building & DPW Garage
- Resolution #19-51: Resolution Awarding Bid #14R-2018 to Air Group LLC in a Fair and Open Award for HVAC Services
- Resolution #19-52: Authorizing Assignment
- Resolution #19-53: Resolution Authorizing The Hiring Of A Financial Management Software Vendor Through The Competitive Contracting Process
- Resolution #19-54: Approving Active Volunteer Fireman For Transfer Of Membership In The New Jersey State Firemen’s Association (Ross)
- Resolution #19-55: Authorizing Change Order #1 Of Contract For Traffic Striping Vernon Municipal Building Parking Lot & Recycling Center Improvements With Denville Line Painting, Inc.
- Resolution #19-56: Authorizing Change Order #1 Of Contract For Milling & Paving Vernon Municipal Building Parking Lot & Recycling Center Improvements With Tilcon New York, Inc.
- Resolution #19-57: Authorizing Change Order #1 Of Contract For Milling & Paving Barry Drive North –Phase II With Tilcon New York, Inc.
- Resolution #19-58: Authorizing Change Order #1 Of Contract For Milling & Paving For Wawayanda Road Improvements With Tilcon New York, Inc.
- Resolution #19-60: Authorizing Contract With Microsystems-NJ LLC, For The Year 2019 In The Amount Not To Exceed \$3,200.00
- Resolution #19-61: Authorizing The Vernon Township Council To Approve A Person-To-Person Transfer Of Liquor License #1922-33-004-006

**RESOLUTION #19-41**

**RESOLUTION OF PARTICIPATION**

**A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.**

**WHEREAS**, the Township of Vernon Police Department wishes to apply for funding of approximately \$60,000 with a match of \$179,118 for an approximate project total cost of \$239,118 for a project under the State of New Jersey Safe and Secure Grant Program, Grant #19-1922; and

**WHEREAS**, the Council of the Township of Vernon has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Vernon Township Police Department for the purpose described in the application.

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

1. As a matter of public policy the Vernon Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

**TOWNSHIP OF VERNON**

**RESOLUTION #19-42**

**(REFUND OVERPAYMENT- (Corelogic Tax Services, LLC)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic Tax Services, LLC in the amount of \$2,215.68 representing refund for overpayment of 4<sup>th</sup> qtr. 2018 property taxes for Block 170.11 Lot 5, also known as [REDACTED]

**RESOLUTION 19-43**

**APPROVAL TO EVALUATE THE POSSIBILITY OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX FOR THE PURPOSES OF DOCUMENT MANAGEMENT PROCESSES**

**WHEREAS**, the Township of Vernon desires to review the Sussex County Records Management process that would transform the Township's current manual document management function to a proven and certified electronic technology; and

**WHEREAS**, the Sussex County Office of Records Management possess a records management system which is authorized as a legal electronic document repository by the New Jersey State Division of Revenue and Enterprise Services, Record Management Services, under registration number 10021803-MP; and

**WHEREAS**, the County of Sussex has successfully used this electronic document repository since it was implemented in 2009, which currently holds over 12,000,000 document pages of County records; and

**WHEREAS**, the Sussex County Office of Records Management is willing to evaluate the possibility of a shared service agreement with the Township of Vernon; and

**NOW THEREFORE, BE IT RESOLVED** by the Council of The Township of Vernon approve the facilitation of the possibility of a shared services agreement for the purposes of records management with the County of Sussex Office of Records Management.

**RESOLUTION #19-44**

**AUTHORIZING ASSIGNMENT OF TAX TITLE LIENS TO TALL TIMBERS PROPERTY OWNERS ASSOCIATION**

**WHEREAS**, the Township of Vernon is the holder of certain tax sale certificates acquired under and by virtue of N.J.S.A. 54:5-34: and,

**WHEREAS**, it is deemed financially beneficial to and in the best interests of the municipality to sell such tax sale certificates:

**WHEREAS**, notice of assignment has been posted in three public places within the Township of Vernon and published in the New Jersey Herald as required by law.

**NOW, THEREFORE, BE IT RESOLVED** BY the Council of the Township of Vernon, County of Sussex, State of New Jersey, hereby authorize the sale by assignment of the various tax sale certificates held by it set out on the schedule annexed hereto, to:

Tall Timbers Property Owners Association  
100 Tall Timbers Road  
Sussex, N.J. 07460

For the consideration therein set forth which sum shall also include the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113.

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk be and are hereby authorized and empowered to make, execute and deliver any and all assignment forms or other legal documents which may be necessary or desired to effectuate the various sales permitted by this Resolution.

**RESOLUTION #19-45**

**RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED  
ON FEBRUARY 4, 2019 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**, the Township Council, via Resolution #18-247, authorized Fireworks on February 5, 2019 at Mountain Creek Resort for Special Olympics; and

**WHEREAS**, Mountain Creek Resort has submitted a revised application to Vernon Township to correct and change the date for the fireworks display for Special Olympics to February 4, 2019; and

**WHEREAS**, the proposed fireworks display will take place at 200 Route 94, in the Waterpark area; and

**WHEREAS**, Mountain Creek Resort 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 February 4, 2019, at Mountain Creek Resort, located at 200 Route 94, Vernon upon satisfaction of all statutory and departmental requirements.

**Resolution #19-46**

**REFUND FOR TOTALLY DISABLED VETERAN (O'Leary)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on November 1, 2018 awarded Thomas O'Leary a 100% permanent and totally disabled veteran: and,

**WHEREAS**, the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Vernon hereby authorizes the Tax Collector to refund 2018 4<sup>th</sup> quarter in the amount of \$1,561.20 to Thomas O'Leary.

