

Township of Vernon

TOWNSHIP COUNCIL MEETING

MAY 23, 2016

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday, May 23, 2016 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Dan Kadish presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on January 5, 2016, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7

ROLL CALL OF MEMBERS

Present were Council Members Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel and Council President Dan Kadish. Also in attendance were Mayor Shortway, Administrator Charles Voelker, CFO Elke Yetter and Township Attorney John Ursin.

SALUTE TO THE FLAG

Council President Kadish led the assemblage of the flag.

AUCTION

Block 142.01 Lot 1, Faline Building as per Ordinance #16-08

Township Attorney, Mr. Ursin stated the Township is holding an auction for property no longer needed for public purposes commonly known as the Faline Building, Block 142.01 Lot 1, pursuant to the conditions set forth in Ordinance #16-08 and the opening bid is set at \$100,000. Mr. Ursin asks if anyone is present to bid on this property Block 142.01 Lot 1 at the opening bid of \$100,000? No one from the public came forward to bid. Mr. Ursin asks a second time if anyone is present to bid on the property Block 142.01 Lot 1 with the opening bid set at \$100,000? No one from the public came forward to bid. Mr. Ursin recommended to Council President Kadish and Council to pass a motion to end auction unsuccessfully.

Council President Kadish asked for Motion to end the Auction of Property at Block 142.01 Lot 1

MOTION: Jean Murphy

SECOND: Sandra Ooms

All in Favor

Auction for Block 142.01 Lot 1 Faline Building as per Ordinance #16-08 is closed unsuccessfully.

PROCLAMATIONS

Council President Kadish request VFW members and all Veterans to come forward.

Mayor Shortway read the Proclamation for Memorial Day 2016.

MEMORIAL DAY 2016

WHEREAS, Memorial Day, originally called Decoration Day, is a day of remembrance for those who have died in service of the United States of America; and

WHEREAS, while it's difficult to prove conclusively the origins of **Memorial Day**, President Lyndon Johnson in May 1966, proclaimed that Waterloo, NY was officially the birthplace of Memorial Day; and

WHEREAS, regardless of the exact date or location of its origins, one thing is clear – Memorial Day was borne out of the Civil War and a desire to honor our dead. It was officially proclaimed on 5 May 1868 by General John Logan, national commander of the Grand Army of the Republic, in his [General Order No. 11](#). “The 30th of May, 1868, is designated for the purpose of strewing with flowers, or otherwise decorating the graves of comrades who died in defense of their country during the late rebellion, and whose bodies now lie in almost every city, village and hamlet churchyard in the land,” he proclaimed; and

WHEREAS, on the first Decoration Day, at Arlington National Cemetery, 5,000 participants decorated the graves of the 20,000 Union and Confederate soldiers buried there; and

WHEREAS, after World War I the holiday changed from honoring just those who died fighting in the Civil War to honoring Americans who died fighting in any war; and

WHEREAS, it is now observed in almost every state on the last Monday in May with Congressional passage of the National Holiday Act of 1971.

NOW, THEREFORE, I, Council President Dan Kadish, Mayor Shortway and the Vernon Township Council do hereby honor our service men and women, from every branch of the service, who have served in all the nation's wars for their enduring dedication to the preservation of America and our way of life.

Given under my hand in these free United States in the Township of Vernon, State of New Jersey on this 23rd day of May, two thousand sixteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council President Wetzel read Proclamation for Buddy Poppy Month May 2016. Veterans handed out Buddy Poppy flowers to Council and Public.

Buddy Poppy Month May 2016

WHEREAS: The annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

WHEREAS: Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the purpose of the sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "honor the dead by helping the living." The 2016 Buddy Poppy Drive is being held during the month of May; and

WHEREAS, The Wallkill Valley VFW 8441 and its Ladies Auxiliary promote the sale of the Buddy Poppy throughout the Township; and

WHEREAS, We urge all patriotic citizens to wear a Buddy Poppy as a symbol of gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

NOW, THEREFORE, I, Council President Dan Kadish, Mayor Shortway and the Vernon Township Council do hereby proclaim that May 2016 is **Buddy Poppy Month** in Vernon Township. We hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to this invaluable program.

