

VERNON TOWNSHIP COUNCIL

REGULAR MEETING MINUTES

MARCH 8, 2021

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on March 8, 2021 via Zoom Webinar 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 has been provided to the public and the press on January 6, 2021 and on January 7, 2021 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, Toni Cilli, Andrew Pitsker, Kelly Weller and Council President Shortway. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker, CFO Donelle Bright and Township Attorney Josh Zielinski.

SALUTE TO THE FLAG

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

PUBLIC COMMENTS *(For Current Agenda Items Only, Limited to 3 minutes per person)*

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

MOVED: Andrew Pitsker

SECOND: Kelly Weller

All members present voted in favor.

Peg Distasi – Vernon Township, expressed concern with ordinance #21-09. She feels this is a huge increase for the residents of the Township especially since Covid-19. Ms. Distasi asked that the Council does not pass this ordinance.

Matthew Conway – Vernon Township, expressed concern with ordinance #21-09. He feels that these types of ordinances should be put on the ballot for the people of Vernon to vote on.

Jessica Paladini, Vernon Township, feels that this budget is outrageous and it the biggest budget increase in over a decade.

Seeing no other members of the public wishing to speak, Council President Shortway asked for a motion to close the meeting for Public Comments.

MOTION: Kelly Weller

SECOND: Toni Cilli

All members were in favor.

ITEM FOR DISCUSSION

2021 Municipal Budget

CFO Donelle Bright explained that Ordinance #21-09 that is on the agenda tonight for introduction is a standard ordinance that is done every year. Essential this ordinance establishes a CAP bank system for our appropriations. This is not for our taxes; it is for our operating lines. The State of New Jersey says we can only increase every year to 2.5%. We establish this CAP bank for emergency situations for something that might affect health, safety or welfare. Ms. Bright said if in an emergency situation we can use these appropriations to address those needs in the future. Obviously, they can be used for other things but the idea is you set them aside for very important situations. This is for emergency situations, not for tax increases and not for the amount to be raised by taxation in the budget. Ms. Bright explained that after the March 3, 2021 budget meeting she made a few changes to the budget and we are now at a .68% budget increase from last year. Ms. Bright said we would not be using the CAP bank this year. It would be for an emergency or unexpected situation next year such as for example needing a health department or to

increase staff because of a health emergency. We would still have to meet our 2% tax increase CAP that still does not change, this would only be for the appropriation side.

Mayor Burrell commented that we have not actually introduced a full budget document and we a lot of discussion. Last week we had a public budget meeting that was recorded and there is a link on our website where you can view it on You Tube. We went through every department's budget line by line and it was about a 3 ½ hour meeting.

WHERE THE MAJORITY OF TAX DOLLARS WILL BE SPENT:

Just seven categories account for 76%, or almost 80%, of the total dollars in this budget.

Those seven categories are:

1. The category that covers the cost of our Police, Radio Communications and Animal Control needs. At 5M\$, this category covers 18% of the total budget.
2. The category that covers our payments into our Infrastructure Capital Improvement Fund, and Payment on the Town's Debt. At 4.8M\$, this category covers 17% of the total budget.
3. The category that covers our payments for our employees' Medical, Unemployment, Workers Compensation, and Other Insurance. At 3.3M\$, this category covers 12% of the total budget.
4. The category that covers the amount of funds that sound accounting practices require that we add to our budget to cover the dollar amount of taxes that our experience tells us that we are not likely to collect during the given budget year. Our 2020 tax collection rate was 96%, and the dollar amount that we are required to include in this year's budget as a Reserve for Uncollected Taxes is 3.1M\$, or 11% of the total budget.
5. The category that covers our payments for Road Repairs & Maintenance, our Building & Grounds and Parks Maintenance, and our Recycling Center & Fleet Management. At 2.7M\$ this category covers 10% of the total budget.
6. The category that covers our Statutory Obligations, such as Social Security, Retirements & Defined Contribution Payments, plus Reimbursements that the Town is required by law to pay to Private Lake and other Private Communities under the Municipal Services Act, better known as the Kelly Bill. At 2.5M\$, this category covers 8% of the total budget. And ...
7. The category that covers our Contractual SCUMA Sewer Payments and our Municipal Utilities. At 2.5M\$, this category also covers 8% of the total budget.

