

Township of Vernon

TOWNSHIP COUNCIL MEETING

MARCH 23, 2015

The Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on Monday, March 23, 2015 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Patrick Rizzuto presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 4, 2015, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

ROLL CALL OF MEMBERS

Present were Council Members Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel and Council President Patrick Rizzuto. Also present was Township Attorney John Ursin and Mayor Marotta.

EXECUTIVE SESSION

Council President Rizzuto read the following resolution for 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. {(N.J.S.A. 10:4-12b (7)}: Contract Negotiations: Railroad Easement (Anticipated Time of Disclosure August 2015).
3. This resolution shall take effect immediately.

Council President Rizzuto asked for a motion to enter into executive session:

MOTION: Jean Murphy
SECOND: Dan Kadish
All members were in favor.

The Council adjourned into executive session at 6:31 p.m..

Council President Rizzuto asked for a motion to return to open session:

MOTION: Brian Lynch
SECOND: Dick Wetzel
All members were in favor.

The Council returned to open session at 7:00 p.m..

STATEMENT OF COMPLIANCE

Clerk Kirkman re-read the statement. Adequate notice of this meeting had been provided to the public and the press on February 23, 2015, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

ROLL CALL OF MEMBERS

Present were Council Members Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel and Council President Patrick Rizzuto. Also present were Mayor Victor Marotta, Administrator Bill Zuckerman, CFO Elke Yetter and Township Attorney John Ursin.

AUCTION: Surplus Township Property: Water Transmission Lines

Council President Rizzuto asked Township Attorney Ursin to open the auction. Attorney Ursin stated that the auction for unused water mains was authorized by Ordinance 15-03. Attorney Ursin explained the unused water mains were described in detail in Ordinance 15-03. Attorney Ursin said the minimum bid for this purchase was \$151,000. Attorney Ursin said the water mains were sold in an "as is" condition and subject to all the terms as enumerated in Ordinance 15-03. Attorney Ursin asked if there were any bids. United Water state they would be \$151,000. Attorney Ursin asked if there were any bids higher than \$151,000. Attorney Ursin re-iterated if there were any person present who wished to bid higher than \$151,000; no other members of the public came forward with a higher bid. Attorney Ursin recommended that the Council consider a motion to accept the bid for \$151,000 for the property as described in Ordinance 15-03 subject to all of the procedures set forth in the ordinance, subject to placing the correct deposit, and subject to reaching an acceptable contract with the bidder in a reasonable time frame.

Council President Rizzuto asked for a motion to accept the minimum bid of \$151,000 subject to the stipulations as outlined by Attorney Ursin.

MOTION: Brian Lynch
SECOND: Patrick Rizzuto

A roll call vote was taken:

AYES: Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: Dan Kadish
ABSTAIN: None

Motion carried to accept the minimum bid of \$151,000 subject to the stipulations as outlined by Attorney Ursin.

Township Attorney Ursin recommended a motion to recess the meeting until 7:30 pm to allow the time to receipt the bid and deposit from the successful bidder.

Council President Rizzuto requested a motion to recess the meeting until 7:30 PM.

MOTION: Brian Lynch
SECOND: Dick Wetzel
All Members were in favor.

At 7:30 pm Council President Rizzuto called for a roll call to ensure all members were present.

ROLL CALL OF MEMBERS

Present were Council Members Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel and Council President Patrick Rizzuto. Also present were Administrator Bill Zuckerman, CFO Elke Yetter and Township Attorney John Ursin.

SALUTE TO THE FLAG

Council President Rizzuto led the assemblage in the salute to the flag.

PROCLAMATIONS:

Council President Rizzuto read the below proclamation for the record:

Proclamation

Commending Northwest NJ Community Action Partnership, Inc. (NORWESCAP) on the 50th Anniversary of Community Action

WHEREAS, it is the sense of the Mayor and Council to recognize that the quality and character of life in the communities across northwestern New Jersey are reflective of the concerned and dedicated efforts of the organization and individuals that are devoted to the welfare of the community and its citizenry; and

WHEREAS, attendant to such concern, and in full accord with its long-standing traditions, the Mayor and Council is proud to commend NORWESCAP, upon the occasion of celebrating their 50th Anniversary of serving the community; and

WHEREAS, since 1965, Northwest NJ Community Action Partnership, Inc. (NORWESCAP) has been providing invaluable and outstanding service to the citizens; and