Given under my hand in these free United States in the Township of Vernon, State of New Jersey on this 23rd day of May, two thousand sixteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council President Kadish read Proclamation for Older Americans Month May 2016.

Older Americans Month May 2016

WHEREAS, Vernon Township is committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, Older adults in Vernon Township play an important role by continuing to contribute experience, knowledge, wisdom and accomplishments; and

WHEREAS, Older adults are active community members involved in volunteering, mentorship, arts and culture, and civic engagement; and

WHEREAS, Our community can provide opportunities to allow older citizens to continue to flourish by emphasizing the importance of elders and their leadership; by presenting opportunities for older Americans to share their wisdom, experience and skills; and recognizing older adults as a valuable asset in strengthening American communities.

NOW, THEREFORE, I, Council President Dan Kadish, Mayor Shortway and the Vernon Township Council do hereby proclaim **May 2016 to be Older Americans Month** in Vernon Township. We urge every citizen to take the time this month to recognize older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to the community.

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

PUBLIC COMMENTS

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

MOTION: Patrick Rizzuto

SECOND: Jean Murphy

All in favor

Beverly Budz, Chairperson of the Vernon Township Environmental Commission read a resolution that the Environmental Commission passed titles Banning Fracking in Vernon Township and would like the support of the Township Council by approving a resolution. Ms. Budz strongly urges the Council to consider passing this resolution and notes an example in nearby Warwick NY which can drill down they would be able to drill vertical into Vernon. Ms. Budz also expresses concern over the brine material that county and state apply to roads within Vernon Township that enter our water system.

Dale Disney, resident and Vernon Environmental Commission member read Resolution #16-05 titled Opposes Logging on Public Lands in Vernon Township passed by the Environmental Commission. Mr. Disney asks for the support of the Township Council to protect the forests and habitats in Vernon Township.

Angie Metler, Vernon Environmental Commission member read Resolution #16-04 Opposing Bear Baiting on Public Property and State Preserved Lands and urges the Township Council's support to adopt this resolution.

Council President Rizzuto questions if this resolution is in direct conflict with the Rules and Regulations of the Fish & Wildlife and asks Council President Kadish to add this to agenda for approval or put on future agenda. Council President Kadish and Council Member Murphy stated it cannot be added to agenda from the public comment section of agenda.

Doreen Edwards, questions Council on what Ordinance #16-16 is about regarding the Environmental Commission and asks for a second public comment section after this Ordinance. Council President Kadish explains there is no discussion on 1st reading of an Ordinance; a public hearing is done at the 2nd reading of an ordinance.

George Callow, [REDACTED] asks when the Township moves forward with any parking plans for the Appalachian Trail, will the spirit of the existing agreement with the Appalachian Trail Conference from years ago be present. Mr. Callow asks if the existing Township Ordinance will be changed and if so, will the new Ordinance be concerned about the safety and interest of the Carol Drive and Meadowlark residents.

Bill Perkins, resident who is concerned about the quality of life and property values on Carol Dr. and Meadowlark Road and asks for follow up from Council meeting with Appalachian Trail officials. Council President Kadish stated we will create plan from outgrowths of meeting with the county, state and Appalachian Trail officials. Mr. Perkins added the Council needs to be aware of the sacrifices the Carol Drive and Meadowlark Road residents have endured and stresses the safety of the residents.

Christa Geary, discusses positive plans of the bike path to advertise the scenic beauty like the work done by the Beatification Committee to improve Vernon. The benefits of having a four season community for hiking, biking, snowshoeing etc. to increase outdoor exercise should be highly valued. Ms. Geary comments that local VFW needs the Township's support as they have given so much of themselves, and she is concerned over the bureaucracy causing the post to be jeopardized and stresses cooperation to help the town flourish. Ms. Geary quotes that 'Love is more powerful than hate' to benefit all.