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

**RESOLUTION #19-47**

**TOTAL DISABLED VETERAN (Block 222 Lot 11.01)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on November 1, 2018 awarded Thomas O'Leary a 100% permanent and totally disabled veteran: and,

**WHEREAS**, as of said date the law exempts said property from taxation,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Vernon hereby authorizes the Tax Collector to cancel the taxes for 2019 in the amount of \$3,083.49 for Block 222 Lot 11.01 also known as [REDACTED]

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

**RESOLUTION #19-48**

**RESOLUTION IN SUPPORT OF PATH TO PROGRESS RECOMMENDATIONS MADE BY NEW JERSEY ECONOMIC AND FISCAL POLICY WORKGROUP**

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State's unfunded liability for pensions and retiree health benefits now tops \$150 billion – four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, municipalities cannot address other major cost drivers, such as career-end sick leave payouts in excess of \$100,000, without relief from State government; and

WHEREAS, the State must bring pension and health care costs under control before they crowd out all other important spending needs, such as reinvestment in NJ Transit, making higher education more affordable and properly funding state aid to school districts to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that Township of Vernon expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Governor Phil Murphy, Senator Steve Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

**RESOLUTION #19-49**

**REFUND FOR TOTALLY DISABLED VETERAN  
(Block 73.16 Lot 87 – Roman)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS**  
Awarded Luis Roman a 100% permanent and totally disabled veteran: and,

**WHEREAS,** the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Township of Vernon hereby authorizes the Tax Collector to refund 2<sup>nd</sup> quarter property taxes in the amount of \$2,391.66 to Luis Roman.

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

**RESOLUTION #19-50**

**RESOLUTION ACCEPTING THE COMPLETION OF PROJECT TO  
CONSTRUCT WATER SERVICE LINES TO THE  
VERNON MUNICIPAL BUILDING & DPW GARAGE**

**WHEREAS,** the Township awarded a contract for the Construction of Water Service Lines to the Municipal Building and DPW Garage via resolution to Your Way Construction, Inc., awarded by Resolution #18-96; on March 12, 2018; and

**WHEREAS**, the Construction of Water Service Lines to the Municipal Building and DPW Garage Project has been completed, and inspected as per the plans and specifications; and

**WHEREAS**, the Township Engineer has issued a letter dated December 11, 2018 which states that the said contract has been completed in full and that it is recommended that the Construction of Water Service Lines to the Municipal Building and DPW Garage Project be accepted by the Township Council.

**NOW, THEREFORE BE IT RESOLVED**, that the Vernon Township Council accept this project identified as Construction of Water Service Lines to the Municipal Building and DPW Garage as final and complete; and

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

**RESOLUTION #19-51**

**Resolution Awarding Bid #14R-2018 To Air Group LLC  
in a Fair and Open Award for HVAC Services**

**WHEREAS**, there is a need for an HVAC Services 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 projects are completed in a safe, timely and cost-effective manner; and

**WHEREAS**, the Township duly advertised for public bids for Bid #14R-2018 for a two (2) year maintenance contract in a fair and open manner, consistent with (N.J.S.A.19:44A-20.4 et. Seq.), and

**WHEREAS**, the Township of Vernon received bids for HVAC Services under Bid #14R-2018 duly advertised and held a public bid opening on November 28, 2018 at 9:00am; and

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

**WHEREAS**, Air Group LLC, 1 Prince Rd, Whippany, NJ, has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

| <i>Year 1</i>              | <b>Elliot Lewis</b> | <b>Air Group</b>   | <b>Echelon Services</b> |
|----------------------------|---------------------|--------------------|-------------------------|
| <i>Service Carriers</i>    | \$17,890.00         | \$8,305.00         | \$34,500.00             |
| <i>Service Chillers</i>    | \$3,030.00          | \$4,995.00         | \$12,000.00             |
| <b>Total Year 1</b>        | <b>\$20,920.00</b>  | <b>\$13,300.00</b> | <b>\$46,500.00</b>      |
| <b>Year 2</b>              |                     |                    |                         |
| <i>Service Carriers</i>    | \$18,375.00         | \$8,554.00         | \$36,000.00             |
| <i>Service Chillers</i>    | \$3,120.90          | \$5,136.00         | \$13,500.00             |
| <b>Total Year 2</b>        | <b>\$21,495.90</b>  | <b>\$13,690.00</b> | <b>\$49,500.00</b>      |
| <b>Total Contract Cost</b> | <b>\$42,416.00</b>  | <b>\$26,990.00</b> | <b>\$96,000.00</b>      |

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

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2019- 2021 Current Budget, the Chief Financial Officer will certify funds pursuant to N.J.A, C, 5:30-5.5 (b2) open-end contract: through the budgetary accounting encumbrance process set forth in NJAC 5:30-5.3(c) and 5:30-5.4(b), in the amounts provided for in the bids as follows:

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

1. The contract for HVAC Services is hereby awarded to Air Group LLC, 1 Prince Rd, Whippany, NJ.
2. The Business Administrator and Township Clerk are hereby authorized and directed to execute a two (2) year contract with Air Group LLC, 1 Prince Rd, Whippany, NJ for a two (2) year maintenance contract for \$13,300.00 in year 1 and \$13,690.00 in year 2 of the contract, for HVAC Services in accord with the tenets of contract found within Bid #14R-2018.