As you can see, this is a very financially conservative budget that's prepared to cover the town's real needs, and not some unreal wants.

Council Member Pitsker asked why we are moving from 2.5% to 3.5%?

Ms. Bright explained that moving up to 3.5% gives the additional ability if the town wanted, during an emergency, use that CAP. She said you could look at previous years sizable CAPs and see that they have not been used in any great amount.

Council Member Pitsker asked if we were to use any of the CAP would a resolution have to be approved by the Council?

Ms. Bright explained that this does not appropriate funds, it creates a CAP bank. In the future you would have to pass it through the budget.

Council Member Cilli asked if we do not use this where does this money go?

Ms. Bright explained that is goes away after 3 years.

Council President Shortway said the reserve for uncollected taxes (rut) drives the budget. When people don't pay, the rest of us who do pay, will pay for the County and the schools. What gets cut is the Municipal services. We need to maintain the Municipal services that are being enjoyed by our residents and we need

to maintain what we have. Council President Shortway said he would oppose defunding the police or cutting back on the DPW. We are not here to make a profit; we are here to provide a service in the most economical way possible. He thinks administration has done a great job with the budget.

Council Member Pitsker said the town's budget is under 1% and he feels we are moving in the right direction.

Mayor Burrell said this budget will cost home owners about \$80.00 a year and he wishes that this was all of it. There is going to be the County budget, school budget and library budget.

Toni Cilli said from last year to this year some departments had no change or actually lowered their budgets. She said no one is decreasing anything at the Board of Education. She feels that our department heads should be commended because they found things and lowered their budgets. Council Member Cilli said Donelle did a great job.

Council President Shortway said we are picking up the debt payments and speeding them up and not just letting them lay there, we have actually paid it down. Donelle and the Mayor have done a great job with this.

Council Member Auberger questioned some of the Capital projects. He asked if an additional jib crane needs to be purchased. or can the one we have be moved to a new location at the DPW. Council Member Auberger asked if the attachment on the Kubota could be replaced so that it could be repurposed at a different location. Council Member Auberger also feels that the band shell can be put on hold and we can use that money to pay down more debit.

Council Member Cilli commented on the band shell saying the way our roads look right now, it is a wish item that can hopefully be done in the future.

Council Member Weller agreed saying the roads should be the priority. It would be a great addition but not right now.

Council President Shortway said we have been waiting for this since 2015 and Council Member Rizzuto proposed this. Council President Shortway thinks this is an economic driver.

Council Member Cilli asked maybe we can do this next year on a volunteer based.

RESOLUTIONS

Resolution #21-82: Authorizing the Release of a Restoration Bond for Crystal Springs Builders, LLC PB#6-06-8 for 12 Old Rudetown Road, Block 607 Lot 43 (Former Block 270 Lots 11 & 26)

Council President Shortway asked for a motion to approve resolution #21-82.

MOVED: John Auberger
SECOND: Andrew Pitsker

A roll call vote was taken:
AYES: Auberger, Cilli, Pitsker, Weller, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion passed to approve Resolution #21-82.

RESOLUTION #21-82

**AUTHORIZING THE RELEASE OF A RESTORATION BOND FOR
CRYSTAL SPRINGS BUILDERS, LLC PB#6-06-8 FOR 12 OLD RUDETOWN ROAD,
BLOCK 607 Lot 43 (Former Block 270 Lots 11 & 26)**

WHEREAS, Crystal Springs Builders, LLC. was approved for a 9 Hole Golf Course on Block 607 Lot 43 (former Block 270 Lots 11 and 26) in the Township of Vernon, pursuant to the Planning Board File PB#6-06-8; and

WHEREAS, Chrystal Springs Builders, LLC has made a request for a restoration bond to be released in full; and

WHEREAS, the Vernon Township Engineer has reviewed said request and based on reviews of as-built plans and available documentation, recommends to approve the release of the \$10,000 restoration bond.