Vic Marotta, Glenwood, stated that Ordinance #16-16 is to delete or end the Vernon Township Environmental Commission which was formed in 1984. Mr. Marotta explains that with the Environmental Commission's help and support in 1986, the town defeated the radium contaminated soil from coming to Vernon and he opined most

of the residents here now would not have moved to a low grade radium waste site. Mr. Marotta commented that for 32 years the Environmental Commission has served a purpose and now this Council wishes to abolish it and notes it is the Commission's role to acquire land with the Township's Open Space Funds which now may fall to the obligations of the Greenway Action Advisory Committee. Mr. Marotta asks the Council to think very seriously about the requirements and control that the Environmental Commission worked hard to protect and are now in jeopardy.

CLOSED TO PUBLIC COMMENTS

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

MOTION: Jean Murphy

SECOND: Sandra Ooms

All Members were in favor

MAYOR'S REPORT

Mayor Shortway stated the Gypsy Moth Aerial Spraying Program will be held tomorrow May 24th, weather permitting in the Highland Lakes and Barry Lakes areas. Mayor Shortway stated the Township met with DEP, AT, county and state officials regarding the parking situation at the boardwalk Appalachian Trail and said no new ideas for the short term had been found but discussions of long term ideas were brought up. Mayor Shortway proposed acquiring property to build parking lot or using federal funds to build second boardwalk but not received affirmatively. and noted discussions will continue to find solutions for Carol Drive and Meadowlark residents. Mayor Shortway stressed his goals when elected were Safety, Community and Integrity will provide moral compass. Mayor adds he will not layoff any police officers, or reduce any budgets of the Volunteer Fire Fighter or EMS volunteers and noted recent activity of structure fires one being an arson and the volunteers who put their lives at risk for our safety daily. Mayor Shortway stated these volunteers deserve our respect and failure to approve Ordinance #16-15 will jeopardize their safety noting he did not want to neglect these issues to save a few tax dollars when protecting municipal property for example the failing fire suppression system at the municipal building. Mayor Shortway added he is addressing other concerns including payment for sewers when we are not utilizing them, years of records stored in moldy trailers, municipal building roof needing replacement, Sammis Road needing resurfacing, Lake Wallkill Road completion, Police Dispatch system needing replacement and Impound building which had \$30,000 cost overruns and still is absent of electricity. Mayor Shortway added he is creating a standard operation manual to progressively manage personnel discipline and commendations, deal with Civil Service issues and negotiations of two collective bargaining units. Mayor Shortway added that personnel layoffs will be avoided due to attrition and personnel changes.

Mayor Shortway read statute 40:55D-27B: and noted when the Environmental Commission have prepared to the Land Use Board an index of Natural Resources, the Land Use Board shall make available to the Environment Commission a copy of every application for development submitted to the Land Use Board. The Environmental Commission is an advisory Board to the Land Use Board and Mayor Shortway noted that in 2014 when 15 applications where only one report was received from the Environmental Commission, in 2015 out of 14 applications only one response was received and so far this year one response was received. Mayor Shortway stated Committees or Commissions will be eliminated to reduce government and increase efficiency and he will support the Council's decision of Ordinance 16-16 and if so delegation of tasks to other committees as deemed necessary.

Mayor Shortway stated committees staffed by volunteers are created to address the blight of our Town Center and the Scenic Byway Corridor and promote Vernon as a 4 season recreation community and for economic recovery. As stated in the 2009 Economic Development Municipal Self-Assessment Report, Vernon will promote economic activity that will compliment and support rural and agricultural communities and that provide diversity in rural economy and opportunities for farm income and employment. We encourage tourism in regards to agriculture and the environment as well as maintain balance to the historic and rural character. Mayor Shortway added these committees will support recreational activities and any economic development planned to maintain and enhance Vernon with a minimal impact of agricultural resources. Mayor Shortway has begun negotiations to bring public water to the Towns Center. As the lowest paid employee, Mayor Shortway states his position is a badge of honor and will not ask for a pay increase while in office. He added that he receives the same salary as his two sons did when they were deployed in Afghanistan and Iraq and they were facing much more difficult pressures.

