

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING MINUTES**

**February 10, 2020**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on February 10, 2020 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Harry Shortway presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 7, 2020 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 John Auberger, Jean Murphy, Mark Van Tassel, Kelly Weller and Council President Shortway. Also present were Attorney Marlin Townes, Business Administrator Charles Voelker and Mayor Howard Burrell.

**SALUTE TO THE FLAG**

Council President Shortway led the assemblage for the salute to the flag.

**PROCLAMATIONS**

League of Women Voters Sussex Highlands (Local Chapter)

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

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

MOVED: John Auberger

SECOND: Kelly Weller

All members present voted in favor.

Shawn Mazur, commented that he is here tonight to respond to false public statements made about him by Council President Shortway with the assistance of Council Member Weller. He said that on the evening of January 27<sup>th</sup> President Shortway took some private messages between him and Council Member Weller out of context and added things that were not said. Mr. Mazur said that together their actions cause him to sustain damages to his reputation and professional standing. Mr. Mazur called for a public apology and resignations.

Jessi Paladini, commented on the Council appointments to the MUA that are on the agenda. Ms. Paladini feels that the appointment of Mr. Furrey is conflict of interest because he is a paid vendor for Vernon Township.

Thomas McClachrie, is concerned about resolution #20-80. He commented that over the last fourteen years the Township has paid \$12,000 a year for an Open Space Consultants. Mr. McClachrie asked how much money has been spent from the Open Space Tax to pay for consultants when we haven't reserved any Open Space.

Seeing no one further wishing to come forward, Council President Shortway asked for a motion to close the meeting to Public Comments.

MOVED: John Auberger

SECOND: Kelly Weller

All members present voted in favor.

**ITEMS FOR DISCUSSION**

Procedures for the Municipal Budget - Review and Approval

Council Member Murphy started the discussion by commenting that on January 29<sup>th</sup> she sent an email to the Mayor inquiring as to when budget hearings would take place. She said that the budget is one

of the Council's biggest jobs. It is the Council's job to review the budget and consult, advise and change the budget if necessary. Mayor Burrell told Council Member Murphy that the Council would receive the budget on February 14<sup>th</sup> and there would be a budget hearing on February 19<sup>th</sup>. After getting a response from the Mayor, Council Member Murphy feels that four days is not enough time to review the budget. She also feels that the Council needs more than one meeting to discuss the budget.

Council Member Auberger agreed with Council Member Murphy. He said that we need to have these meetings and they need to be open to the public.

Council Member Van Tassel also agreed with Council Member Murphy. He said that we need more time to review the budget and we should have the budget meetings like we did in the past.

Council Member Weller agreed and she would like to have more time to review the budget.

Council President Shortway commented that he and the Mayor will discuss the budget hearings.

### **CONSENT AGENDA**

**Resolution #20-76:** Cancel Taxes for Totally Disabled Veteran (Block 188 Lot 4 – Heaney)

**Resolution #20-77:** Cancel Taxes for Totally Disabled Veteran (Block 188 Lot 4 – Heaney)

**Resolution #20-78:** Refund Overpayment (Block 246 Lot 7 – Corelogic)

**Resolution #20-79:** Authorizing Contracts with Approved State Contract Vendors Under 19-TELE-00656

**Resolution #20-80:** Resolution Authorizing an Agreement with Conservation Advising Services, LLC for Open Space Consulting

**Resolution #20-82:** Emergency Temporary Appropriations

**Resolution #20-83:** Resolution Authorizing the Hiring of a Hearing Officer for Disciplinary Matters

Council President Shortway read the titles of the resolutions.

Council President Shortway asked for a motion to approve the consent agenda.

MOVED: John Auberger

SECOND: Jean Murphy

A roll call vote was taken:

AYES: Auberger, Murphy, Van Tassel, Weller, Shortway

NAYES:

ABSTAIN:

ABSENT:

Motion carried to approve the consent agenda.

### **RESOLUTION #20-76**

#### **CANCEL TAXES FOR TOTALLY DISABLED VETERAN (Block 188 Lot 4 - HEANEY)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded William J. Heaney 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 cancel 4<sup>th</sup> quarter 2019 property tax in the amount of \$1,505.77.