**RESOLUTION #19-52**

**AUTHORIZING ASSIGNMENT**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

**WHEREAS**, the Township of Vernon wishes to participate in an electronic tax sale.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

**RESOLUTION #19-53**

**RESOLUTION AUTHORIZING THE HIRING  
OF A FINANCIAL MANAGEMENT SOFTWARE VENDOR  
THROUGH THE COMPETITIVE CONTRACTING PROCESS**

**WHEREAS**, the Township has a desire to provide for efficient financial management in accord with N.J.S.A 40A:11-4 et. Seq., and N.J.S.A. 40A:11-5 et. Seq., and

**WHEREAS**, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.1(a).; and

**WHEREAS**, the Township desires to evaluate such software offerings from Vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

**WHEREAS**, the Township desires to enter into a contract for up to a seven (7) year contract that will satisfy the needs of the Township and in accord with N.J.S.A 40A:11-15; and

**WHEREAS**, as per statute the process will be administered by the Qualified Purchasing Agent (N.J.S.A 40A:11-4.5(d)); and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Vernon, County of Sussex, State of New Jersey, as follows:

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/procurement as allowable under the New Jersey Local Publics Contract Law for Payment Processing Services, allowing for a minimum of 20 days' notice after advertisement to receive responses, per Local Publics Contract Law.

**RESOLUTION #19-54**

**APPROVING ACTIVE VOLUNTEER FIREMAN FOR TRANSFER OF MEMBERSHIP IN  
THE  
NEW JERSEY STATE FIREMEN'S ASSOCIATION (Ross)**



**WHEREAS**, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

**WHEREAS**, Matthew D. Ross, an active firefighter and member of the West Milford Township Fire Department Company, and is requesting to transfer his membership from West Milford Township to Highland Lakes Fire Department in the New Jersey State Firemen's Association.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Matthew D. Ross for transfer of membership in the New Jersey State Firemen's Association.

**RESOLUTION # 19-55**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR TRAFFIC STRIPING  
VERNON MUNICIPAL BUILDING PARKING LOT & RECYCLING CENTER  
IMPROVEMENTS WITH DENVILLE LINE PAINTING, INC.**

**WHEREAS**, on August 13, 2018, by way of adoption of Resolution #18-193, the Council of the Township of Vernon awarded a contract to Denville Line Painting, Inc. for Traffic Striping for Municipal Building & Recycling Center Road Improvements which contract provided for an expenditure of \$3,940.10; and

**WHEREAS**, in a memo dated December 19, 2018, the Township Engineer states that the contract requires a Change Order #1 for the addition of three (3) extra items in amount of \$857.38; addition of two (2) supplemental items in amount of \$1,344.00 and the reduction of one item in amount of \$135.00 resulting in an adjusted total contract amount of \$6,006.48; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase the total contract amount by \$2,066.38 to an adjusted total contract amount of \$6,006.48.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project increasing the total contract amount with Denville Line Painting, Inc. to \$6,006.48; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Denville Line Painting and the Township Engineer.

**RESOLUTION # 19-56**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR MILLING & PAVING  
VERNON MUNICIPAL BUILDING PARKING LOT & RECYCLING CENTER  
IMPROVEMENTS WITH TILCON NEW YORK, INC.**

**WHEREAS**, on August 13, 2018, by way of adoption of Resolution #18-193, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc. for Milling & Paving for Municipal Building & Recycling Center Road Improvements which contract provided for an expenditure of \$110,016.75; and

**WHEREAS**, in a memo dated January 2, 2019, the Township Engineer states that the contract requires a Change Order #1 for the addition of three (3) extra items in amount of \$22,580.24; addition of one (1) supplemental item in amount of \$1,866.50 and the reduction of two (2) items in amount of \$2,501.60 resulting in an adjusted total contract increased amount of \$131,981.89; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will increase the total contract amount by \$21,965.14 to an adjusted total contract amount of \$131,981.89.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer's recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project increasing the total contract amount with Tilcon New York, Inc., Inc. to \$131,981.89; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Tilcon New York, Inc., and the Township Engineer.

**RESOLUTION # 19-57**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR MILLING AND PAVING  
BARRY DRIVE NORTH –PHASE II WITH TILCON NEW YORK, INC.**

**WHEREAS**, on August 13, 2018, by way of adoption of Resolution #18-195, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc., for Milling & Paving for Barry Drive North - Phase II which contract provided for an expenditure of \$144,072.00; and

**WHEREAS**, in a memo dated January 2, 2019, the Township Engineer states that the contract requires a Change Order #1 for one extra item in amount of \$805.95 and by the reduction of two (2) items in amount of \$5,270.89 resulting in an adjusted total contract amount of \$139,607.06; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will decrease the total contract amount by \$4,464.94 to an adjusted total contract amount of \$139,607.06.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer’s recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project decreasing the total contract amount with Tilcon New York, Inc., to \$139,607.06; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Tilcon New York, Inc. and the Township Engineer.

**RESOLUTION # 19-58**

**AUTHORIZING CHANGE ORDER #1 OF CONTRACT FOR MILLING & PAVING  
FOR WAWAYANDA ROAD IMPROVEMENTS WITH TILCON NEW YORK, INC.**

**WHEREAS**, on August 13, 2018, by way of adoption of Resolution #18-194, the Council of the Township of Vernon awarded a contract to Tilcon New York, Inc for Milling & Paving for Wawayanda Road Improvements which contract provided for an expenditure of \$299,079.70; and

**WHEREAS**, in a memo dated January 2, 2019, the Township Engineer states that the contract requires a Change Order #1 for the addition of two (2) extra items in amount of \$9,222.14 and the reduction of two (2) items in amount of \$11,038.00 resulting in an decreased contract amount of \$297,263.84; and

**WHEREAS**, the Township Engineer, in concurrence with the Mayor, recommends approving Change Order No. 1 which will decrease the total contract amount by \$1,815.86 to an adjusted total contract amount of \$297,263.84.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Township of Vernon that it hereby approves the Township Engineer’s recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project decreasing the total contract amount with Tilcon New York, Inc to \$297,263.84; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Tilcon New York, Inc and the Township Engineer.