Mayor Shortway explained he will save tax dollars by seeking more volunteers as organizers and workers to run programs, write grants, and other tasks to build pride in Vernon Township and will forbid any paid secretaries for committees excluding the Land Use Board. Mayor Shortway describes the recent Vernon 5K was very successful and run by volunteers from the Recreation Board, the Beautification Committee, Vernon Running Club, Vernon Chamber Charities, the Vernon PAL, local high school students, Girls on the Run and received donations from many local merchants. Mayor Shortway stated that the success proved greatness from these volunteers all for a good cause to help one of Vernon's own. Mayor Shortway compared the volunteers that came together this year

as the ones many years ago who built the Hand in Hand Playground and called to every Vernon citizen to help rebuild Vernon Township to make it a better place to live.

APPROVAL OF MINUTES

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

Regular Meeting Minutes of March 14, 2016

MOVED: Jean Murphy
SECONDED: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve minutes of March 14, 2016

ITEMS FOR DISCUSSION

a. Parking for Appalachian Trail

Council Member Murphy stated many options were discussed at the meeting with the Appalachian Trail Conservancy including removing the icon on their website that parking is available at the boardwalk. She added that Chief Mills expressed the safety concerns of the residents and the emergent issues of parking on both sides of the streets making it impossible for emergency vehicles to access. Council President Kadish explained there were attendees from the Federal level, Appalachian Trail, NJDEP, Wawayanda State Park, as well as Sussex County and all are well informed of the problems facing Vernon Township and we expect to move forward with many options and solutions presented. Council Member Murphy added that the Appalachian Trail may add a second boardwalk on Royal City Road which will lessen the traffic in Vernon. Council President Kadish stated that all of the agencies are sympathetic to our concerns and issues.

CONSENT AGENDA

Council President Kadish gave a brief explanation of Resolutions #16-134-#16-143
Council President Kadish asked for a motion to adopt Resolutions #16-134-#16-143

MOVED: Patrick Rizzuto made motion to adopt Resolutions #16-134-#16-143
with request to remove Resolution #16-137
SECONDED: Jean Murphy

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto with removal of Resolution #16-137,
Dick Wetzel, Dan Kadish
NAYES: None
ABSTAIN: None
ABSSENT: None

Motion to adopt Resolutions 16-134-#16-143 with removal of Resolution #16-137.

Resolution No. 16-134

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON ACKNOWLEDGING THE ANNUAL REPORT FROM THE MUNICIPAL LAND USE BOARD

WHEREAS, the Township of Vernon has a Land Use Board that functions as a Board of Adjustment;

WHEREAS, *N.J.S.A. 40:55D-70.1* requires the Board of Adjustment to annually prepare a report and recommendations;

WHEREAS, the Township Council is in receipt of the Resolution of Annual Update;

NOW THEREFORE IT BE RESOLVED by the Township Council of the Township of Vernon that the Land Use Board's Annual Update and Recommendation Report for 2015 is hereby received and acknowledged.

RESOLUTION #16-135

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DONATIONS FOR THE BEAUTIFICATION OF VERNON TOWNSHIP PURSUANT TO N.J.S.A. 40A:4-39

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimated in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt Donations for the Beautification of Vernon Township the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A 40A:5-29 provides the dedicated revenues anticipated from the Donations for the Beautification of Vernon Township Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Vernon, County of Sussex, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Donations for the Beautification of Vernon Township (N.J.S.A 40A:5-29).