NOW THEREFORE BE IT RESOLVED, the Township Council of the Township of Vernon, County of Sussex, hereby approves and authorizes that the restoration bond in the amount of \$10,000 is to be released in its entirety.

Resolution #21-84: Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

Council Member Pitsker made a motion to postpone resolution #21-84 to the next Township Council meeting. Seconded by Council Member Cilli

MOVED: Andrew Pitsker

SECOND: Toni Cilli

All members were in favor.

Motion passed to postpone Resolution #21-84 till the next Township Council Meeting.

Resolution #21-85: A Resolution Authorizing Emergency Procurement of Emergency Backup Generator

Council President Shortway asked for a motion to approve resolution #21-85.

Vice President Auberger asked if the old generator suffered irreparable damage was due to the service contract company neglect?

Administrator Voelker explained that the damage was due to mice that shorted out the generator and caused an internal fire. The generator was 20 years old at the time.

Council Member Pitsker asked if this price included the removal of the old generator and installation of the new one.

Administrator Voelker said no and we do not have the cost for doing this but we have time to get proposals.

The fire department has helped out with lights when needed.

Council Member Auberger said because a pad is already there we are ahead of the game.

MOVED: Andrew Pitsker

SECOND: Toni Cilli

A roll call vote was taken:

AYES: Auberger, Cilli, Pitsker, Weller, Shortway

NAYES:

ABSTAIN:

ABSENT:

Motion passed to approve Resolution #21-85.

RESOLUTION #21-85

**A RESOLUTION AUTHORIZING EMERGENCY PROCUREMENT OF EMERGENCY
BACKUP GENERATOR.**

WHEREAS, the Township Department of Public Works has a need for backup generator for its operations; and

WHEREAS the generator in place suffered irreparable damage threatening the continuation of emergency operations during the snowstorm of February XX, 2021 affecting the public safety, health and welfare of the Township; and

WHEREAS the vendor Montague Tool and Supply can provide for a replacement generator at the cost of \$23,599.00; and

WHEREAS, N.J.S.A.40A:11-6 provides for the creation on an emergency appropriation and emergency procurement, for the public safety health and welfare of the community, for the purpose mentioned above, and,

WHEREAS, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$23,599.00 as follows:

C-04-20-011-18 Improvements to Township Properties

NOW, THEREFORE, BE IT RESOLVED; an emergency appropriation is hereby made for the emergency replacement of the communications generator in an amount not to exceed \$23,599.00 from Montague Tool & Supply for the replacement of the backup emergency generator at the department of Public Works.

Resolution #21-86: Resolution Authorizing the Issuance of not Exceeding \$15,235,844 Bond Anticipation Notes of the Township of Vernon, in the County of Sussex, New Jersey

Council President Shortway asked for a motion to approve resolution #21-86.

MOVED: Toni Cilli
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Cilli, Pitsker, Weller, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion passed to approve Resolution #21-86.

RESOLUTION #21-86

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING
\$15,235,844 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF
VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS
FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Township of Vernon, in the County of Sussex (the "Township") entitled: "Bond ordinance appropriating \$1,484,000, and authorizing the issuance of \$1,412,000 bonds or

notes of the Township, for various improvements or purposes for emergency services authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey”, finally adopted on April 28, 2011 (#11-08), bond anticipation notes of the Township in a principal amount not exceeding \$218,844 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section

3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the acquisition of sanitary sewerage collection and transmission facilities in and by the Township of Vernon, in the County of Sussex, New Jersey, appropriating

\$4,000,000 therefor and authorizing the issuance of \$3,809,000 bonds or notes of the Township for financing such appropriation”, finally adopted on November 14, 2011 (#11-22), bond anticipation notes of the Township in a principal amount not exceeding \$3,468,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section