**RESOLUTION #19-60**

**AUTHORIZING CONTRACT WITH MICROSYSTEMS-NJ, LLC, FOR THE YEAR 2019  
IN THE AMOUNT NOT TO EXCEED \$3,200.00**

**WHEREAS**, there exists a need for Computer services for the Township of Vernon for the Tax Assessment Computer Assisted Mass Appraisal System (CAMA); and

**WHEREAS**, the Municipal Assessor has determined that Microsystems-NJ, LLC, the Township's current contractor providing Computer services for Tax Assessment/CAMA is qualified and authorized by the State of New Jersey to continue providing the Township with such services; and

**WHEREAS**, Vernon desires to appoint Microsystems-NJ, LLC, pursuant to a contract under the provisions of N.J.S.A. 40A:11-5(1) (dd), which states computer software services are an exception to public bidding; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose in the 2019 municipal budget and the value of the contract will not exceed \$3,200.00.

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

1. The Township of Vernon is authorized to engage Microsystems-NJ, LLC, for the purpose of Computer Services for Tax Assessment; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with Microsystems-NJ, LLC

This Professional Services Contract is authorized to engage Microsystems-NJ, LLC, without competitive bidding for the provision of performance of goods or services for the support or maintenance of proprietary computer hardware and software.

### **RESOLUTION #19-61**

#### **AUTHORIZING THE VERNON TOWNSHIP COUNCIL TO APPROVE A TRANSFER OF LIQUOR LICENSE #1922-33-004-006**

**WHEREAS**, an application has been filed for a person-to-person and place to place transfer of a Plenary Retail Consumption License #1922-33-004-006, for the purpose of changing the name of licensee and the location wherein the sale, service and storage of alcoholic beverages are authorized; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Vernon does hereby approve, effective as of January 14, 2019, person-to person and place to place transfer of the Plenary Retail Consumption License #1922-33-004-006, which is currently in the pocket and is to be located at 414 Route 517, Vernon Township, New Jersey; and

**BE IT FURTHER RESOLVED** that the transfer shall reflect transferring from HV Holdings LLC. to T & Z Holding Co., LLC, as delineated in the application form.

### **RESOLUTIONS REQUIRING SEPARATE ACTION:**

#### **Resolution #19-40** Adoption of 2019 Temporary Municipal Budget

Council President Murphy questioned the Administration about changes in personnel in specific departments reflected in the Temporary Budget. Ms. Murphy felt more discussion is needed to review details.

Council President Murphy made a motion to table Resolution #19-40 and Council Member Ooms made the second.

CFO Bright offered to answer any Council questions. Council President Murphy noted the questions are personnel related and not appropriate in public meeting which Attorney Townes confirmed. CFO Bright explained that purchases will be halted in 2019 if the Temporary Budget is not approved and is concerned about DPW services for residents in the upcoming storms. She added the Temporary Budget is 26.25% of the 2018 approved budget and is not indicative of what future 2019 budget is going to be. Council President Murphy expressed concern that questions about personnel hiring within time frame have not been answered satisfactorily and wants to avoid any future issues. CFO Bright added that once the 2019 is approved, the Temporary Budget is reversed out. Council Member Ooms further questioned the addition of a specific position for which the Council did not vote on.

Mayor Shortway indicated the Administration made personnel changes to improve efficiency and save taxpayer money.

A motion was made to table Resolution #19-40 pending an Executive Session

MOVED: Jean Murphy  
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion carried to table resolution #19-40 pending an Executive Session.

**Resolution #19-59:** Authorize A Fair And Open Award Of RFP 15-2018 To The Rodgers Group For “Solicitation Of Consulting Services, Fire Department And Emergency Medical Services Evaluation”

Council Member Ooms made a motion to table and was seconded by Council President Murphy who added the action was only discussed with the Fire Chiefs and not the Ambulance Squads.

Mr. Voelker explained he met with all four Fire Chiefs in October 2018 who requested the Township for a study on how the community could best be served and consolidate the departments in the best way. He added that discussions with the Mayor concluded that the EMS should also be included in the study due to coverage issues in 2018 causing Vernon to use outside assistance.

Council President Murphy noted that the Ambulance Squads were left out of discussions. Mr. Voelker noted the many past discussions regarding Ambulance services and how the Township needs to provide the best services to the residents in the future. Council President Murphy expressed concern over spending funds on studies in the face of the Mountain Creek Bankruptcy.

Mayor Shortway explained Vernon has spent \$1.3 million on a Fire Department vehicle and was blindsided by cost to replace SCBA packs for \$700,000 because of the lack of a multi-year plan which the study can provide. He added there are discrepancies between the departments as to procedures and vehicle needed in each area of town. Mayor Shortway indicated there is a need for an outside consultant to lay a foundation for the future. Mayor Shortway expressed gratitude to Vernon’s volunteers for the time and dedication they give to all residents. Council Member Ooms suggested the Fire Marshal should provide the expertise in this matter. Mr. Voelker stated the Fire Departments were in disagreement with the Fire Marshal causing a need for an outside objective.

Council Member Kadish noted that 25 years ago as Fire Commissioner, the Township had a 10-year plan which operated successfully but now has dwindled away. He added the Fire equipment belongs to Vernon Township and any issue of policy or procedures should be decided by Council. Council Member Kadish stated he is voting against tabling and believes an outside firm will make an unbiased judgment and provide information so the elected Council can act properly.

Motion to Table Resolution #19-59

MOVED: Sandra Ooms  
SECOND: Jean Murphy

A roll call vote was taken:

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

Motion carried to table Resolution #19-59.