The Clerk of the Township of Vernon, County of Sussex is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION 16-136

AUTHORIZING PLACEMENT OF SIGNS IN VARIOUS LOCATIONS - PAL

WHEREAS, the Police Athletic League (PAL) has requested permission from the Township Council to place eleven (11) signs in front of various businesses and homes in town to advertise their Vernon Day; and

WHEREAS, PAL has requested to place the signs from May 24, 2016 through June 6, 2016 and the signs will be 24" x 18" thereafter they will promptly remove them; and

WHEREAS, the Township Code Enforcement Officer has advised that pursuant to the Vernon Township Code 330-180 that the placing of multiple signs of this size and character requires permission of the Council for their placement.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that the PAL is granted permission to place eleven (11) signs, as described above, at various businesses and homes, from May 24 , 2016 to June 6, 2016, in association with advertising Vernon Day, provided all other requirements of Township Code 330-180 are followed.

RESOLUTION #16-138

CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION AMENDING THE 2016 BUDGET AS A REVENUE AND APPROPRIATION OF \$64,161.83

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has been awarded a \$64,161.83 Clean Communities Grant from the State of New Jersey Environmental Protection Agency; and wishes to amend its 2016 budget for this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$64,161.83 which is now available as a revenue from the State of New Jersey Department of Environmental Protection,

BE IT FURTHER RESOLVED that a like sum of \$64,161.83 is hereby appropriated under the caption 2016 Clean Communities Grant

Resolution #16-139

APPROVING A SOLICITOR'S PERMIT FOR POWER HOME REMODELING GROUP

WHEREAS, Power Home Remodeling Group, 485C Route 1 South, Suite 400, Iselin, New Jersey 08830 has made application for a Solicitor's Permit for the purposes of providing free estimates on windows, roofing and siding; and

WHEREAS, upon receipt of the application for a Solicitors Permit, by Power Home Remodeling Group the Vernon Township Police Department investigated the applicant's (Allen Hunter Casimir, Matthew Gorham, Michael Scarrone, Anthony Accavallo) business responsibility and moral character and found it to be satisfactory and in good order for the protection of the public good; and the necessary application has been filed and 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 Solicitor's Permit for Power Home Remodeling Group, applicant: Allen Hunter Casimir, Matthew Gorham, Michael Scarrone and Anthony Accavallo.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue a Solicitor's Permit to the aforesaid applicant upon receipt of the requisite fees and in accordance with Chapter 428 of the Code of the Township of Vernon

RESOLUTION #16-140

APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN'S ASSOCIATION (Rogala)

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, Eric M. Rogala, an active firefighter and member of the Highland Lakes Fire Department Company, 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 Eric M. Rogala for membership in the New Jersey State Firemen's Association.

RESOLUTION #16-141

AUTHORIZING AWARD OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF VERNON AND ACTION DATA SERVICES TO PROVIDE PAYROLL AND ACCOUNTING SERVICES FROM APRIL 1, 2016 THROUGH MARCH 30, 2018

WHEREAS, the Township of Vernon ("Township") has a need to acquire professional payroll and accounting services to process employee payroll; and

WHEREAS, the Township desires to enter into a new contract with Action Data Services and void the previously entered into contract authorized by resolutions 13-214 and 16-34; and

WHEREAS, the Action Data Services had submitted a proposal and contract, for the provision of said Extraordinary Unspecified services for the period of April 1, 2016 through March 30, 2018; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 the New Jersey Local Pay-to-Play Law and pursuant to N.J.S.A. 40A:11-5(1)(a)(1) of the New Jersey Local Public Contracts Law, the Township may award said Professional Services Agreement without public bidding provided all reporting requirements have been met; and

WHEREAS, the Township Chief Financial Officer has certified that there is no charge to the Township Budget as the current Township bank, Lakeland Bank, pays in full for this service, providing the overall cost does not exceed \$9,000.00 per annum.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey as follows:

1. The previously entered into contract with Action Data Services authorized by resolutions 13-214 and 16-34 is hereby void. The Mayor of the Township of Vernon is hereby authorized to enter into the Extraordinary Unspecified Services Agreement with Action Data Services pursuant to the contract dated May 6, 2016.
2. Notice of the award of the within Contract shall be published in accordance with law.
3. The within Resolution and subject Contract shall be on file and available for public inspection in the office of the Municipal Clerk.
4. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

RESOLUTION #16-142

**CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION
AMENDING THE 2016 BUDGET AS A REVENUE AND
APPROPRIATION OF \$5,000.00**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has been awarded a \$5,000.00 Click It or Ticket 2016 Seat Belt Mobilization Grant from the New Jersey Division of Highway Traffic Safety; and wishes to amend its 2016 budget for this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00 which is now available as a revenue from the New Jersey Division of Highway Traffic Safety,

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 is hereby appropriated under the caption 2016 Click It or Ticket Grant.

Resolution No. 16-143

**RESOLUTION OF THE TOWNSHIP COUNCIL
OF THE TOWNSHIP OF VERNON
SUPPORTING A PRIVATE WELL TESTING PROGRAM
RUN BY THE NEW JERSEY DEPARTMENT OF HEALTH
AND THE CENTERS FOR DISEASE CONTROL AND PREVENTION**

WHEREAS, most properties in Vernon Township are serviced by private wells;

WHEREAS, it is well-known that Vernon Township has geological features which may make it prone to radionuclide contamination;

WHEREAS, the testing done under The Private Well Testing Act when residential properties are bought and sold does not require testing for radionuclides;

WHEREAS, the New Jersey Department of Health and Centers for Disease Control and Prevention have a five year cooperative agreement to improve private well programs in New Jersey;

WHEREAS, the program will offer free or reduced testing to the first 100 people who sign up;

WHEREAS, the program would be voluntary and the data would be confidential;

NOW THEREFORE IT BE RESOLVED that the Township Council of the Township of Vernon expresses its concerns for the safety of private well service in Vernon Township and supports this program.

Resolution #16-137

Council President Kadish asked for a motion to adopt Resolution #16-137

MOTION: Jean Murphy

SECONDED: Sandra Ooms

Council Member Rizzuto opined that approving this resolution approving of more property in Vernon Township to be farmland preserved is not good for the Township as most of our Town already has Highlands constraints and suggests for removal on the Farmland Preservation Program entirely. Council President Kadish added that farmland preserved land is less costly to the Township because of the less services provided to it.

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Dick Wetzel, Dan Kadish

NAYES: Patrick Rizzuto

ABSTAIN: None

ABSENT: None

Motion to adopt Resolution #16-137 is approved.

Resolution No. 16-137

**SUPPORTING THE FARMLAND PRESERVATION PROGRAM
AND GIVING PRELIMINARY APPROVAL
Bl. 134, Lots 17, 17.01, 17.02; Bl. 182, Lots 12.01, 12.02**

BE IT RESOLVED, that the Mayor and the Township Council of the Township of Vernon in the County of Sussex, State of New Jersey, does hereby express its support the Farmland Preservation Program and gives preliminary approval of the following application.

BE IT FURTHER RESOLVED, that approval is given for this application to be submitted to the State Agriculture Development Committee by the Sussex County Agriculture Development Board for county reimbursement consideration when state funding for farmland preservation is available.

Kirk R. Stephens, Jr.-
Vernon Valley Farm

Block 134, Lots 17, 17.01, 17.02
Block 182, Lots 12.01, 12.02
77 acres

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #16-14: An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey Authorizing Correcting The Zoning Map For Block 141 Lot 12.02 To Be Included In The C-3 Zone

Council President Kadish asked for a motion to introduce Ordinance #16-14 with a public hearing to be held on June 27, 2016

MOTION: Jean Murphy

SECONDED: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve introduction of Ordinance #16-14 with a public hearing to be held on June 27, 2016

Ordinance #16-15: 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

Council President Kadish asked for a motion to introduce Ordinance #16-15 with a public hearing to be held on June 13, 2016

MOTION: Sandra Ooms
SECOND: Jean Murphy

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Dan Kadish
NAYES: Patrick Rizzuto, Dick Wetzel
ABSTAIN: None
ABSENT: None

Council Member Rizzuto stated he is voting no because the Wastewater Management Plan has not been added to the agenda and is troubled with more indebtedness because Vernon needs more commercial ratables. He adds he will not vote in the affirmative for this Ordinance until Resolution #15-190 is approved.