3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$2,350,000, and authorizing the issuance of \$2,066,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey”, finally adopted on June 23, 2014 (#14-12), bond anticipation notes of the Township in a principal amount not exceeding

\$1,560,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$1,534,557, and authorizing the issuance of \$1,266,625 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on May 28, 2015 (#15-16), bond anticipation notes of the Township in a principal amount not exceeding \$1,039,425 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$1,614,500, and authorizing the issuance of \$1,307,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on June 13, 2016 (#16-15), bond anticipation notes of the Township in a principal amount not exceeding \$1,106,575 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$3,636,500, and authorizing the issuance of \$2,948,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on June 26, 2017 (#17-09), bond anticipation notes of the Township in a principal amount not exceeding \$2,634,556 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance making a supplemental appropriation of \$210,000 for the acquisition of a new fire truck heretofore authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey, and authorizing the issuance of \$200,000 bonds or notes of the Township for financing such supplemental appropriation", finally adopted on February 15, 2018 (#18-07), bond anticipation notes of the Township in a principal amount not exceeding \$200,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$2,380,870, and authorizing the issuance of \$1,453,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on April 23, 2018 (#18-17), bond anticipation notes of the Township in a principal amount not exceeding \$1,326,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance providing for the installation of turf fields at Maple Grange Park in and by the Township of Vernon, in the County of Sussex, New Jersey, appropriating \$872,750 therefor and authorizing the issuance of \$692,750 bonds or notes of the Township for financing such appropriation", finally adopted on July 22, 2019 (#19-15), bond anticipation notes of the Township in a principal amount not exceeding \$692,750 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond

ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$1,165,918, and authorizing the issuance of \$856,777 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on July 22, 2019 (#19-16), bond anticipation notes of the Township in a principal amount not exceeding \$856,777 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the Township entitled: Bond ordinance appropriating \$2,600,500, and authorizing the issuance of \$2,132,857 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on May 28, 2020 (#20-11), bond anticipation notes of the Township in a principal amount not exceeding \$2,132,417 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 12. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A.

§40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to

time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby

authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 13. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 14. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that

interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 15. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 16. This resolution shall take effect immediately.

Upon motion of Toni Cilli, seconded by Kelly Weller, the foregoing resolution was adopted by the following vote:

AYES: 5
NAYS: 0

Resolution #21-87: Resolution Authorizing the Issuance of Not Exceeding \$200,000 Special Emergency Notes of the Township of Vernon, in the County of Sussex, New Jersey

Council President Shortway asked for a motion to approve resolution #21-87.

MOVED: Kelly Weller
SECOND: Toni Cilli

A roll call vote was taken:
AYES: Auberger, Cilli, Pitsker, Weller, Shortway
NAYES:
ABSTAIN:
ABSENT:

Motion passed to approve Resolution #21-87.

RESOLUTION #21-87

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING
\$200,000 SPECIAL EMERGENCY NOTES OF THE TOWNSHIP
OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less
than two-thirds of all the members thereof affirmatively concurring), **AS
FOLLOWS:**

Section 1. Pursuant to an ordinance of The Township of Vernon, in the County of Sussex (the "Township") authorizing a special emergency appropriation in the amount of \$1,000,000, finally adopted on July 24, 2017 (#17-12) and entitled: "An ordinance authorizing a special

emergency appropriation of \$1,000,000 for the reevaluation of real property by the Township of Vernon, in the County of Sussex, New Jersey”, special emergency notes of the Township are hereby authorized to be issued pursuant to the Local Budget Law in a principal amount not exceeding \$200,000 for the purpose of financing the improvement or purpose

described in said resolution, including (to any extent necessary) the renewal of any special emergency notes heretofore issued therefor.

Section 2. All special emergency notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A.

§40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:4-55. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 3. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. The Chief Financial Officer is hereby further authorized and directed to file a copy of this resolution, as adopted, and all other resolutions or ordinances relating to the authorization of the aforementioned special emergency appropriation with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 5. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 6. All action heretofore taken by Township officials with respect to the sale, issuance and delivery of the notes is hereby ratified, confirmed, adopted and approved.