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

**RESOLUTION #20-77**

**CANCEL TAXES FOR TOTALLY DISABLED VETERAN  
(Block 188 Lot 4 - HEANEY)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** awarded William J. Heaney 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 cancel 2020 property tax in the amount of \$2,907.18.

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

**RESOLUTION #20-78**

**REFUND OVERPAYMENT  
(Block 246 Lot 7 -Corelogic)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Corelogic in the amount of \$1,604.53 representing refund for overpayment of 4<sup>th</sup> qtr. 2017 property taxes for Block 246 Lot 7 also known as [REDACTED]

**RESOLUTION #20-79**

**AUTHORIZING CONTRACTS  
WITH CERTAIN APPROVED STATE CONTRACT VENDORS  
UNDER 19-TELE-00656**

**WHEREAS**, as provided for within the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.) the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the State Contract; and

**WHEREAS**, the Township has the need on a timely basis to purchase goods and services utilizing State contracts; and

**WHEREAS**, the Township intends to enter into contracts with SHI International Corp, New Jersey State Contract 19-TELE-00656 Dell Resellers for Cooperative Purchasing Partners applicable to all the conditions to current State contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon, authorizes the Qualified Purchasing Agent to purchase certain goods and services from SHI International Corp, New Jersey State Contract 19-TELE-00656 Dell Resellers for Cooperative Purchasing Partners pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the Township of Vernon and the referenced state vendors shall be from January 1, 2020 to December 31, 2020; and

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

**Resolution #20-80**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH  
CONSERVATION ADVISING SERVICES, LLC FOR OPEN SPACE CONSULTING**

**WHEREAS**, the Township of Vernon (“Township”) has a need for a consultant to assist with preservation of open space within the Township; and

**WHEREAS**, the Township has received a proposal from Conservation Advising Services, LLC to provide open space related consulting; and

**WHEREAS**, Conservation Advising Services, LLC has been deemed to have the necessary technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS**, it has been determined that it is in the best interest of the Township to enter an agreement with Conservation Advising Services, LLC; and

**WHEREAS**, the Township wishes to enter a one (1) year contract with Conservation Advising Services, LLC in an amount not to exceed \$8,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for said contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon that the Mayor and Township Clerk are authorized to execute a contract between the Township and Conservation Advising Services, LLC in a form similar the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

**RESOLUTION #20-81**

**APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY**

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

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY**, that the following individuals are hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 2/10/2020, for a term specified as follows:

<b>Dave McDermott</b> Expiring 2/01/2025	<b>Seat 2</b>
<b>Angela Erichsen</b> Expiring 2/01/2021 (unexpired term)	<b>Seat 5</b>
<b>Mike Furrey</b> Expiring 2/01/2021 (unexpired term)	<b>Alternate #1</b>
<b>Andrew Pitsker</b> Expiring 2/01/2025	<b>Alternate #2</b>

**BE IT FURTHER RESOLVED THAT**, the Township Clerk shall send a certified copy of this resolution to the following:

Vernon Township Municipal Utilities Authority

**RESOLUTION #20-82**

**EMERGENCY TEMPORARY APPROPRIATIONS**

**WHEREAS**, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2020 budget and no adequate provision has been made in the 2020 temporary budget for the aforesaid purposes, and

**WHEREAS**, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

**WHEREAS**, the total emergency temporary appropriation resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

Current Fund	
POLICE O/E	\$ 15,000.00
BUILDING DEPARTMENT	\$ 3,000.00
PERS O/E	\$485,000.00
PFRS O/E	\$982,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Vernon, in the County of Sussex, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of:

Current Fund	
POLICE O/E	\$ 15,000.00
BUILDING DEPARTMENT	\$ 3,000.00
PERS O/E	\$485,000.00
PFRS O/E	\$982,000.00

2. Said emergency temporary appropriations will be provided for in the 2020 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

**RESOLUTION #20-83  
RESOLUTION AUTHORIZING THE HIRING OF A  
HEARING OFFICER FOR DISCIPLINARY MATTERS**

**WHEREAS**, the Township of Vernon requires the services of a hearing officer to conduct a disciplinary hearing for an employee of the Township; and

**WHEREAS**, Richard Valenti, Esq. is an experienced and well qualified hearing officer for matters regarding public employees; and

**WHEREAS**, Richard Valenti, Esq. shall be compensated \$150.00 an hour as needed not to exceed \$17,500.00 for his services and Chief Financial Officer certifies funds are available in Account # 0-01-20-155-54 of the 2020 Municipal Budget.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Vernon in the County of Sussex, State of New Jersey, that Richard Valenti, Esq. shall serve as the hearing officer for disciplinary matters regarding employees of Vernon Township and shall be compensated \$150.00 an hour as needed not to exceed \$17,500.00 for his services.