**Resolution #19-62:** Resolution Authorizing Interlocal Services Agreement For The Services Of The Department Of Public Works

Council Member Ooms questioned if the notice provision in the contract for Resolution #19-62 can be amended from 30 days to 90 days.

Council Member Kadish made a motion to accept the change in contract from 30 days to 90 days.

MOVED: Dan Kadish  
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion passed to accept change in contract from 30 days to 90 days.

Council Member Auberger made a motion to adopt Resolution #19-62.

MOVED: John Auberger  
SECOND: Mark Van Tassel

A roll call vote was taken:

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

Motion carried to adopt resolution #19-62.

### **Resolution #19-62**

#### **RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT FOR THE SERVICES OF THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Vernon Township Municipal Utilities Authority (“VTMUA”) is a municipal utilities authority established pursuant to N.J.S.A. 40:14B-1 et seq.; and

**WHEREAS**, the VTMUA has a need for public works services in connection with it maintaining the sewer assets in the Township of Vernon (“Township”); and

**WHEREAS**, it has been determined that the Township can provide public works services to the VTMUA without negatively impacting its operations and ability to serve the public; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. provides the mechanism for local governments to enter into contracts for the joint provision of required services; and

**WHEREAS**, both the Township and VTMUA wish to enter into an agreement for public works services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon that the Mayor and Township Clerk are authorized to execute an Interlocal Services Agreement between the Township and VTMUA for the services of the Department of Public Works in accordance with the mutual terms and conditions of the attached Interlocal Service Agreement.

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

**Ordinance #19-02:** Calendar Year 2019 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a:4-45.14)

Council President Murphy read Ordinance #19-02 by title only and asked for a motion to Introduce with a Public Hearing to be held on January 28, 2019.

MOVED: Mark Van Tassel  
SECOND: John Auberger

A roll call vote was taken:

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

Motion passed to Introduce Ordinance #19-02 with a Public Hearing to be held on January 28, 2019.

**Ordinance #19-03:** Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending And Supplementing Chapter 94 Of The Code Of The Township Of Vernon Regarding The Police Division

Council President Murphy read Ordinance #19-03 by title only and asked if Captain Dan Young and Lt. Keith Kimkowski could come forward to explain reason for Ordinance and answer Council questions.

Captain Young stated Vernon Township is a Civil Service municipality and the requirement in the Code that Police Officers have college background is in direct conflict with Civil Service Standards. He added the section requiring routine physical examinations for Officers has never been done or included in the department budget. CFO Bright added new hires have to pass physical examination per pension requirement. Captain Young commented he found a program offering an in-depth physical examination utilizing Township insurance and can be managed by Police policy rather than Township code. Mr. Voelker explained the Code contains antiquated language using a "Township Physician" which no longer exists causing need to update the policy. Mayor Shortway expressed concern of mandatory physicals could violate HIPPA law. Council Member Kadish opined the physical policy should be set by Ordinance.

Captain Young explained that due to change in Animal Control Laws, Vernon must have an Animal Cruelty Investigator who is police trained and reports directly to County Prosecutor on cases. Captain Young requested a new Sergeant position to be added to department for this purpose and to lead drug trafficking and investigations. This Sergeant position will also supervise Traffic Enforcement issues facing Vernon on Routes 515 and 565 as well as residential neighborhoods. Captain Young explained the reorganization of duties in the Police Department with the addition of a sixth Sergeant will realize a cost savings in the 2019 budget.

Council President Murphy asked for a motion to Introduce Ordinance #19-03 with a Public Hearing to be held on January 28, 2019.

MOVED: John Auberger  
SECOND: Sandra Ooms

A roll call vote was taken:

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

Motion passed to Introduce Ordinance #19-03 with a Public Hearing to be held on January 28, 2019.

**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.

Martin O'Donnell requested information about what the Township is doing about the Silver Spruce soil issue and noted a resident group called, "People Against Illegal Dumping" has been formed. Attorney Townes explained the Township Council cannot comment on the situation due to pending litigation.

Mayor Shortway explained the Township cannot comment on strategies but added Vernon has issued 67 summonses for zoning violations but has been unable to have court date set. Vernon has gone to the Governor and NJDEP to test soils but was refused by Judge and was told it is a local issue. Vernon went to Superior Court requesting an injunction but was refused by Judge. Mayor Shortway explained Vernon approached the Highland Council who protects our water supply and Sussex County Soil Conservation but was told both have no enforcement powers. Council President Murphy added that a new court date had not been scheduled.

Cathy Salvachek, 25-year resident, questioned if Vernon has contact Sparta about similar issue with illegal dumping. Council President Murphy explained in that situation, the property owner stopped accepting the soil and issue was resolved. Ms. Salvachek commented that even if Silver Spruce dumping ends, what would stop the owner to do it on other properties which should be Vernon's main goal. Council President Murphy noted that prior administrations were aware of this issue and did nothing and current Council was only made aware in November of 2017.

Pat Distasi, [REDACTED] stated the dumping problems have dramatically increased in the last three weeks. He commented about information given to him contained the trucking and barge company name from New York proving interstate issues of questionable material being delivered. Mr. Distasi opined that in near future, increased activity of various agencies will unravel the case and is encouraged by progress. He noted that the NJDEP labeled a neighbor's property an EPA toxic site for minor issue and questioned why 3 Silver Spruce dumping is not serious enough. Mr. Distasi commented there is a potential fire hazard at 3 Silver Spruce due to the numerous diesel vehicles delivering daily, heavy machinery used to move dirt, cars buried in dirt piles and large amounts of wood planks seen by drone pictures. He expressed concern that the forest location could intensify destruction if fire occurred causing danger to neighbors. Mr. Distasi stated he spoke to County Fire Marshal and was directed to Assistant Director of NJ Forestry Program, John Tonking and urged Council to call him.