WHEREAS, NORWESCAP is one of twenty three Community Action Agencies in New Jersey, and one of over one thousand nationwide founded on a common purpose: to support low-income households as they develop their abilities to be self-supporting and develop family and community relationships that will sustain self-reliance; and

WHEREAS, Community Action was born out of the Equal Opportunity Act of 1964 that was initiated by President John F. Kennedy and brought to fruition by President Lyndon B. Johnson who, during a memorable State of the Union address 50 years ago, declared unconditional war on poverty; the Economic Opportunity Act was signed into law on August 20, 1964, and not only spurred the birth of Community Action, but also inspired the introduction of Head Start one year later; and

WHEREAS, NORWESCAP was created through these efforts; and

WHEREAS, half a century later, NORWESCAP operates fifteen major programs: has grown to two-hundred seventy full and part-time employees and more than thirty thousand individuals are served each year through a multitude of anti-poverty services; and

WHEREAS, NORWESCAP is a community leader; its positive action changes people's lives, embodies the spirit of hope, improve communities , and makes New Jersey a better place in which to live; and .

NOW, THEREFORE, the Mayor and Council of the Township of Vernon, do hereby proclaim that this Legislative Body pause in its deliberations to commend the Northwest NJ Community Action Partnership, Inc. (NORWESCAP), upon the occasion of celebrating the 50th Anniversary of Community Action .

Given under our hand in these free United States in the Township of Vernon, on this 23rd day of March two thousand fifteen, and to which we have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

PUBLIC COMMENT: Council President Rizzuto asked for a motion to open the meeting for Public Comments.

MOTION: Brian Lynch

SECOND: Dan Kadish

All members were in favor.

Krista Gerry, stated she believed there needed to be checks and balances in government because it keeps honest people honest. Ms. Gerry indicated that there are two sides to each story. Ms. Gerry commented on comments she attributed to the Mayor regarding the Vernon tax payer association. Ms. Gerry stated she believed Dan Kadish to be a man of integrity. Ms. Gerry questioned why comments were made about the Vernon tax payer association. Ms. Gerry expressed concern about people being manipulated.

CLOSED TO PUBLIC COMMENTS

Seeing no more members of the public wishing to speak, Council President Rizzuto asked for a motion to close the public portion of the meeting.

MOTION: Brian Lynch

SECOND: Jean Murphy

All Members were in favor.

MAYOR'S REPORT

- Mayor Marotta was not present. Administrator Zuckerman advised the salt shed project and the police impound building project were moving forward.
- Administrator Zuckerman noted that the Tax Assessor's office is being re-done and that a new floor was going to be installed downstairs in the senior center.

APPROVAL OF MINUTES

It was moved and seconded as noted below to approve the following minutes:

Executive Session Minutes of February 10, 2014
Executive Session Minutes of February 3, 2015
Regular Meeting Minutes February 3, 2015
Work Session Minutes of February 18, 2015
Work Session Minutes of February 19, 2015
Regular Meeting Minutes of February 19, 2015
Work Session Minutes of February 23, 2015

MOVED: Dan Kadish
SECONDED: Brian Lynch

All members voted in favor to approve minutes.

Motion carried to approve minutes.

ITEMS FOR DISCUSSION

Council President Rizzuto stated that the Township had received a resolution from Andover which they had adopted on February 9, 2015 regarding Newton-Sparta Road.

Council President Rizzuto asked for a motion to support this resolution.

MOVED: Jean Murphy
SECONDED: Dan Kadish

Council Member Murphy noted she had to drive on this road just today and it needed attention.

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: None
ABSTAIN: None

Motion passed to support the resolution of Andover Township.