Council Member Wetzel votes no and states that residents are paying 90% of the budget with commercial properties the other 10% and we are already in debt with nothing backing it up, Vernon still needs sewer and water in Town Center.

Council Member Murphy requests her vote be changed to no.

Motion not approved for introduction of Ordinance #16-15.

Council Member Murphy makes a motion to reintroduce Ordinance #16-15 with a public hearing to be held on June 27, 2016.

MOTION: Jean Murphy
SECOND: Dan Kadish

Council member Murphy states this Ordinance includes repairs to Lake Wallkill Road and repair of the 911 system which directly affects the safety of residents. Council member Rizzuto opined that the future of Vernon Township depends on future growth and will not vote for this Ordinance until the MUA study is approved.

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Dan Kadish
NAYES: Patrick Rizzuto, Dick Wetzel
ABSTAIN: None
ABSENT: None

Motion carried to Introduce Ordinance#16-15 with a public hearing to be held on June 27, 2016.

Ordinance #16-16: An Ordinance Deleting Sections 5-84 To 5-89 Of the Code Of The Township Of Vernon Regarding The Environmental Commission

Council President Kadish asked for a motion to introduce Ordinance #16-16 with a public hearing to be held on June 13, 2016

MOTION: Jean Murphy
SECONDED: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Dick Wetzel, Dan Kadish
NAYES: Patrick Rizzuto
ABSTAIN: None
ABSENT: None

Motion carried to approve introduction of Ordinance #16-16 with a public hearing to be held on June 13, 2016

Council Member Murphy makes a motion to amend and reintroduce Ordinance #16-16 by changing Section 4 of Ordinance to take effect immediately upon 2nd reading and publication according to law.

SECOND: Sandra Ooms

A roll call was taken

AYES: Jean Murphy, Sandra Ooms, Dick Wetzel, Dan Kadish

NAYES: Patrick Rizzuto

ABSTAIN: None

ABSENT: None

Motion carried to approve introduction of Amended Ordinance #16-14 with a public hearing to be held on June 13, 2016.

PUBLIC HEARING/2ND READING OF ORDINANCES

Ordinance #16-09: An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Accepting Public Improvements Constructed For The CVS Pharmacy Development, And Further Accepting Deeds Of Right-Of-Way Dedication For Portions Of Properties Designated As Block 144.01, Former Lots 1 And 4, As Said Lots Existed Prior To Subdivision

Council President Kadish asked for a motion to open Public Hearing for Ordinance #16-09.

MOTION: Sandra Ooms

SECONDED: Dick Wetzel

All in Favor

Gary Martinsen, resident questioned why this right of way was necessary as there is already a right of way in the Main Street Road. Council President Kadish stated this right of way is for a small piece of land where the electric poles are located.

Council President Kadish asked for a motion to close Public Hearing for Ordinance #16-09.

MOTION: Jean Murphy

SECOND: Dick Wetzel

All in Favor

Council President Kadish asked for a motion to adopt Ordinance #16-09.

MOTION: Jean Murphy

SECOND: Patrick Rizzuto

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to adopt Ordinance #16-09.

Ordinance #16-10: An Ordinance Of The Township Of Vernon In The County Of Sussex, New Jersey Authorizing The Purchase Of Various Equipment And Repairs In, By And For The Township Pursuant To N.J.S.A. 40:56-1 And Appropriating Therefore The Sum Of \$30,000.00 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Account Of The Township

Council President Kadish asked for a motion to open Public Hearing for Ordinance #16-10.

