

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING MINTUES**

**October 28, 2019**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on October 28, 2019 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 3, 2019 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 Sandra Ooms, Patrick Curreri, John Auberger and Council President Murphy, Attorney Josh Zielinski, Mayor Harry Shortway, and Business Administrator Charles Voelker. Council Member Van Tassel was absent.

**SALUTE TO THE FLAG**

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

**PROCLAMATIONS:**

Council President Murphy read the Proclamation stating that November is Pancreatic Cancer Awareness Month.

**WHEREAS**, health and safety is important to the happiness, prosperity, and well-being of our communities and families; and

**WHEREAS**, in 2019, an estimated 56,770 individuals will be diagnosed with pancreatic cancer in the United States; and

**WHEREAS**, there are no effective early detection methods presently available, and most symptoms such as weight loss, loss of appetite, feeling tired, and pain in the upper of middle abdomen and back can be mistaken for chronic pains and could be attributed to other conditions; and

**WHEREAS**, when symptoms of pancreatic cancer become apparent it is usually after the cancer has advanced and spread to other organs; and

**WHEREAS**, the good health and well-being of the residents in the Township of Vernon are enhanced as a direct result of increased awareness about pancreatic cancer and research of early detection, causes, and effective treatments; and

**WHEREAS**, throughout the month of November, organizations, health practitioners, and residents in the Township of Vernon are encouraged to take the opportunity to promote awareness about pancreatic cancer and to support those patients currently battling pancreatic cancer and those who have lost loved ones to this horrible disease;

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon that the *MONTH OF NOVEMBER* shall be proclaimed *PANCREATIC CANCER AWARENESS MONTH* in the Township of Vernon, and urge all residents to recognize the need to bring awareness to the fight against this deadly disease.

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

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

MOVED: John Auberger  
SECOND: Patrick Curreri

All members present voted in favor.

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

MOVED: John Auberger

SECOND: Patrick Curreri

All members present voted in favor.

### **CONSENT AGENDA**

Council President Murphy stated that Resolution #19-214 is removed from the Agenda.

Council President Murphy gave a brief explanation and asked for a motion to adopt Resolutions #19-208 through #19-213.

MOVED: John Auberger

SECOND: Patrick Curreri

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: Mark Van Tassel

Motion Passed to adopt Resolutions #19-208 through #19-213

### **RESOLUTION #19-208**

#### **RESOLUTION AUTHORIZING LEASING OF CERTAIN VEHICLES THROUGH SOURCEWELL NATIONAL COOPERATIVE #060618-EFM THROUGH ENTERPRISE FLEET MANAGEMENT SERVICES INC. (Quote No. 4416386-Color Agate Black)**

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

**WHEREAS**, the governing body of Vernon Township approved in Resolution 19-164 authorizing leasing of certain vehicles through Sourcewell National Cooperative #060618-EFM through Enterprise Fleet Management Services, Inc., and this is an extension of that resolution; and

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139" and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

**WHEREAS**, the Township of Vernon has the need to procure certain vehicles through lease program for Township services in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

**WHEREAS**, the Township of Vernon has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative, and;

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #060618-EFM for Enterprise Fleet Management Services Inc.; and

**WHEREAS**, the cost savings determination as required under LFN 2012-10 is the cost of contract as there is currently no cooperative lease program in effect under the New Jersey Division of Purchase and Property; and

**WHEREAS**, the quoted cost under the Sourcewell National contract \$43,409.76 (Quote No.

4416386); and

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

**NOW THEREFORE BE IT RESOLVED THAT**, the Business Administrator is hereby directed to effectuate the contract with Enterprise Fleet Management Services Inc. under Sourcewell contract #060618-EFM in accord with the provisions of the tenets as established within 40A:11-1 et. Seq.,

**RESOLUTION AUTHORIZING LEASING OF CERTAIN VEHICLES  
THROUGH SOURCEWELL NATIONAL COOPERATIVE #060618-EFM  
THROUGH ENTERPRISE FLEET MANAGEMENT SERVICES INC. (Quote  
No. 4416399 Color-Medium Titanium Metallic)**

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

**WHEREAS**, the governing body of Vernon Township approved in Resolution 19-164 authorizing leasing of certain vehicles through Sourcewell National Cooperative #060618-EFM through Enterprise Fleet Management Services, Inc., and this is an extension of that resolution; and

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139" and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

**WHEREAS**, the Township of Vernon has the need to procure certain vehicles through lease program for Township services in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

**WHEREAS**, the Township of Vernon has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative, and;

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #060618-EFM for Enterprise Fleet Management Services Inc.; and

**WHEREAS**, the cost savings determination as required under LFN 2012-10 is the cost of contract as there is currently no cooperative lease program in effect under the New Jersey Division of Purchase and Property; and