TOWNSHIP OF VERNON

Upon motion of Council Member Murphy, seconded by Council Member Kadish it was moved by the Council of The Township of Vernon to support the resolution adopted by the Township of Andover on February 9, 2015 as follows:

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

RESOLUTION #R2015-45

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF
NEW JERSEY REQUESTING THAT THE SUSSEX COUNTY DIVISION
OF ENGINEERING INVESTIGATE, STUDY AND EVALUATE
IMPROVEMENTS TO NEWTON-SPARTA ROAD IN THE ANDOVER
TOWNSHIP CORRIDOR**

WHEREAS, Newton-Sparta Road is a main thoroughfare through Sussex County, running through several towns, including Andover Township and is a main artery through the Township; and

WHEREAS, the Township Committee acknowledges that Newton-Sparta Road is vital to Andover Township, its business community, our residents and is a component of the character of the community; and

WHEREAS, other sections of Newton-Sparta Road have been improved over the past several years by installing turn lanes and having the roadway widened; however, the section running through the Andover Township corridor has not been improved; and

WHEREAS, the lack of improvements to the section of Newton-Sparta Road running through the Andover Township corridor has led to traffic congestion, including school bus traffic and a negative impact on our business community; and

WHEREAS, the Township Committee acknowledges that Sussex County sought to expend funds in relation to Newton-Sparta Road, which was to include significant grant funds however the funds were withdrawn when Sparta Township opposed same; and

WHEREAS, the Township Committee is convinced that improvements to the Andover Township corridor of Newton-Sparta Road will enhance the community, the marketability of the business section and will promote safe and efficient traffic flow throughout Andover Township; and

WHEREAS, the Township Committee has determined that it would be in the best interests of the Township to have the Andover township corridor section of Newton-Sparta Road improved.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, in the County of Sussex and State of New Jersey, as follows:

1. That the Sussex County Division of Engineering is requested to immediately expend funds to investigate, study and evaluate appropriate improvements, including but not limited to turn lanes, to Newton-Sparta Road in the Andover Township corridor.
2. That the Sussex County Division of Engineering consider the business community composition, the traffic flow, and the school bus stops designated along Newton-Sparta Road in the Andover Township corridor as an integral part of their investigation, study and evaluation for determining the appropriate improvements to be made to this portion of Newton-Sparta Road
3. That the Sussex County Division of Engineering is requested to provide a detailed report generated from its investigation, study and evaluation of the Andover Township corridor improvements to the Township Committee as soon as practicable in order to assure that improvements commence as quickly as possible.
4. That certified copies of this Resolution be forwarded to the Sussex County Division of Engineering, the Sussex County Board of Freeholders, the Township Engineer, the Township Attorney, all Sussex County Municipalities and the Township Administrator for their records.

Council President Rizzuto noted that the Township had received a resolution from Andover and Byram about the problems the County is having with the Solar Project. Council President Rizzuto advised that the Township Attorney had drafted a resolution for Vernon.

Council President Rizzuto requested a motion to discuss Resolution 15-74.

MOVED: Brian Lynch
SECONDED: Dan Kadish
All members voted in favor.

Council Member Kadish indicated there were no projects in Vernon and he felt it should be noted in the resolution. Council Member Kadish also stated he did not agree with asking for resignations as some of the other resolutions did. Council Member Kadish noted the Township's resolution did not include that request.

Council Member Lynch stated found the situation troublesome and that he too did not agree that asking for resignations was the right thing to do. Council Member Lynch stated he would like to see an investigation done and until it was complete he wanted the people to stay around. Council Member Lynch said the investigation needed to be done by an outside third party.

Council Member Wetzel stated this reminded him of the McCarthy hearings back in the 1950's where it is guilt by association. Council Member Wetzel stated all the facts are not yet known, there were approximately 600 pages of documents to review. Council Member Wetzel stated research and a third party investigation was needed before any resignations.

Council Member Murphy noted that there are County buildings that were included in the projects so some would benefit Vernon like the Sussex Community College. Council Member Murphy said there are three counties involved in this issue and there are a lot of things that may be able to be done. Council Member Murphy stated that the stand taken by Andover and its harshness opened the eyes of people around the County. Council Member Murphy stated there are a lot of things not done.

Council President Rizzuto stated this is similar to the issues in Vernon with the MUA in 2011. Council President Rizzuto state many knew of the project and the responses were diverse to either fix it or to walk away. Council President Rizzuto stated 3 of the 5 sitting Freeholders did not vote for this. Council President Rizzuto commented that he had spoken with the members of the Freeholder Board. Council President Rizzuto stated primarily schools had not been completed. Council President Rizzuto stated he would like to see some kind of information packet from the Freeholders about the current situation. Council President Rizzuto indicated that a significant amount of County resources has been spent on this project. Council President Rizzuto stated that the institutional memory is needed so it is not appropriate to ask for anyone to resign. Council President Rizzuto stated he welcomed Resolution 15-74. Township Attorney Ursin stated if the Council was satisfied with Resolution 15-74 that they could pass it this evening. Township Attorney Ursin suggested that in regards to Council Member Kadish's concerns about lack of projects in Vernon that, that issue could be addressed after reaching out to the County for their position on the issue in regard to contribution for the overall project.