Amanda Hayes asked Council if Wantage was contacted as they had same situation with Joe Maggio. Mr. Voelker noted that contact was made with Wantage and NJDEP was notified at start of issue and able to stop it. Ms. Hayes stated that trucks drive carelessly on RT 565, have no license plates nor names and urged the Council that something needs to be done.

Eileen Opfer expressed shock over the situation on Silver Spruce and offered support to the residents. Ms. Opfer praised residents who spoke before County Freeholders asking for their assistance in this matter. She questioned how Sparta and Warwick NY were able to stop soil dumpers and questioned if Council contacted them for help. Council President Murphy explained that NY has different enforcement powers and Sparta was different situation. Ms. Opfer suggested contacting Andy Kass in the Attorney General's office who offered assistance. Ms. Opfer commented she was part of very large group in Vernon who sacrificed a lot to help prevent Radon being brought here and noted "if people lead – somebody follows."

Peg Distasi played an audio recording of constant loud noise levels heard within her house from 6:00 am to 11:00 pm from trucks and machinery at 3 Silver Spruce. She stated she moved to Vernon with \$12,000 taxes and her life is destroyed because of the illegal dumping problems.

Sally Rinker questioned regarding Resolution #19-59, if Council is aware, noting they could make another motion to vote no. She agreed that a Fire/EMS plan is needed but suggested utilizing paid employees such as the Fire Official, Business Administrator, CFO and Mayor instead of an outside consultant. Ms. Rinker added communication with all Fire Departments and Ambulance Squads will help contribute information in making a plan. Ms. Rinker opined that the Mountain Creek Bankruptcy issue has no bearing on issue of wasting taxpayer's funds with the outside consultants.

Linda Jacob offered picture of Silver Spruce site to all Council for their information.

Seeing no further 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: Sandra Ooms

All members voted in favor.

## **MAYORS REPORT**

Mayor Shortway reported that in 2018 Vernon Township faced a number of challenges including the largest financial crisis in its history. Mayor Shortway commented while under the shadow of the Mountain Creek bankruptcy, Vernon put politics and differences aside with a new council and were successful on many fronts in our joint efforts to improve our community.

Mayor Shortway listed highlights of 2018

- The Township came together during the winter storms with the Board of Ed., residents and local businesses providing needed food and a warming center for those in need.
- Tenants vacated Legends following our allegations that the former Playboy Club was never approved for long-term rentals and unsafe living conditions existed.
- Vernon was successful in obtaining a Towns Center Redevelopment Study.
- Phase 2 of the Town Center water project was completed, and public water is now available on Church Street, Omega and Theta Drives.
- Vernon established a soil fill ordinance that establishes requirements and permitting fees to regulate dumping including potentially contaminated soil from sites outside and within our borders.
- The auction of township properties that were not needed for public use was a huge success. Max Spann auctioned off 94 out of 95 properties including the Faline Building. \$459,000.00 was realized in the short term but more importantly these parcels will return to the tax rolls. Mayor Shortway thanked former CFO Ms. Yetter for her outstanding leadership throughout this process as well as Ms. LaRocca and Mr. Burns from zoning and our tax assessor's office for their assistance.
- The long-awaited chicken ordinance was passed.
- The property maintenance ordinance finally passed following its defeat in 2015.
- Organizational needs were addressed in the Police Department to safeguard the public from the increase in truck traffic and for drug interdiction.
- The Vernon Township Arts Committee sponsored the first "Summer in the Mountains" Sidewalk Art Festival at Maple Grange Park which featured music and an art show inside the park pavilion.
- Vernon enjoyed its first Snowshoe Invasion at Mountain Creek and its first "Whoville" Christmas and Holiday Celebration.
- Residents voted to approve the use of up to 30 percent of the Township's open space fund for the development of trails and other passive recreation amenities. Voters' approval allows for construction of the trail system's first phase. The hub of the trail system will be the municipal/senior center complex and run parallel with our Town Center to MC. Mayor stated that the council will need to approve any expenditures and hope to have plan in next few weeks.
- Vernon Township and Mountain Creek have reached an agreement, after 19 months of negotiations, that will end their bankruptcy and provide real opportunities for both the Community and Mountain Creek. The agreement awaits Sussex County and Federal Judge's approval.
- The proposed Highlands Enterprise Zone (HEZ) is now being drafted. The HEZ Program will foster an economic climate that revitalizes designated Highlands communities and stimulates growth by encouraging businesses to develop and create private sector jobs through public and private investment thereby reducing the NJ sales tax.
- A Vacant and Abandoned Property Maintenance Ordinance for residential properties was approved. This ordinance generated tens of thousands of dollars (\$80,000) in unanticipated revenue and many of these houses were sold.



- We continue to grow the fund balance.
- Due to the Mountain Creek bankruptcy, the Vernon MUA was unable to provide the funds owed to the Township for the SCMUA bond payment, but with guidance from Ms. Bright, payment was made.
- Mayor Shortway stated that through employee assignments and hiring practices, Vernon has saved the property taxpayers \$473,000 in personnel costs.

Mayor Shortway reported there are many challenges still confronting Vernon that must be addressed. He suggested the following to ensure the Township's guaranteed payments to SCMUA, stabilize EDU rates and property taxes without decreasing services and promote reasonable sustainable growth.

1. First an Agreement between Mountain Creek and the Township which provides MC an opportunity to develop and Vernon to meet their financial obligations to SCUMA. Vernon needs to continue pursuing this agreement in bankruptcy court.
2. Secondly, aggressive pay down of debt.