**WHEREAS**, the quoted cost under the Sourcewell National contract \$39,340.80 (Quote No. 4416399); and

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

**NOW THEREFORE BE IT RESOLVED THAT**, the Business Administrator is hereby directed to effectuate the contract with Enterprise Fleet Management Services Inc. under Sourcewell contract #060618-EFM in accord with the provisions of the tenets as established within 40A:11-1 et. Seq.,

**RESOLUTION AUTHORIZING LEASING OF CERTAIN VEHICLES  
THROUGH SOURCEWELL NATIONAL COOPERATIVE #060618-EFM  
THROUGH ENTERPRISE FLEET MANAGEMENT SERVICES INC.  
(Two (2) of Quote No. 4416348- Color Oxford White)**

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

**WHEREAS**, the governing body of Vernon Township approved in Resolution 19-164 authorizing leasing of certain vehicles through Sourcewell National Cooperative #060618-EFM through Enterprise Fleet Management Services, Inc., and this is an extension of that resolution; and

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139" and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

**WHEREAS**, the Township of Vernon has the need to procure certain vehicles through lease program for Township services in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

**WHEREAS**, the Township of Vernon has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative, and;

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #060618-EFM for Enterprise Fleet Management Services Inc.; and

**WHEREAS**, the cost savings determination as required under LFN 2012-10 is the cost of contract as there is currently no cooperative lease program in effect under the New Jersey Division of Purchase and Property; and

**WHEREAS**, the quoted cost under the Sourcewell National contract \$88,908.48 (Quote No. 4416348); and

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

**NOW THEREFORE BE IT RESOLVED THAT**, the Business Administrator is hereby directed to effectuate the contract with Enterprise Fleet Management Services Inc. under Sourcewell contract #060618-EFM in accord with the provisions of the tenets as established within 40A:11-1 et. Seq.,

**RESOLUTION # 19-211  
INCREASE IN SALARY FOR ANIMAL ATTENDANT DUE TO INCREASE IN MINIMUM  
WAGE**

**WHEREAS**, Ordinance #19-08, amended salary ranges for non-union full time and part time employees; and

**WHEREAS**, the minimum wage in the State of New Jersey will increase to \$11.00 per hour on January 1, 2020;

**WHEREAS**, the increase in the minimum wage on January 1, 2020 will effect the salary of the animal attendant position;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that the following person(s) be compensated at the annual salary or wage, beginning January 1, 2020.

<u>Position</u>	<u>Name</u>	<u>2019 Base Salary</u>
Animal Attendant	Martino	\$11.00 per hr

**RESOLUTION # 19-212  
REFUND OVERPAYMENT  
(Block 529 Lot 33 – Sara R. Mc Williams )**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Sara R. McWilliams the amount of \$817.03 representing refund for overpayment of 3<sup>rd</sup> qtr. 2019 property taxes for Block 529 Lot 33 also known [REDACTED]

**RESOLUTION # 19-213  
REFUND OVERPAYMENT  
(Block 407 Lot 9 – Lakeland Bank)**

**BE IT RESOLVED**, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Lakeland Bank the amount of \$4,678.47 representing refund for overpayment of 3<sup>rd</sup> qtr. 2019 property taxes for Block 407 Lot 9 also known [REDACTED]

**PUBLIC HEARING/2<sup>ND</sup> READING OF ORDINANCES**

**Ordinance #19-07:** Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending And Supplementing Chapter 99 Of The Code Of The Township Of Vernon Entitled “Vehicles And Traffic”

Council President Murphy read the title of Ordinance #19-07 asked Mr. Voelker for an update on the proposed Ordinance. Mr. Voelker stated he prompted the Township Engineer today to contact the County for an update.

Council President Murphy asked for a motion to Table Ordinance#19-07 to the November 14, 2019 Council Agenda.

MOVED: Patrick Curreri  
SECOND: Sandra Ooms

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Mark Van Tassel

Motion passed to Table Ordinance#19-07 to the November 14, 2019 Council Agenda.

**Ordinance #19-22:** Ordinance Providing For The Improvement Of Various Roads In And By The Township Of Vernon, In The County Of Sussex, New Jersey, Appropriating \$50,000 Therefor, Constituting Proceeds Of Obligations Of The Township Heretofore Issued.

Council President Murphy read the title of Ordinance #19-22 asked for a motion to open the Public Hearing.

MOVED: Sandra Ooms  
SECOND: John Auberger  
All Members were in Favor.

Seeing no one wishing to come forward, Council President Murphy asked for a motion to close Public Hearing for Ordinance #19-22.

MOVED: Patrick Curreri  
SECOND: John Auberger  
All Members were in Favor.

Council President Murphy asked for a motion to adopt Ordinance#19-22.

MOVED: Sandra Ooms  
SECOND: John Auberger

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Mark Van Tassel

Motion passed to adopt Ordinance #19-22.

**Ordinance #19-23:** Ordinance of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending Chapter 94 Of The Code Of The Township Of Vernon Regarding The Police Division

Council President Murphy read the title of Ordinance #19-23 asked for a motion to open the Public Hearing.

MOVED: John Auberger  
SECOND: Sandra Ooms  
All Members were in Favor.