Council Member Kadish stated something should be done to strengthen the vetting process of these companies before they are hired. Council Member Kadish expressed that a Federal investigation into the company may be appropriate. Council President Rizzuto stated the Freeholder board has asked for the State Comptroller and Attorney General to review this matter. Council Member Murphy stated that Sussex County would be left in control of the remainder of the project because most of the work that was undone was here.

Council President Rizzuto asked for a motion to adopt resolution #15-74.

MOVED: Brian Lynch
SECONDED: Dick Wetzel

A roll call vote was taken:

AYES: Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: Dan Kadish
ABSTAIN: None

Council Member Kadish stated he would like more included in the resolution, he did not want his vote to reflect that he was opposed to the resolution.

RESOLUTION 15-74
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY REGARDING THE SOLAR
PROJECT

WHEREAS, in 2011, Sussex, Morris and Somerset counties (hereinafter the "Counties") issued over \$88 million in bonds to install solar panels to provide solar power to county, municipal and school buildings (hereinafter the "Solar Project"); and

WHEREAS, Sussex County issued \$27.7 million in bonds for the Solar project; and

WHEREAS, SunLight General was retained as the developer for the Solar Project and Power Partners MasTec LLC was hired as the contractor; and

WHEREAS, the Solar Project was brought to a halt due to overrun costs and litigation between SunLight and MasTec; and

WHEREAS, at this time, only approximately half of the Solar Project is complete for Sussex County and Sussex County faces a potential loss of \$26 million as the Project's developer, SunLight is unable to pay back the majority of the \$27.7 million in bonds originally issued; and

WHEREAS, settlement agreements have been negotiated to resolve the litigation and the County of Sussex Board of Freeholders has approved the settlement agreements; and

WHEREAS, the settlements will require Sussex County to put in millions of dollars more to cover this cost and for the County to take over part of the solar development; and

WHEREAS, the Township of Vernon questions the reasons that the County of Sussex participated in this project, the due diligence, the oversight, and administration and now the settlement expending additional taxpayer funds for the Solar Project; and

WHEREAS, in the interests of its resident taxpayers, the Township of Vernon strongly requests further action to investigate this situation and take adequate steps to insure mistakes such as the Solar Project do not occur again in the future.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, in the County of Sussex and State of New Jersey, that the Township of Vernon requests that the County of Sussex contract for and produce a complete, fully independent, and transparent investigation report and audit on the original proposal for the Solar Project, the due diligence by the County, the oversight by the County and an analysis of the funding and disbursements made during the Solar Project, including all attorney's fees.

BE IT FURTHER RESOLVED that the Township Council of the Township of Vernon demands the Freeholders pledge to accept the findings of the report and take appropriate action including referrals for criminal or ethical violations, further legal action, and personnel action to insure that a situation such as this one does not occur again in the future.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be transmitted to the County of Sussex, County of Morris, County of Somerset and State of New Jersey for their reference and information.

This Resolution shall take effect immediately.

CONSENT AGENDA

Council President Rizzuto gave a brief explanation of Resolutions #15-68 - #15-75 omitting 15-74 which was adopted previously.

Council President Rizzuto asked for a motion to adopt Resolutions #15-68 - #15-75 omitting 15-74 which was adopted previously.

Council Member Kadish questioned the chassis for ambulance stated he was curious about the horsepower and make and model. Administrator Zuckerman indicated he believed it was a four-

wheel drive but he would check and request the specifications and provide same. Council Member Lynch discussed the lights and chassis.

MOVED: Jean Murphy
SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: None
ABSTAIN: None

Resolutions #15-68 - #15-75 omitting 15-74 which was adopted previously.

