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VERNON TOWNSHIP

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April 8, 2019 Vernon Township Council Meeting Resolutions

Resolution #19-98: Refund for Tax Court Judgment (L&R Equity)

Resolution #19-99: Authorizing Contracts with Certain Approved State Contract Vendors

Resolution #19-100: Resolution Authorizing Purchase of Paving Materials through Morris County Cooperative Pricing Council Contract 5 through Tilcon New York Inc.

Resolution #19-101: Resolution Awarding Bid #3-2019 to AES HVAC in a Fair and Open Award for HVAC Project Animal Shelter

Resolution #19-102: 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"

Resolution #19-104: Resolution Authorizing the Mayor to Execute an Interlocal Service Agreement with the Vernon Township Municipal Utilities Authority for the Services of a Chief Financial Officer and Purchasing Services

Resolution #19-105: Resolution Authorizing the Mayor to Execute an Interlocal Service Agreement with the Vernon Township Municipal Utilities Authority for Administrative Services

Resolution #19-106: Resolution Authorizing Use of Three-Year Average for Tax Collection Rate and Reserve for Uncollected Taxes Calculation

Resolution #19-107: 2019 Municipal Budget

RESOLUTION #19-98

REFUND FOR TAX COURT JUDGMENT (L&R Equity)

WHEREAS, the Tax Court of New Jersey has entered Judgments on appeals filed by taxpayers in the Township of Vernon; and

WHEREAS, the Judgments reduced assessments creating an overpayment of taxes for the year 2019 on certain properties:

Block	Lot	Property Owner	Refund Amount
270	6.03 CT1	L&R Equity, LLC	$129.67
270	6.03 CT2	L&R Equity, LLC	$129.26
270	6.03 CT5	L&R Equity, LLC	$161.59
270	6.03 CT6	L&R Equity, LLC	$164.28
270	6.03 CT7	L&R Equity, LLC	$325.64
270	6.03 CML8	L&R Equity, LLC	$2,423.71
		Total	$3,334.15

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Vernon be authorized to draw a warrant in the amount of $3,334.15 made payable to Bruce J. Stavitsky, Esq. for the benefit of L&R Equity, LLC for the above mentioned properties.

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

RESOLUTION #19-99

AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS

WHEREAS, as provided for within the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et seq.) **t**he 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 T-0142 Road and Highway Building Materials: Crushed Stone Sand & Gravel; and

Contract 87732
EASTERN CONCRETE MATERIALS INC
250 PEHLE AVE
PLAZA ONE SUITE 503
SADDLE BROOK, NJ 07663

Contract 87740
TILCON NEW YORK INC
9 ENTIN ROAD
PARSIPPANY, NJ 07054

; and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing State contracts T-0155 Bituminous Concrete; and

Contract 45715
STAVOLA ASPHALT CO INC
PO BOX 482
RED BANK, NJ 07701-0482

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 State contracts T-0142 and T0155 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.

RESOLUTION #19-100

RESOLUTION AUTHORIZING PURCHASE OF PAVING MATERIALS THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #5 THROUGH TILCON NEW YORK INC.

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 Morris County Cooperative Pricing Council; and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing the Morris County Cooperative Pricing Council, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et seq.; and

WHEREAS, the Township intends to enter into contract for procurement of a Paving Materials through Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054, authorized under Morris County Cooperative Pricing Council Contract #5 Paving Materials, term of contract January 1, 2019 through December 31, 2019;

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 the approved Morris County Cooperative Pricing Council Contract #5 pursuant to all conditions of the individual cooperative contracts for Paving Materials through Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054; 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.

RESOLUTION #19-101

RESOLUTION AWARDING BID #3-2019 TO AES HVAC IN A FAIR AND OPEN AWARD FOR HVAC PROJECT ANIMAL SHELTER

WHEREAS, there is a need for a HVAC Project Contractor for improvements to the animal shelter in the Township of Vernon; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) encourages the use of public bidding to benefit taxpayers by ensuring that projects are completed in a safe, timely and cost-effective manner; and

WHEREAS, the Township duly advertised for public bids for Bid #3-2019 in a fair and open manner, consistent with N.J.S.A.19:44A-20.4 et seq., and

WHEREAS, the Township of Vernon received bids for HVAC Services under Bid #3-2019 duly advertised and held a public bid opening on March 27, 2019 at 9:00A.M.; and

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

WHEREAS, AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012, has provided the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document in the amount of $18,596.20; and

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

WHEREAS, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED $18,596.20 are available as follows: Account#711323.

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

1. The contract for HVAC Services is hereby awarded to AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with AES HVAC INC., 1360 Clifton Ave., Clifton, N.J. 07012, not to exceed $18,596.20 for the 2019 budget year for HVAC Services in accord with the tenets of contract found within Bid #3-2019.

RESOLUTION #19-102

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"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply 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," *as amended*, 42 U.S.C. § 2000e *et seq*., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Township Council* of the *Township of Vernon*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the

Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

RESOLUTION #19-104

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR THE SERVICES OF A CHIEF FINANCIAL OFFICER AND PURCHASING SERVICES

WHEREAS, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority ("VTMUA"), a municipal utilities authority established pursuant to N.J.S.A. 40:14-B-1 et seq. have determined that an Interlocal Service Agreement for the services of a Chief Financial Officer and purchasing services is in the best interest of the parties; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey, that the Mayor is hereby authorized to execute an Interlocal Service Agreement between the Township and VTMUA for the services of a Chief Financial Officer and purchasing services in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

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

RESOLUTION #19-105

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITES AUTHORITY FOR ADMINISTRATIVE SERVICES

WHEREAS, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (VTMUA), a municipal utilities authority established pursuant to N.J.S.A. 40:14-B-1 et seq. have determined that an Interlocal Service Agreement for Administrative Services is in the best interest of the parties; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey, that the Mayor is hereby authorized to execute an Interlocal Service Agreement between the Township and VTMUA for Administrative Services in a form similar to the document attached hereto. The Township Attorney may make applicable language changes deemed in the best interest of the Township.

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

RESOLUTION #19-106

RESOLUTION AUTHORIZING USE OF THREE-YEAR AVERAGE FOR TAX COLLECTION RATE AND RESERVE FOR UNCOLLECTED TAXES CALCULATION

WHEREAS, the Township of Vernon, County of Sussex realized 95.58% of current tax collections for the year 2018, and

WHEREAS, the tax collection percentage was adversely impacted by tax appeals, and

WHEREAS, the percentage of cash collections on current taxes for the three prior years was as follows:

Year	Percentage
2017	96.14%
2016	95.84%
2015	96.12%

AND WHEREAS the Mayor and Council believe the tax collections for the year 2019 will improve over the year 2018.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that permission be requested by the Director of the Division of Local Services to permit the Township to anticipate a current tax collection percentage experience of 96.03% for the year ended December 31, 2019.

RESOLUTION #19-107

INTRODUCTION OF 2019 BUDGET

BE IT RESOLVED that the Local Municipal budget of the Township of Vernon, County of Sussex, New Jersey for the fiscal year 2019 be approved by the Governing Body of the Township of Vernon, and the Clerk is hereby instructed to advertise in the New Jersey Herald on April 18, 2019 and that a final public hearing before passage will be held on May 13, 2019 at 7:00 P.M. at the Municipal Building 21 Church Street, Vernon and that said budget shall authorize total general appropriations of $26,378,350.59 and the anticipated revenues of $8,627,695.00 leaving an amount to be raised by taxes for municipal purposes of $17,750,655.59.