Section 7. This resolution shall take effect immediately.

Upon motion of Kelly Weller, seconded by Toni Cilli
the foregoing resolution was adopted by the following vote:

AYES: 5

NAYS: 0

Resolution #21-88: Resolution Authorizing the Execution of a Shared Services Agreement Between the Township of Vernon and the Vernon Township Municipal Utilities Authority for Provisions of DPW Services

Council President Shortway asked for a motion to approve resolution #21-88.

MOVED: John Auberger

SECOND: Toni Cilli

A roll call vote was taken:

AYES: Auberger, Cilli, Weller, Shortway

NAYES:

ABSTAIN: Pitsker

ABSENT:

Motion passed to approve Resolution #21-88.

RESOLUTION #21-88

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR PROVISIONS OF DPW SERVICES

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 emergency 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 emergency 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 emergency 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.

Resolution #21-89: Resolution Endorsing Intent to Include Step Placement Terms in the Township of Vernon and U.A.W. Local 2326 Collective Negotiations Agreement.

Council President Shortway made a motion to postpone this resolution until the next Township Council meeting. Seconded by Council Member Pitsker

MOVED: Harry Shortway

SECOND: Andrew Pitsker

All members were in favor

Motion passed to postpone resolution #21-89 until the next Township Council meeting.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #21-09: Calendar Year 2021 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Council President Shortway read by title Ordinance #21-09.

Council President Shortway asked for a motion to introduce Ordinance #21-09.

MOVED: John Auberger

SECOND: Toni Cilli

A roll call vote was taken:

AYES: Auberger, Cilli, Pitsker, Weller, Shortway

NAYES:

ABSTAIN:

ABSENT:

Motion passed to introduce Ordinance #21-09.

PUBLIC COMMENTS (*Limited to 3 Minutes On Any Topic*)

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

MOTION: Andrew Pitsker

SECOND: John Auberger

All members were in favor.

Cindy Lenhoff -Vernon Township. Sent an email: The Tennessee Gas Pipeline East 300 upgrade poses an unacceptable health risk that the public is largely unaware of. The policies that govern industrial site approval fail to protect the public from immediate and long-term health implications. Compressors create toxic air pollution that increases risk of most major human disease including: cancer, heart disease, lung disease, endocrine disorders and birth defects. Benzene and formaldehyde levels have been measured near compressor stations that far exceed cancer-causing thresholds. These compressors have been found to emit up to 10.5 million pounds of toxic emissions over a 6-year period. The negative implications to our town and to our state are enormous. Many compressors are built in rural areas ... But just because we live in a less populated county, does not mean that we don't matter. Why should our families suffer from these health risks so that TN Gas Company and Con Edison of NY can profit? Please remember this project offers no benefit to our town, only risks. These threats are not theoretical. Just in our nearby area, residents are suffering from health problems in Wantage NJ and Minisink NY. An elementary school was forced to emergently evacuate during the construction of a compressor in Roseland NJ after a large amount of gas was released without notice. TN Gas Pipeline has damaged Lake Lookover in Hewitt NJ and has caused mudslides, flooding and impact to wells in West Milford, NJ. A flash fire at a compressor in Branchburg, NJ injured 13 people, hospitalizing 2. Governor Murphy stopped a compressor from being built in Franklin Township, NJ after communities banded together to oppose it. He can do the same for us, but only if there is enough pressure. The Borough of Ridgewood and Wantage have already opposed this project. We must oppose it as well. What additional health risks will we accept in our town? A child with cancer? A parent with a heart attack? A neighbor in the ED with an asthma attack? If we value the health of our communities, our family, our children then we must acknowledge that increased risks of cancer, heart disease and breathing problems are not acceptable. I ask the council to do everything in your power to oppose this project. Thank you.

