
February 27, 2017 Vernon Township Council Meeting Resolutions

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RESOLUTION #17-63

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$7,577,000
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 \$1,650,000, and authorizing the issuance of \$1,571,000 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 March 28, 2011 (#11-07), bond anticipation notes of the Township in a principal amount not exceeding \$1,071,000 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 2. Pursuant to a bond ordinance of 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 \$912,000 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 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 \$3,664,000 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 \$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 \$1,930,000 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 5. 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 6. 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 7. 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 8. 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 9. This resolution shall take effect immediately.

RESOLUTION #17-64

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Roy Wherry was custodian of the Vernon Township Police Petty Cash Fund, and

WHEREAS, on January 1, 2014 the Township adopted Resolution 14-04 indicating that Arthur Mills was the custodian of the Vernon Township Police Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of Vernon is affirming the change of custodian to Arthur Mills; and

WHEREAS, Arthur Mills is bonded in the amount of \$ 1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the *Township of Vernon County of Sussex* hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval

RESOLUTION #17-65

AUTHORIZATION TO EXECUTE A DEVELOPER'S AGREEMENT WITH RDR ASSOCIATES BLOCK 192.05, LOTS 12, 13, 14, 15, 16, 17, 19, 20, AND 21

WHEREAS, a Developer's Agreement was entered into by Woodmont Homes, Inc. and the Township of Vernon and on April 24, 2008 for the site improvements to be completed by Woodmont Homes, Inc. for the Final Major Subdivision ("Whispering Woods") as per the approved Final Plat dated March 23, 2008 prepared by R. Henry Huelsebusch, P.E. (the "Original Agreement"); and

WHEREAS, the Original Agreement expired on April 24, 2010 and an Extension of the Developer's Agreement was entered into by Woodmont Homes, Inc. and the Township of Vernon on January 12, 2011 (the "Extension Agreement"); and

WHEREAS, Woodmont Homes, Inc. filed for bankruptcy protection in 2011; and

WHEREAS, thereafter, the site repairs remained unfinished and the Township of Vernon was forced to call the performance bond and use the funds from the bond and the additional cash bond to complete roadway drainage repairs, detention basin repairs to Basins #1 and #2, and resurface the majority of Upper Plateau Drive and all of Murphy Court; and

WHEREAS, RDR Associates purchased the interests that Woodmont Homes, Inc. held in the eight (8) remaining buildable lots in Whispering Woods known as Lots 13, 14, 15, 16, 17, 19, 20 and 21 in Block 192, (the “Eight Remaining Lots”); and

WHEREAS, the repairs and paving of the lower portion of Upper Plateau Drive and the final repairs to Basin #3 are still unfinished; and

WHEREAS, the Township Council wishes to enter into a Developer’s Agreement with RDR Associates to provide for the completion of the remaining repairs and paving to Upper Plateau Drive and the final repairs to Basin #3 and to facilitate the development of the Eight Remaining Lots.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the Mayor and Township Clerk are authorized to execute a Developer’s Agreement with RDR Associates for the Eight Remaining Lots.

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

RESOLUTION #17-66

**APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE
NEW JERSEY STATE FIREMEN’S ASSOCIATION (Metz)**

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

WHEREAS, Matthew R. Metz, an active firefighter and member of the McAfee Volunteer Fire Department, is requesting approval to submit an application for membership to the New Jersey State Firemen’s Association.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Matthew R. Metz for membership in the New Jersey State Firemen’s Association.

RESOLUTION #17-67

**RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION TO BE
INCLUDED IN THE 2017 BUDGET AS A REVENUE AND APPROPRIATION OF \$60,000.00**

WHEREAS, Vernon Township has been awarded a \$60,000.00 New Jersey Safe and Secure Communities Grant Program from New Jersey Department of Law and Public Safety; Subaward Number: P-7064-17; Subaward Period: 2/7/17-2/6/18; and wishes to include in its 2017 budget for this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon authorizes the inclusion of an item of revenue in the budget of the year 2017 in the sum of \$60,000.00, which is now available as a revenue from New Jersey Department of Law and Public Safety and;

BE IT FURTHER RESOLVED that a like sum of \$60,000.00 is hereby appropriated under the caption Safe and Secure Grant and does accept the Subaward.

RESOLUTION #17-68

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.; and

WHEREAS, the VTMUA has multiple vacancies in its membership that need to be filled.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, that the following individual is hereby appointed as a member of the Vernon Township Municipal Utility Authority, effective 2/16/2017, for an unexpired term specified as follows:

PAUL KEARNEY
Expiring 2/01/2020

Alt. II

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

- a. Vernon Township Municipal Utilities Authority

RESOLUTION #17-69

**RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY
AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION**

WHEREAS, Vernon Township, NJ, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Vernon Township, NJ strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Vernon Township, NJ is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Greenway Action Advisory Committee (GAAC) of Vernon Township, NJ has determined that Vernon Township, NJ should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Greenway Action Advisory Committee of the Vernon Township, State of New Jersey, authorizes the submission of the aforementioned Sustainable Jersey Grant.