**RESOLUTIONS: (NON-CONSENT)**

**Resolution #20-63:** Approving a Charitable Solicitor's Permit: Vernon Township Fire Department

Council President Shortway asked for a motion to approve Resolution #20-63.

MOVED: Mark Van Tassel  
SECOND: Kelly Weller

A roll call vote was taken:  
AYES: Murphy, Van Tassel, Weller, Shortway  
NAYES:  
ABSTAIN: Auberger  
ABSENT:

Motion carried to approve Resolution #20-63.

### **Resolution #20-63**

#### **APPROVING A CHARITABLE SOLICITOR'S PERMIT: VERNON TOWNSHIP FIRE DEPARTMENT**

**WHEREAS**, Vernon Township Fire Department, PO Box 461, Vernon, NJ 07462, has made application for a Charitable Roadside Solicitor's Permit for the purposes of soliciting funds on February 22, February 23, February 24, 2020 at the intersection of Church/Main Street and State Highway 94; and

**WHEREAS**, in accordance with Ordinance 18-12, the Vernon Township Police Department has reviewed the necessary application found that all documentation is in order.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that approval be granted for a Charitable Roadside Solicitor's Permit for Vernon Township Fire Department, PO Box 461, Vernon, NJ 07462 on February 22, February 23, February 24, 2020 at the intersection of Church/Main Street and State Highway 94 as depicted on the attached map, subject to the approval of the County of Sussex and State of New Jersey as needed.

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized to issue a Charitable Roadside Solicitor's Permit to the aforesaid applicant in accordance with Chapter 428 of the Code of the Township of Vernon upon receipt of the approval from the County of Sussex.

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

**Ordinance #20-06:** Ordinance Amending the Salary Ordinance for "Non-Union" Employees

Council President Shortway read a brief explanation of Ordinance #20-06

Council Member Murphy commented saying that she can see that there were adjustments made to the ranges but they are still excessive. She commented on several employee's current salaries compared to the salary ranges. Council Member Murphy asked if salaried employees receive comp time.

Council President Shortway asked for a motion to approve Ordinance # 20-06 for introduction.

MOVED: Kelly Weller  
SECOND: Harry Shortway

A roll call vote was taken:  
AYES: Kelly Weller, Harry Shortway  
NAYES: John Auberger, Jean Murphy, Mark Van Tassel  
ABSTAIN: None  
ABSENT: None

Motion does not carry to approve Ordinance #20-06 for introduction.

#### **PUBLIC COMMENT** *(Limited to 3 minutes on any topic)*

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

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

Peg Distasi, commented on resolutions #20-79 and #20-80 asking if in the future there could be an explanation in the titles to say what the resolutions are for.

Shawn Carlin - Barry Lakes, thanked the Council for not passing the ordinance and for saving him money on his taxes. He asked if this ordinance would come up again.

Jessi Paladini, commented that she is upset about what happened to Shawn Mazur. Ms. Paladini spoke about the slave cemetery on Barret Road. She would like to know exactly where the cemetery is so the cemetery can be honored.

Steven Dunlop, thanked the Council for listening and he commented that town employees get an attitude that their salaries are just town money and taxes can be raised to get more money. He feels that we have to be responsible how we spend taxpayer's money.

Thomas McClachrie, commented that he would like the Council to invest in signs to honor the slave cemeteries in town.

Seeing no one else wishing to come forward, Council President Shortway asked for a motion to close the meeting to Public Comments.

MOVED: John Auberger

SECOND: Mark Van Tassel

All members present voted in favor.

### **COUNCIL APPOINTMENTS**

**Resolution #20-81:** Appointment to Municipal Utilities Authority (McDermott, Erichsen, Furrey, Pitsker)

Council President Shortway asked for a motion to approve resolution #20-81.

Council Member Murphy asked to separate Mike Furrey from resolution #20-81 and vote on his appointment separately.