Eric Gorovoy - [REDACTED] emailed: if you look closely at the topography lines shown on your published map of the proposed Town Center Greenway, Town Center Trail and 8-20 Black Creek Drive Property area, you will find that there are many areas that will be challenging to make the trail ADA compliant for elderly and wheelchair accessible. I'm certain you are already aware, the closer the topo lines, the steeper the terrains and Visa-Versa. It will take contractors, engineers, architects, professional job / site planners, and excavating /paving contractors to grade and

move large amounts of soils to achieve the correct pitches and slopes. Then Landscaping, trees shrubs, will need planting to make it look park like. Just all of this alone is going to cost the taxpayers much more than the costs of the Baldwin Parcel alone. The remaining money that will be left in open space fund will be used for other things that Harry Shortway mentions in his post on his FB page yesterday where he outlines his plan for the trail from the municipal complex building parking lot to the MC parking lot. Even though it might be a nice walk, it's not even close to anything. Shopping, stores, restaurants, bars, etc. Is it your (undisclosed) intention in the near future to be working on passing more new ordinances to complete the trail from MC North down to MC South? If so, do you know how much more money the trail extension will cost with or without a trail extension? Just to complete the first stretch, it will cost way more than the million \$\$ we put away for the Open Space Fund. I would love to see a 3D MAP OF THIS PROJECT showing the proposed bathrooms, & adjuncts, bicycle track, amphitheater, gardens, dog parks, shop locations, as well as available parcels and properties!! With a 3D map displayed in the Municipal Building Foyer, every taxpayer can not only visualize the project, they can actually see what the entire proposed trail system entails instead of reading cryptic notes from Council President, Harry Shortway trying to explain it online to individuals that actually reads that FB page. Let's see what you are actually proposing to do, along with a true estimate and budget of the costs involved from start to finish! Then let the people vote on it by referendum...This is the job the elected municipal government is supposed to do! That is, to do the work that their constituents want done. We also know that the Town Center debacle cost the taxpayers something crazy, somewhere upwards of 28 million dollars with over-runs! What are our estimated Actual costs of the trail from nowhere to nowhere?? I truly look forward to the ADA compliant trail system buildout with amenities and also believe it can be a wonderful feature and attraction here in Vernon Township!! I have some concerns and would truly appreciate being able to see it in 3D prior to investing all 1 Million US Dollars of open Space funds little bits of a time, instead of the Projects overall total cost! Thank you, Mr. Mayor and all Town Council Members, for your time, and await your responses!!... I yield back all of my remaining time.

Natalie Buccieri – Vernon Township, previously sent an email and hopes the Council will address some of her concerns. She also feels that a diagram or model is an excellent idea so that people can get some excitement about this project. She is invested in the community but also has some questions and concerns. Ms. Buccieri would like to see a cost analysis. She looks forward to a response to her questions.

Jessica Paladini – Vernon Township, feels that the petitioners have the right idea about putting this out to a vote on the ballot for referendum. When she looks at cost of the project, she gets over \$1,000,000. There is no cost analysis or plan. Ms. Paladini feels the Baldwin property will be a negative impact because it was in the sewer service area. She said if this property was hooked up to sewers and was a commercial use it could bring \$40,000 in taxes. Ms. Paladini said this property was in the sewer service area and she asked who took it off, when was it taken off and by what authority. She said she looked at Council meeting minutes from 2018 and there was no discussion on this. She has contacted the DEP.

Rachel Sellen – Vernon Township, spoke about the Tennessee Gas Pipeline East 300 Upgrade. The proposal would result in the construction of a compressor station in West Milford and an expansion of one in Wantage. Compressor Stations are dangerous industrial sites that pressurize natural gas. Ms. Sellen feels that none of this gas will benefit NJ residents and these compressor stations will threaten our safety due to our close proximity. The chemicals can travel 10 miles or more before returning to ground level. Compressor stations also pollute ground water and Vernon's pipeline is 65 years old. These compressors would make gas flow faster making leaks and explosions more likely and this could emit particulate matters and 70 different chemicals. These chemicals increase risk of cancer, heart attack, stroke, organ damage, birth defects, emphysema, asthma and many more. She feels that this project will negatively impact Vernon's real estate Mr. Sellen asked the Council to oppose the Tennessee Gas Pipeline East 300 Upgrade.