Seeing no one wishing to come forward, Council President Murphy asked for a motion to close Public Hearing for Ordinance #19-23.

MOVED: John Auberger  
SECOND: Sandra Ooms  
All Members were in Favor.

Council President Murphy asked for a motion to adopt Ordinance#19-23.

MOVED: John Auberger  
SECOND: Sandra Ooms

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Mark Van Tassel

Motion passed to adopt Ordinance #19-23.

**Ordinance #19-24:** An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending And Supplementing Chapter 413 Of The Municipal Code Of The Township Of Vernon Entitled "Parks And Recreation Areas" To Prohibit Use Of Electronic Smoking Devices In Township Parks

Council President Murphy read the title of Ordinance #19-24 asked for a motion to open the Public Hearing.

MOVED: John Auberger  
SECOND: Sandra Ooms  
All Members were in Favor.

Seeing no one wishing to come forward, Council President Murphy asked for a motion to close Public Hearing for Ordinance #19-24.

MOVED: Patrick Curreri  
SECOND: John Auberger  
All Members were in Favor.

Council President Murphy asked for a motion to adopt Ordinance#19-24.

MOVED: Sandra Ooms  
SECOND: John Auberger

A roll call vote was taken:

AYES: Sandra Ooms, Patrick Curreri, John Auberger, Jean Murphy  
NAYES: None  
ABSTAIN: None  
ABSENT: Mark Van Tassel

Motion passed to adopt Ordinance #19-24.

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

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

MOVED: John Auberger  
SECOND: Sandy Ooms  
All members voted in favor.

Krista Geary, Vernon, commented that November 5<sup>th</sup> is election day and urged the public to not let emotions run wild and do the right thing as one can make mistakes by jumping to conclusions too quickly. She added that politics seem to bring out the worst in people who are too swift to retaliate if they think someone was wronged. Ms. Geary commented that people should try harder to get along and make an attempt to listen to other's point of view. She added that all people are different, but all want to be loved, respected, and appreciated.

Ms. Geary commented that powerful words would benefit all of us if used more such as, I'm sorry and I forgive you, as she noted that no one person is perfect or guiltless. She quoted a theologian Lewis B. Smead who wrote that "to forgive is to set a person free and to discover that the prisoner is you."

Ms. Geary remarked that if one has hatred in one's heart, it can destroy us but if there is love then it can make us flourish. She opined that thinking of one's self and not others is stifling Vernon and the citizens deserve so much more to succeed. Ms. Geary added that Mark Zuckerberg has said progress isn't linear when sometimes we take two steps forward and one step back but if we can't agree to listen to each other about issues, we will never take the first step.

Ms. Geary stated that government is created by, of and for the people and voting is the method which we hold government accountable to the people. She explained that voting gives the opportunity to remove officials who are not representing us and elect those who reflect our values and urged the public to vote on November 5, 2019.

Margaret Distasi, [REDACTED] commented that as a candidate she is appalled by the negative attacks on her and expressed the unfairness of her election signs that were removed throughout town. She commented that residents should be attacking the issues and not resort to types of personal attacks. Ms. Distasi expressed her wish that the attacks cease as Vernon is better than that and she is better as well.

Seeing no further members of the public wishing to come forward, Council President Murphy asked for a motion to close the meeting to Public Comments.

MOVED: John Auberger  
SECOND: Sandra Ooms  
All members voted in favor.

### **MAYORS REPORT**

Mayor Shortway reported that Higgins Drive and Lake Pochung Rd pavement projects have been completed. He added that the Maple Grange Walkways have been sealed and thanked the vendor APT for finishing the project so quickly. Mayor Shortway reported that the final walk-thru inspection for the turf replacement project at Maple Grange Park will be held on Wednesday.

Mayor Shortway proposed the idea of changing the name of Main Street as development of stores and businesses have not fully come to fruition. He suggested possibly Fireman's Crossroads or hosting a contest for additional names. Mayor Shortway commented the change would need to be adopted by Ordinance and requested Council Members to email any thoughts or concerns.

#### **COUNCIL COMMENTS**

Council Member Ooms made no comments.

Council Member Curreri commented that it is National First Responders Day and expressed thanks to all our volunteer responders who keep the public safe. He congratulated Mayor Shortway for being named "Sussex County Mayor of the Year."

Council Member Curreri stated he understands wanting to change the name from Main Street as Vernon is trying to reach its goal of a Town Center. He added that the Vernon should not get too far ahead with the sewer system due to the burden on taxpayers on something which may not come to fruition.

Council Member Auberger reminded the public about Clean Communities Road Side Cleanups and to show caution on Township Roadways.

#### **COUNCIL PRESIDENT COMMENTS**

Council President Murphy stated to Ms. Distasi that she herself had written a letter in the newspaper about the Council President not attending a forum. She clarified to Ms. Distasi that many Township officials and other names were included on the invitation email but the Council President was not.

#### **ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:17 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: November 14, 2019