RESOLUTION #15-68

AUTHORIZING THE AWARD OF CONTRACT FOR THE 2015 TYPE III AMBULANCE REMOUNTS FOR VERNON TOWNSHIP AND GLENWOOD-POCHUCK AMBULANCE SQUADS

WHEREAS, bids were opened on February 6, 2015 at 11:00 a.m. for the Type III Ambulance Remounts for Vernon Township and Glenwood-Pochuck Ambulance Squads in accordance with the applicable requirements of N.J.S.A. 40A:11-1 et. seq.; and

WHEREAS, one (1) sealed bid was received on February 6, 2015 with First Priority Emergency Vehicles submitting a qualified bid for each as follows: Vernon Township Ambulance Squad at \$99,920.00 and Glenwood-Pochuck at \$99,977.00 for a total bid of \$199,897.00; and

WHEREAS, bids were received by the Qualified Purchasing Agent and the Municipal Clerk and found to be responsible; and

WHEREAS, the Qualified Purchasing Agent has deemed the bidder's documentation to be responsive, and recommends that the Mayor and Council Award the contract for Type III Ambulance Remounts for Vernon Township Ambulance Squad and Glenwood-Pochuck Ambulance Squad to First Priority Emergency Vehicles, 2444 Ridgeway Blvd., Manchester, NJ 08759; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to award a contract with First Priority Emergency Vehicles, 2444 Ridgeway Blvd., Manchester, NJ 08759.

RESOLUTION #15-69

AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL PLANNING SERVICES FOR THE TOWNSHIP OF VERNON

WHEREAS, there is a need for Professional Planning and Economic Analysis Services in connection with Phase III of a Transfer of Development Rights (TDR) Feasibility Study in the Township of Vernon; and

WHEREAS, N.J.S.A. 40A:11-5 specifically exempts professional services from provisions of public bidding as provided in the Local Public Contracts Law; and

WHEREAS, said specified professional services are to be rendered or performed by a person or persons licensed to practice a recognized profession; and

WHEREAS, the Township of Vernon, per approved Resolution #13-163, authorized the Township to apply for a Planning Assistant Grant pursuant to the Highlands Water Protection and Planning Act; and

WHEREAS, Phase III of the TDR Grant is the Fiscal Analysis which is required to be conducted by a professional selected by the municipality from a list of pre-qualified consultants by the Highlands Council; and

WHEREAS, the Township Planner, Jessica Caldwell, along with the Mayor recommend approval of an agreement with Mercer Planning Associates, Jersey City for this purpose; and

WHEREAS, the Chief Finance Officer has certified that funds are available for this purpose in Account#11546103 to be reimbursed to the Township after completion of Phase III and approval by the Highland Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that they hereby authorize the award of a Professional Service Contract to Mercer Planning Associates, located at 344 Grove Street, Suite 256, Jersey City, pursuant to a fair and open contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:20-1 et seq. to provide Township Planning and Economic Analysis Services in connection with Phase III of a Transfer of Development Rights Feasibility Study; and

BE IT FURTHER RESOLVED, that the award of contract shall be contingent upon the completion and receipt of the following:

1. A fully-executed Professional Services Contract detailing the scope of services, established fees for said professional services, mandatory Equal Opportunity Language and Affirmative Action Certificate,
2. Receipt of all statutorily mandated “pay to play” political contribution forms pursuant to N.J.S.A. 19:44A-20.4 et seq. and
3. New Jersey Business Registration Certificate.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver the attached Contract for Professional Services on behalf of and in the name of the Township of Vernon and that the Township Clerk shall publish the award of contract as required by law with ten (10) days of passage of this Resolution.

RESOLUTION #15-70

AUTHORIZING REFUND FOR TOTAL DISABLED VETERAN

WHEREAS, The Department Of Veterans Affairs on November 6, 2013 awarded Knighton, Dane DeLuca a 100% permanent and total disabled Veteran; and

WHEREAS, the law exempts said property from taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon authorizes the Tax Collector to refund the 2015, 1st quarter payment made in the amount of \$1,366.02 to Knighton, Dane DeLuca.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION #15-71

AUTHORIZING REFUND OF TAX OVERPAYMENT BL 205.09 Lot 9

WHEREAS, A DUPLICATE PAYMENT was made on the First quarter 2015 taxes; and

WHEREAS, such payments created an **OVERPAYMENT**.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey, that they hereby authorize the Township Treasurer to issue check for said overpayment and the Tax Collector refund said overpayment of taxes on the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>QUARTER</u>	<u>LOCATION</u>
205.09	9	Core Logic (Re: Wilmouth, William #72059511)	\$916.60	1 st	██████████