Peg Distasi – Vernon Township, expressed concern that there has never been a valid plan and expense estimate. There has never been any solid evidence of where this trail will be and what it will cost. Ms. Distasi feels that if the people were included and the questions answered there would not be a petition necessary. Ms. Distasi explained that we started the petition because we are tired of being held in the dark and this plan unfolding with a different version every week. She suggests the Council be up front because the people are entitled to be treated with respect.

Ms. Distasi feels that on February 24th she received a threatening message from Mike Furrey threatening her for the actions of others. This is something she has no involvement with. Ms. Distasi said his comments led to others feeling that they have the right to bully her on Facebook. It is unacceptable behavior on the part of any town's representatives and those of us in leadership positions. As of tonight, the Mayor and

Council have stood together to let the people of Vernon know that this bullying and threatening behavior will not be tolerated. Ms. Distasi said she has her first amendment right to voice her opposition to the purchase of the Baldwin property and she has done so with steadfast research. She has not bullied anyone and she is also a town volunteer. She requests based on the Council not tolerating threats and bullying, that the resignation of Mike Furrey be sought.

Shawn Mazur – Vernon Township, sent a chat: As a registered architect licensed in New York, New Jersey and Florida, I work with several developers. I currently have a developer interested in bringing low-income housing to Vernon. However, I have looked over the MUA service map and spoken to the MUA at the last meeting regarding these maps. When I ask the MUA about these changes they said I had an old map. However, the map I had was the one sent to the DEP. For example: the current MUA map on line shows the existing service area as the proposed service area. In addition, why are there so many changes in these maps shrinking the town center? I was unable to get a straight answer from the MUA. In addition, why are we being told areas are protected bobcat areas when the DEP denies making any such statements? Does the Council want development in the town center? If so, how can we plan when these maps are inconsistent? In addition, I feel that having Council members on the MUA is a conflict of interest. This should be changed and the maps be corrected.

Seeing no other members of the public wishing to speak, Council President Shortway asked for a motion to close the meeting for Public Comments.

MOTION: John Auberger
SECOND: Andrew Pitsker
All members were in favor.

MAYOR COMMENTS

Over the past two weeks, I have received a host of phone calls and other types of contact and inquiries asking me for assistance in getting Coronavirus vaccinations.

Most of these types of inquiries and requests have come from members of our senior citizen community, or from other individuals who have been trying desperately to get Coronavirus vaccination appointments for their elderly parents, grandparents, or other senior relatives.

It has disturbed me greatly that I, their Mayor, was not able to simply make a phone call, or send an email, a text or a letter to get them the Coronavirus vaccination appointments that they so desperately wanted and needed.

Perhaps one of the reasons that these host of requests touched and disturbed me so much, is that I so clearly understand their frustration; I so clearly feel their pain - - for my wife Reba and I are in that 65 and older target group that's currently eligible for the Coronavirus vaccination.

My empathy and understanding of their frustration also comes from the fact that over the past several weeks, starting from the early parts of the morning and going into the late hours of the night, my wife Reba has been one of those hundreds of Vernon residents, and millions of Americans, who have been constantly on their computer and/or on her phones, trying to get Coronavirus vaccination appointments.

And thanks to my wife's "never give up" attitude about everything in life, she was finally able to get me a vaccination appointment for tomorrow in Pompton Plains.

So I encourage all of my fellow seniors and non-seniors to "hang in there", to keep trying, because there are strong indications that the ability to get these highly desired vaccinations will increase meaningfully in the coming weeks.

I say this because current vaccine producers have taken the actions necessary to significantly increase their production; and the U.S. Food and Drug Administration has recently approved a third Coronavirus vaccine, this one a Johnson & Johnson vaccine that requires just one shot, and not two.