An aggressive pay down plan for our debt must be implemented this year to decrease the financial juggernaut the Township will face in 2022. In addition, the SCMUA bond payments will increase from an approximate \$1,000,000 to \$1,500,000 in 2023.

Bond Anticipatory Notes (BANS) including Sewer Ordinances 11-22 and 11-23 will need to go out for bonds in 2022. The debt service will fall on all the property taxpayers of the Township. The Township will have to bond for \$10,000,000 in 2022 if we do not aggressively pay down debt service.

3. Council President Murphy in conjunction with a local contractor proposed a waste water transfer station over two years ago. This matter continues to be explored with due diligence. DEP approval will be required. Annual net revenue is projected at \$400,000 if approved and successful.
4. The proposed Highlands Enterprise Zone (HEZ) Bill is being drafted by Senator Oroho's office. This would reduce sales tax within Vernon and other designated communities such as West Milford and Jefferson restricted by the Highlands Act.

The HEZ will generate development and consumer savings in our Township and other communities including Jefferson and West Milford whose respective councils have passed resolutions in support.

5. Ongoing studies and plans are continuing to develop redevelopment strategies plan with Town Center.

Mayor Shortway commented that mismanagement, alleged conflicts of interests, and politics slowed Vernon's growth in the past and the current Council and Administration must continue our efforts to move forward, be transparent and spend our taxpayer dollars wisely.

Mayor Shortway reaffirmed that his five-point plan is to stabilize property taxes, EDUs, generate development and further protect our residents from truck traffic and illegal use of drugs. He emphasized the sewer issue is the single largest issue that threatens the financial welfare of our community and urges Council not to be bogged down in issues that are dwarfed by the sewers and associated debt. Mayor Shortway pronounced with the Council's support, Vernon Township can meet the challenges that lay before us.

### **COUNCIL COMMENTS**

Council Member Auberger commented in 1997, Vernon Township did a study of the Fire Departments and understands the need for a current study but suggested increased communication amongst all organizations.

Council Member Van Tassel had no comment.

Council Member Ooms questioned why payroll was not included on Bills List. Ms. Bright stated it was an oversight and will be provided at next meeting.

Council Member Kadish expressed thanks to all who assisted during recent injury. He announced that Wayne McCabe will attend the Historic Preservation Meeting on January 17, 2019 to explain the standards of Historic Commissions and urged Mayor & Council to attend.

#### **COUNCIL PRESIDENT COMMENTS**

Council President Murphy announced that Senator Oroho will attend the Sussex Council League of Municipalities monthly meeting on January 30, 2019.

Council President Murphy announced The Center for Prevention will speak at the Sussex County League of Municipalities meeting of January 21, 2019 regarding legalization of marijuana.

Council President Murphy stated Vernon Township has a five member Council who currently has many issues to tackle. The Council President does preside over meetings and sets the agenda based on information from Council Members, Mayor or Business Administrator. She added this is an open government with business discussed in public. Attorney Townes made a Point Of Order to members of the public speaking out. Council President Murphy continued that checks and balances are in place to hold everyone accountable.

#### **EXECUTIVE SESSION**

Attorney Townes read the Resolution for the Council to enter Executive Session.

#### **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. Personnel

Council President Murphy asked for a motion to go into Executive Session at 8:54 p.m.

MOVED: Jean Murphy

SECOND: Sandra Ooms

All members of the Council were in favor.

Motion carried to enter Executive Session.

Council President Murphy asked for a motion to return to Regular Meeting from Executive Session at 9:53 p. m.

MOVED: John Auberger

SECOND: Mark Van Tassel

All members of the Council were in favor.

Council President Murphy asked for a motion to remove Resolution #19-40 from the table.

MOVED: Sandra Ooms

SECOND: Mark Van Tassel

All members of the Council were in favor.

Council President Murphy asked for a motion to approve Resolution #19-40.

MOVED: Sandra Ooms  
SECOND: John Auberger

A roll call vote was taken:

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

Motion carried to approve Resolutions #19-40.

### **Resolution #19-40**

#### **Adoption of 2019 Temporary Municipal Budget**

**WHEREAS**, The Local Budget Law, N.J.S.A. 40A:4-1 et seq., provides that until the official Annual Budget for the budget year is adopted, a temporary budget not exceeding 26.25% of the total of all appropriations including appropriations for debt service, capital improvement fund, and public assistance must be adopted covering the first quarter of the fiscal year; and

**WHEREAS**, N.J.S.A. 40A:4-1 et seq. further provides that the governing body of a municipality must adopt by resolution within the first thirty (30) days of the budget, by affirmative vote of the full membership of the governing body, a temporary budget; and

**WHEREAS**, the Township Council desires to establish temporary appropriations pursuant to the Local Budget Law; and

**WHEREAS**, total appropriations for the 2018 Annual Budget, exclusive of any appropriations for debt service, capital improvements, and public assistance was \$21,917,606.00; and

**WHEREAS**, up to 26.25% of total appropriations for the 2018 Annual Budget, exclusive of any appropriations for debt service, capital improvements, and public assistance is \$4,919,669.00 for a total of \$8,069,083.00.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon that the attached Schedule 'A' entitled "2018 Temporary Budget" is hereby approved.