RESOLUTION #15-72

AUTHORIZING EXECUTION OF A CONTRACT WITH MINERALS HOTEL FOR THE VERNON TOWNSHIP SENIOR LUNCHEON TO BE HELD ON MAY 6, 2015

WHEREAS, the Vernon Township Department of Community Affairs sponsors an annual Senior Luncheon; and

WHEREAS, the Township of Vernon desires to enter into a contract with Minerals Hotel, Vernon, NJ, to host and cater this event; and

WHEREAS, the event is currently scheduled for May 6, 2015 at a cost not to exceed \$5,000.00; and

WHEREAS, the Chief Finance Officer has certified that funds are available for this purpose subject to the adoption of the 2015 Municipal Budget.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Vernon that the Mayor is authorized to sign the attached Contract with Minerals Hotel for the purpose of hosting and catering the Senior Luncheon on May 6, 2015, at a cost not to exceed \$5,000.00.

RESOLUTION #15-73

AUTHORIZING APPLICATION AND EXECUTION OF THE “2015 DISTRACTED DRIVING CRACKDOWN” GRANT ADMINISTERED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

WHEREAS, the Vernon Township Police Department wishes to apply for funding from the National Highway Safety Administration “2015 Distracted Driving Crackdown” Grant; and

WHEREAS, the grant project consists of an enforcement overtime campaign from April 1 through April 21, 2015 to raise awareness about the dangers of distracted driving, to offer deterrence through visible enforcement, and to issue summonses for relevant motor vehicle violations; and

WHEREAS, April is National Distracted Driver Month, which is a time to remind New Jersey motorists of the state’s distracted driving laws, which includes a ban on hand-held cell phone use and text messaging by all drivers and a ban on all cell phone use(hand held or hands free) by novice drivers; and

WHEREAS, participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for full reimbursement up to a maximum of \$5,000.00.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Vernon, hereby authorizes the submission of the application to the Division of Highway Traffic Safety for participation in the “2015 Distracted Driving Crackdown” Grant to raise awareness about the dangers of distracted driving; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor, CFO and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the Division of Highway Traffic Safety for the “2015 Distracted Driving Crackdown” Grant.

RESOLUTION #15-75

**RESOLUTION AUTHORIZING THE APPLICATION TO THE NEW JERSEY
DIVISION OF HIGHWAY TRAFFIC SAFETY FOR A
SEATBELT ENFORCEMENT PROGRAM, “CLICK IT OR TICKET”**

WHEREAS, the most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt; and

WHEREAS, when used consistently, seat belts save lives and reduce serious injuries and according to NHTSA, seat belt use saved more than 12,000 lives nationally in 2012 alone; and

WHEREAS, the State of New Jersey will participate in the nationwide seat belt enforcement campaign “*Click It or Ticket*” from May 18 – May 31, 2015 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, Vernon Township will initially incur the cost of the program, not to exceed \$4,000.00 and then submit the necessary documentation to the Division of Highway Traffic Safety for total reimbursement.

THEREFORE, BE IT RESOLVED, that Vernon Township declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 18 – May 31, 2015 and pledges to increase awareness of the mobilization and the benefits of safety belt use, and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor, CFO and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the New Jersey Division of Highway Traffic Safety for Seatbelt Enforcement in the amount of \$4,000.

The effective dates for this program will be from May 18, 2015 through May 31, 2015.

INTRODUCTION/1st READING OF ORDINANCES

Council President Rizzuto read Ordinance #15-05 by title:

Ordinance #15-05: An Ordinance Regulating The Statutory Authority Of Verizon New Jersey Inc., Its Successors And Assigns To Use The Various Public Streets, Roads, Avenues, Highways And Other Public Ways In The Township Of Vernon, Sussex County, New Jersey, For Its Local And Through Lines And Other Communications Facilities And Prescribing The Conditions Thereof.

Council President Rizzuto asked for a motion to introduce Ordinance #15-05 with a public hearing to be held on April 13, 2015.

MOVED: Brian Lynch
SECONDED: Jean Murphy

Council Member Kadish stated he had concerns that the State had passed a law that if Verizon were amending current facilities that they no longer had to come in to the Township Land Use Board to make application. Township Attorney Ursin stated that this issue is not included in this ordinance.

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: None
ABSTAIN: None

Motion carried to introduce Ordinance #15-05 with a public hearing to be held on April 13, 2015.