Council President Shortway asked for a motion to approve the appointments for McDermott, Erichsen, and Pitsker to the Municipal Utilities Authority

MOVED: Mark Van Tassel

SECOND: John Auberger

A roll call vote was taken:

AYES: John Auberger, Jean Murphy, Mark Van Tassel, Kelly Weller, Harry Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carries to appoint McDermott, Erichsen, and Pitsker to the Municipal Utilities Authority

Council President Shortway asked for a motion to approve the appointment of Mike Furrey to the Municipal Utilities Authority

MOVED: Mark Van Tassel

SECOND: Kelley Weller

A roll call vote was taken:

AYES: John Auberger, Mark Van Tassel, Kelly Weller, Harry Shortway

NAYES: Jean Murphy

ABSTAIN: None

ABSENT: None

Motion carries to appoint Mike Furrey to the Municipal Utilities Authority

### **RESOLUTION #20-81**

**APPOINTMENT TO THE VERNON TOWNSHIP MUNICIPAL UTILITY AUTHORITY**

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- |   |                     |
|---|---------------------|
| <b>Dave McDermott</b><br>Expiring 2/01/2025                   | <b>Seat 2</b>       |
| <b>Angela Erichsen</b><br>Expiring 2/01/2021 (unexpired term) | <b>Seat 5</b>       |
| <b>Mike Furrey</b><br>Expiring 2/01/2021 (unexpired term)     | <b>Alternate #1</b> |
| <b>Andrew Pitsker</b><br>Expiring 2/01/2025                   | <b>Alternate #2</b> |

BE IT FURTHER RESOLVED THAT, the Township Clerk shall send a certified copy of this resolution to the following:

Vernon Township Municipal Utilities Authority

**MAYORS REPORT**

Mayor Burrell reported that Vernon Township was selected as the 24<sup>th</sup> safest municipality in the United States of America. Mayor Burrell spoke to Vernon Police Chief Dan Young about this and the Chief feels that this is not only because of Vernon’s outstanding Police Department. Police Chief Young believes this is also because of the educational events that Vernon conducts as a way of informing our town residents of the law enforcement and safety services that are available in Vernon and Sussex County. Chief Young also informed the Mayor that the Vernon Police Department has and continue to work hard at providing our residents with various alternatives in dealing with drug abuse and addiction issues. For example, the CLEAR program. This program has enabled the Vernon Police Department to join with others in the Sussex County Law Enforcement community to form a collaborative network of professionals who will facilitate medical intervention and improved access to treatment and recovery support with those struggling with drug addiction, but who also seek assistance. This program allows those individuals to seek assistance without fear of arrest, persecution or prosecution.

**COUNCIL COMMENTS**

Council Member Murphy commented that when there is a budget meeting, every Council Member needs to attend, therefore the Council need to be consulted about the dates and time of those meetings. She said the Council sets those meetings and they work with administration. Council Member Murphy said she has reached out to Mr. McClachrie regarding the slave cemeteries. Council Member Murphy commented that in 2015 the Council started to appoint the MUA members.

Council Members Van Tassel and Weller had no comment.

Council Member Auberger thanked Administration for having the DPW respond to Emergency Services in bad weather.

Council Member Auberger spoke to a person who believes the cemetery on Barrett Road is further up towards the Appalachian Trail on the top towards the house that is owned by the State on the opposite side of the road. He was told that there was an empty lot in Barry Lakes that had stones in it that you could not read, but some of those stones have since been removed.

**COUNCIL PRESIDENT COMMENTS**

Council President Shortway commented that in the Summer and Fall of 2015 he was going door to door campaigning. At that time, he could not believe how many houses were in disarray and falling



down. Council president Shortway said that when Mr. Zielinski began as our Township Attorney, he recommended Mr. Townes to create a building ordinance to help clean up the neighborhoods and force the banks and financial institutions to put these houses on the market or fix them to increase real estate values. Council President Murphy thanked Mr. Townes because his work has not only cleaned up neighborhoods but has also brought \$220,000 of revenues into the town. He said that houses are being fixed and sold.

**ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:06 p.m.

Respectfully submitted,

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Marcy Gianattasio  
Municipal Clerk

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Harry Shortway,  
Council President

Minutes approved: March 9, 2020