#### **2019 Temporary Budget—Schedule A CURRENT FUND**

|                        |     |              |
|------------------------|-----|--------------|
| General Administration | S&W | \$41,000.00  |
| General Administration | O/E | \$27,000.00  |
| Mayor & Council        | S&W | \$12,000.00  |
| Mayor & Council        | O/E | \$1,700.00   |
| Municipal Clerk        | S&W | \$39,000.00  |
| Municipal Clerk        | O/E | \$13,000.00  |
| Finance                | S&W | \$55,000.00  |
| Finance                | O/E | \$11,000.00  |
| Technology             |     | \$13,000.00  |
| Revenue Admin.         | S&W | \$30,000.00  |
| Revenue Admin.         | O/E | \$10,000.00  |
| Tax Assessment         | S&W | \$51,000.00  |
| Tax Assessment         | O/E | \$18,000.00  |
| Legal Services         |     | \$113,000.00 |
| Engineering            |     | \$8,000.00   |
| Historic Preservation  |     | \$500.00     |

|                           |     |                       |
|---------------------------|-----|-----------------------|
| Beautification Committee  |     | \$500.00              |
| Economic Development      |     | \$500.00              |
| GAAC                      |     | \$500.00              |
| Land Use                  | S&W | \$40,000.00           |
| Land Use                  | O/E | \$20,000.00           |
| Insurance                 |     | \$1,200,000.00        |
| Police                    | S&W | \$1,010,000.00        |
| Police                    | O/E | \$40,000.00           |
| Radio Comm.               | S&W | \$108,000.00          |
| Radio Comm.               | O/E | \$3,000.00            |
| Volunteer Emerg.          |     | \$100,000.00          |
| Fire Prevention           | S&W | \$36,000.00           |
| Fire Prevention           | O/E | \$3,000.00            |
| Prosecutor                |     | \$7,100.00            |
| Streets & Roads           | S&W | \$300,000.00          |
| Streets & Roads           | O/E | \$300,000.00          |
| Recycling                 | S&W | \$5,000.00            |
| Recycling                 | O/E | \$1,500.00            |
| Social Security           |     | \$158,000.00          |
| DCRP                      |     | \$2,000.00            |
| Building & Grounds        | S&W | \$13,000.00           |
| Building & Grounds        | O/E | \$24,000.00           |
| Fleet Maintenance         | S&W | \$61,000.00           |
| Fleet Maintenance         | O/E | \$65,000.00           |
| Environmental             |     | \$250.00              |
| Animal Control            | S&W | \$40,000.00           |
| Animal Control            | O/E | \$4,000.00            |
| Recreation                | S&W | \$8,500.00            |
| Recreation                | O/E | \$18,000.00           |
| Senior Citizens           | S&W | \$8,000.00            |
| Senior Citizens           | O/E | \$18,000.00           |
| Park Maintenance          | S&W | \$30,000.00           |
| Park Maintenance          | O/E | \$9,500.00            |
| Municipal Court           | S&W | \$50,000.00           |
| Municipal Court           | O/E | \$2,200.00            |
| Construction Official     | S&W | \$104,000.00          |
| Construction Official     | O/E | \$9,000.00            |
| Utility Expense-SCMUA *** |     | \$454,463.00          |
| Utility Expense           |     | \$127,000.00          |
| <b>Sub Total</b>          |     | <b>\$4,824,213.00</b> |

**SHARED SERVICES S&W**

|                               |                    |
|-------------------------------|--------------------|
| Inter-local-“911” Dispatching | \$18,375.00        |
| Inter-local-Animal Control    | \$3,189.00         |
| Inter-local-Finance           | \$8,367.00         |
| Inter-local-Administrative    | \$13,254.00        |
| Inter-local-DPW Services      | \$45,000.00        |
| Inter-local-Senior Citizens   | \$7,271.00         |
|                               | <b>\$95,456.00</b> |

|                                       |                    |
|---------------------------------------|--------------------|
| TOTAL ALL TEMP. S&W                   | \$2,136,956        |
| TOTAL ALL TEMP. O/E                   | \$2,782,713        |
| <b>TOTAL 2019 CURRENT TEMP BUDGET</b> |                    |
| <b>(SUBJECT TO 26.25% LIMITATION)</b> | <b>\$4,919,669</b> |

|                   |                |
|-------------------|----------------|
| <b>Debt</b>       |                |
| Bond Principal    | \$1,840,000.00 |
| BANS              | \$544,815.19   |
| Interest on Bonds | \$274,946.88   |
| Interest on Notes | \$188,450.00   |

|                             |            |
|-----------------------------|------------|
| Interest on Emergency Notes | \$1,200.00 |
|-----------------------------|------------|

|                           |                    |
|---------------------------|--------------------|
| <b>TOTAL DEBT SERVICE</b> | <b>\$2,849,414</b> |
|---------------------------|--------------------|

|                                 |                  |
|---------------------------------|------------------|
| <b>CAPITAL IMPROVEMENT FUND</b> | <b>\$300,000</b> |
|---------------------------------|------------------|

|                                |             |
|--------------------------------|-------------|
| Total Temporary Appropriations | \$4,919,669 |
| Capital Improvement Fund       | \$300,000   |
| Debt Service Total             | 2,849,414   |

|   |                    |
|---|--------------------|
| <b>TOTAL 2019 TEMPORARY BUDGET APPROPRIATIONS</b> | <b>\$8,069,083</b> |
|---|--------------------|

\*\* 1st Qtr SCMUA Bill 2019 Rates

**BE IT FURTHER RESOLVED** that the Introduced Official Budget shall serve as the Temporary Budget pursuant to N.J.S.A. 40A:4-19.1 if the Director of the Division of Local Government Services extends the budget dates pursuant to N.J.S.A. 40A:4-5.1.

**ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:54 p.m.

Respectfully submitted,

\_\_\_\_\_  
 Lauren Kirkman, RMC, CMR  
 Municipal Clerk

\_\_\_\_\_  
 Jean Murphy,  
 Council President

Minutes approved: January 28, 2019