MOTION: Sandra Ooms

SECONDED: Dick Wetzel

All in Favor

Seeing no one from the public wishing to speak Council President Kadish asked for a motion to close Public Hearing for Ordinance #16-10.

MOTION: Patrick Rizzuto

SECOND: Dick Wetzel

All in Favor

Council President Kadish asked for a motion to adopt Ordinance #16-10.

MOTION: Sandra Ooms

SECOND: Jean Murphy

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to adopt Ordinance #16-10.

Ordinance #16-12: An Ordinance Amending Section 250-21 Of The Code Of The Township Of Vernon Regarding Re-Occupancy Inspections

Council President Kadish asked for a motion to open Public Hearing for Ordinance #16-12.

MOTION: Patrick Rizzuto

SECONDED: Dick Wetzel

All in Favor

Seeing no one from the public wishing to speak Council President Kadish asked for a motion to close Public Hearing for Ordinance #16-12.

MOTION: Patrick Rizzuto

SECOND: Dick Wetzel

All in Favor

Council President Kadish asked for a motion to adopt Ordinance #16-12.

MOTION: Patrick Rizzuto

SECOND: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to adopt Ordinance #16-12.

Ordinance #16-13: An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Accepting Deed Of Right Of Way Dedication For A Portion Of Property Designated As Block 194.05, Lot 14 Located Along Mountain Trail And Meadow Lane

Council President Kadish asked for a motion to open Public Hearing for Ordinance #16-13.

MOTION: Sandra Ooms

SECONDED: Dick Wetzel

All in Favor

Seeing no one from the public wishing to speak Council President Kadish asked for a motion to close Public Hearing for Ordinance #16-13.

MOTION: Patrick Rizzuto

SECOND: Dick Wetzel

All in Favor

Council President Kadish asked for a motion to adopt Ordinance #16-13.

MOTION: Patrick Rizzuto

SECOND: Jean Murphy

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to adopt Ordinance #16-13.

APPOINTMENTS

Resolution #16-144: Appointment to Land Use Board

Council President Kadish reads resolution to appoint Willard McPeck to the Land Use Board in the Alternate 1 position

Council President Kadish asked for a motion to approve Resolution #16-144

MOTION: Jean Murphy
SECOND: Sandra Ooms

A roll call was taken:

AYES: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
NAYES: Patrick Rizzuto
ABSTAIN: None
ABSENT: None

Motion carried to adopt Resolution #16-144.

APPOINTMENT TO THE LAND USE BOARD

BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, and STATE OF NEW JERSEY, as follows:

1. That the following individual is hereby appointed or reappointed as a member of the Vernon Township Land Use Board effective 5/23/2016 for a term specified as follows:

Willard McPeck	Alt. 1	2 year term expiring 12/31/2017
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BE IT FURTHER RESOLVED THAT, the Township Clerk shall send a certified copy of this resolution to the following:

- a. Land Use Board Secretary

COUNCIL COMMENTS

Council Member Wetzel stated he had no comment.

Council Member Rizzuto stated he had no comment.

Council Member Murphy stated regarding the MUA, the Council does not have all of the information and the rates with or without the expansion will be going up. Council Member Murphy added that she would like further review of the contracts and the role of MUA.

Council Member Rizzuto stated that it is per law only rate payers pay for the sewer.

Council Member Ooms – thanked all the EMS volunteers for their dedicated work for Vernon residents. Council Member Ooms requests an update from Council Member Wetzel from the Economic Development Committee on work being done to attract business in town. Mayor Shortway will meet with the EDC and provide report to the Council.

Council President Kadish had no comments.

ADJOURNMENT

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

The regular meeting of the Township Council of the Township of Vernon was adjourned at 8:51 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Dan Kadish,
Council President

Minutes approved: July 25, 2016