Council President Rizzuto read Ordinance #15-06 by title:

Ordinance #15-06: An Ordinance Adding Section 52-7 Regarding Clothing Allowances For Volunteer Emergency Service Personnel

Council President Rizzuto asked for a motion to introduce Ordinance #15-06 with a public hearing to be held on April 13, 2015.

MOVED: Brian Lynch
SECONDED: Patrick Rizzuto

Council Member Murphy questioned when this would be paid. Administrator Zuckerman explained the funds would be reserved in the 2015 budget and paid in January 2016. Council Member Kadish stated he would like the ordinance to say that the treasurer and Chief certify the list. Council Member Lynch stated it would be the Chief and the CFO who would sign off. Council Member Lynch stated only the Chief had the authority to sign off on such items in the Fire Department. However, he did not see any problem in certifying.

Township Attorney Ursin suggested a motion be made to amend Paragraph H to read . . . “the Chiefs or presiding officers and treasurers of the departments to the chief financial officer of the Township.”

Council President Rizzuto asked for a motion to amend Ordinance 15-06 as noted above my Attorney Ursin.

MOVED: Jean Murphy
SECONDED: Dan Kadish

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: None
ABSTAIN: None

Council Member Kadish stated he felt that Brian had done a great job in pushing this forward.

Council President Rizzuto asked for a roll call vote to introduce Ordinance 15-06 with a public hearing on April 13, 2015.

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYES: None
ABSTAIN: None

Motion carried to introduce Ordinance #15-06 with a public hearing to be held on April 13, 2015.

Council President Rizzuto read Ordinance #15-07 by title:

Ordinance #15-07: An Ordinance Replacing Chapter 447 of the Code Of The Township Of Vernon Entitled “Property Maintenance”

Council President Rizzuto asked for a motion to introduce Ordinance #15-07 with a public hearing to be held on April 27, 2015.

Council Member Lynch stated he would like to introduce this and that the Township have a work session.

MOVED: Brian Lynch
SECONDED: Jean Murphy

Council Member Lynch stated there are a lot of properties that people complain about but there are a lot of properties that people do not complain about. Council Member Lynch stated he felt a work session was necessary. Council Member Kadish stated he felt the ordinance was heavy handed and the fines were too high. Attorney Ursin noted the fines were directed to foreclosed properties with registered agents not the average homeowner. Council Member Wetzel stated he felt the ordinance was necessary but he would like a work session. The Council discussed when to host a meeting. Council President Rizzuto stated this ordinance stemmed from complaints from various residents who had complained about unkempt properties owned by out of state banks. Council Member Murphy stated in the past there were many fines imposed and she was concerned that fines would become so outrageous against properties. Council President Rizzuto stated properties being left to sit unattended provides opportunity for vandals. Council President Rizzuto said that was the thrust of this ordinance. Council Member Lynch said there were fines in the past. Council Member Murphy stated some of those fines were later negotiated. Council Member Murphy indicated that in some of the homes the people just pack up and leave and there was no one to pay the fines. Council President Rizzuto stated he would like to see a work session scheduled for Monday, March 30 at 6:30 p.m..

Council President Rizzuto asked for a roll call vote to introduce the Ordinance with a public hearing on April 27, 2015.

A roll call vote was taken:

AYES: Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYES: Dan Kadish

ABSTAIN: None

Motion carried to introduce Ordinance #15-07 with a public hearing to be held on April 27, 2015.

Council President Rizzuto asked for a motion to have a work session on Monday, March 30, 2015 at 6:30 PM to discuss the ordinance further.

MOVED: Brian Lynch

SECONDED: Dick Wetzel

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYES: None

ABSTAIN: None

Township Attorney Ursin noted that this meeting would be noticed as a regular meeting, which would include action.

Council President Rizzuto read Ordinance #15-08 by title:

Ordinance #15-08: An Ordinance Amending Various Sections Of The Code Of The Township Of Vernon To Correct References To The Township Manager

Council President Rizzuto asked for a motion to introduce Ordinance #15-08 with a public hearing to be held on April 27, 2015.