Many of the seniors who call me, start by apologizing for "bothering me". But I say to you now, what I say to them when they call me - - we are one Vernon Family, and at this time in our town's history, I am

that family's Mayor. So even if I don't have the authority to get them the Coronavirus vaccination appointment that they so desperately want, I am still here and willing to listen.

Let's all continue to be VERNON STRONG, for better days are closely ahead of us!

This past Friday, March 5, was National Employee Appreciation Day.

And while Business Administrator Voelker and I put forth some well-deserved extra effort to ensure that on that day, our municipal employees knew that their Mayor and Council respects and appreciates them year-round, and not just on one day of the year, I believe that it's important that I take this opportunity to publicly thank them for their efforts.

I know and understand that the things that our municipal employees do each and every day are a part of their jobs; however, I am also very much aware of the fact that our township would not be able to meet, and sometimes exceed, the most pressing needs of a municipality:

- That covers approximately 70 square miles;
- That has almost 25K residents, that form 11K plus households; and ...
- That has a population that's larger 467, or 82%, of New Jersey's total 565 municipalities.

So, these words of appreciation from Vernon's Mayor and Council, are quite appropriate for all that they do to serve the residents of Vernon Township, and to support the Mayor and Council in our collective efforts to make Vernon Township an even better place to live and raise a family.

I also offer a special word of appreciation to one of our town's key employees, Business Administrator Charles Voelker; Chuck is not simply my "right hand man", he is also an individual who manages the town's day-to-day operations with a focus that embraces the Mayor and Council's concept of Moving Vernon Forward!

He is a very hard worker and a complete professional. And equally important to me, he is a person who I can trust, and who I can depend on. Thank you, Chuck.

Again, THANK YOU MUNICIPAL STAFF; the Mayor and Council appreciates you!

COUNCIL COMMENTS

Vice President Auburger commented on the ladder truck that was removed from McAfee is an asset to the town. We need to get it sold and it should be in a more secure location.

Vice President Auburger said on February 13, 2021 we had a house fire and it was requested that the DPW come out. The resident lost quit a bit and the town did not supply a truck. At the cost of a mason dump of sand or salt we are going to risk millions of dollars of equipment and anyone that may fall and get hurt because we will not send a truck. If the fire department or EMS request sand trucks to come out, we really need to take care of them.

Council Member Pitsker has a map that shows the Baldwin property is not in the sewer service area and not in the future sewer service area.

Council Member Weller had no comment.

Council Member Pitsker had no comment.

Council Member Cilli had no comment.

COUNCIL PRESIDENT COMMENTS

Council Member Shortway spoke about the expenditures for the trail. He said the voters spoke in December 2018 when they approved the expenditures of 30% of the Open Space fund.

Council President Shortway said there was a proposed map and it had Hamburg Mountain on it. In 2018 the Council voted on the map and Jean Murphy abstained because they wanted the Council to vote on a map they didn't give backup for.

He constantly sees in the minutes that there is pressure from the DEP to remove areas that they say are environmentally sensitive because of habitat. Whether that is a bobcat, turtle, barn owl he does not know because it is not reflected. When they were doing the turf field at Maple Grange, he had them put some turf to the side for the future pump track so there will be no additional expenditure there. Last year when a road project was being done the Mayor started putting the asphalt to reclaim and reduce costs. These trails are not costing a million dollars. The voters spoke to do trails and amenities and we are finding the economic way to go. Not the whole trail is going to be ADA compliant so trails could be as easy as a path to walk on. We can not give an actual cost because it has to go out to bids. When we talk about the economic impact there are 47 vacant properties in the town center. If this was the last one there would be some credibility but it is not. We keep submitting maps and the DEP pulls out areas. They tell us areas they were in the DEP wants out. It is very frustrating dealing with the DEP on all levels. We need to move forward.

ADJOURNMENT

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

The Meeting of the Township Council of the Township of Vernon was adjourned at 8:27 p.m.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Harry Shortway,
Council President

Minutes approved: March 22, 2021