MOVED: Brian Lynch

SECONDED: Dick Wetzel

Council Member Kadish stated he believed this ordinance required a work session too. Council Member Kadish stated that he believed the changes were not appropriate and eliminated the business administrator's job. Council President Rizzuto stated the administrator reports to the Mayor. Council President Rizzuto stated this is correction of what should have read Mayor previously in the Township Code. Council Member Kadish said it should be discussed. Attorney Ursin stated this was a review of the various sections of the code where the Manager was not correct. Council Member Kadish stated he felt the Business Administrator should do some of the tasks. Council President Rizzuto reiterated that it was a correction to the Code based on the form of government. Council Member Kadish stated this should be gone through

as the Council makes the policy and he felt this should be discussed. Council President Rizzuto asked the Township Attorney if this ordinance could be tabled. The Council discussed the payment of bills.

Council Member Lynch made a motion to table Ordinance 15-08.

MOVED Brian Lynch
SECONDED Dan Kadish

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYES: None

ABSTAIN: None

Motion carried to table Ordinance 15-08.

PUBLIC HEARING/2nd READING OF ORDINANCES

Council President Rizzuto read Ordinance #15-01 by title only.

Ordinance #15-01: An Ordinance To Amend The Land Development Ordinance Of The Township Of Vernon By Adoption Of A Revised Page 1 Of The Zoning Map, Section 330-158 Of Chapter 330.

Council President Rizzuto asked for a motion to open the public hearing on Ordinance #15-01.

MOVED: Jean Murphy
SECONDED: Dan Kadish
All Members were in favor.

There was no comment from the public.

Council President Rizzuto asked for a Motion to close the public hearing.

MOVED: Brian Lynch
SECONDED: Dan Kadish
All Members were in favor.

Council President Rizzuto asked for a Motion to adopt ordinance #15-01.

MOVED: Dan Kadish
SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYS: None

Motion carried to pass the Ordinance 15-01.

Council President Rizzuto read Ordinance #15-04 by title only.

Ordinance #15-04: Calendar Year 2015 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)

CFO Yetter explained this ordinance. The Council discussed that this had been done in the past and this was an accounting reserve.

Council President Rizzuto asked for a motion to open the public hearing on Ordinance #15-04.

MOVED: Jean Murphy
SECONDED: Brian Lynch
All Members were in favor.

There was no comment from the public.

Council President Rizzuto asked for a Motion to close the public hearing.

MOVED: Brian Lynch
SECONDED: Dick Wetzel
All Members were in favor.

Council President Rizzuto asked for a Motion to adopt ordinance #15-04.

MOVED: Brian Lynch
SECONDED: Dick Wetzel

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto
NAYS: None

Motion carried to pass the Ordinance 15-04.

COUNCIL COMMENTS

Council Member Murphy stated that \$8,900 was listed on the bills list for the appraisals and questioned if they were complete. Administrator Zuckerman explained that he had not seen the appraisals. Council Member Murphy discussed the list of changes to the budget. Council Member Murphy questioned that the legal expenses for the Mayor and Council. Council Member Murphy questioned if Mayor Marotta could take legal bills from last year and pay them from this year's line. Council President Rizzuto noted you cannot pay last year's bills with this year's expenses. Council Member Murphy expressed concern that the Mayor would pay legal bills on his own without Council approval. Administrator Zuckerman explained that you cannot pay bills from last year in this year's budget. The Council discussed the budget presentation and the budget lines for the Mayor and Council. Council Member Murphy wanted it noted that there was an increase of \$15,000 for legal expenses under Mayor and Council. Council Member Murphy questioned the Lake Walkkill grant and if the Township could apply for a grant for Phase II. Administrator Zuckerman stated he would get the information. The Council discussed Lake Walkkill Road. Council Member Murphy requested a list of how many tax appeals were being filed.

Council Member Kadish stated he still wanted a work session on the budget. Council Member Kadish stated he sees \$1.97 million in the budget, that were attached to overages and he felt the Township had an opportunity to pare more from the budget. Council Member Kadish questioned the dedication by rider. CFO Yetter noted those resolutions have been passed all along when a new account is created. Council Member Kadish requested how much was in the trust accounts. CFO Yetter stated that information is in the audit. Administrator Zuckerman stated all the trust funds are listed in the budget and in the amounts in the audit reports by state statute. CFO Yetter noted the Audits were posted on the Township's website.

Council Member Wetzel had no comments.

Council President Rizzuto had no comments.

Council Member Lynch had no comments.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:10 p.m..

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Patrick Rizzuto,
Council President

Minutes approved: April 27, 2015