

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL MEETING

NOVEMBER 28, 2016

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday November 28, 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 present were Administrator Charles Voelker and Township Attorney John Ursin. Mayor Shortway arrived late.

AUCTION

a. 116 Alturas Road Block 206.24, Lot 3

Mr. Ursin stated Vernon Township is authorized to sell municipally owned property not needed for public use by auction per terms and conditions set forth in Ordinance #16-23 beginning with a minimum bid of \$3,730.00. Mr. Ursin asked if anyone from the public wishes to bid on said property. Ms. Jamie Wherry of 118 Alturas Road bid the minimum bid of \$3,730.00. Mr. Ursin asked if there were any more higher bids and there were none. Mr. Ursin asked Council President Kadish to seek motion to close auction and accept minimum bid received of \$3,730.00.

MOTION: Patrick Rizzuto to close bid and accept minimum bid of \$3,730.00

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 close bid and accept minimum bid of \$3,730 for property at 116 Alturas Road Block 206.24, Lot 3.

SALUTE TO THE FLAG

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

Mr. Ursin asked Council President to take brief recess for successful bidder to pay deposit to Municipal Clerk and all Council Members were in favor.

PUBLIC COMMENTS

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

MOVED: Jean Murphy

SECONDED: Dick Wetzel

All in Favor

Jim Noonan, [REDACTED] thanked the Mayor & Council, Town Engineer and DPW for the wonderful job of road improvements to Lake Wallkill Road and expressed his appreciation.

Mike Furrey, [REDACTED] along with Joe Ast, both Greenway Action Advisory Committee (GAAC) members, gave an update to Mayor & Council of the activities the GAAC committee is working on. Mr. Furrey listed main items being focused on: Planning the Greenway, Water & Wastewater issues facing Township, business & economic development and possible pursuit of grants to help committee's efforts. Mr. Furrey with help from the Land Conservancy made considerable efforts at looking for areas to develop to connect existing Township trails. The Town is working towards obtaining the Masker property with a possibility of obtaining grants from Green Acres and the Sussex County Open Space Fund. Mr. Furrey indicated they are looking at another area where the Township already owns some properties, and may get assistance from the State.

Mr. Furrey explained GAAC member Paul Carney and himself are personally involved in the water business and understand the Township's issues and concerns and are working toward an increase of economic development to the Town Center. The GAAC committee, with Elmer Platz heading the effort, has also worked on plans for a farmer's market in Vernon like ones in other county municipalities. Mr. Furrey stated the committee also applied to Sustainable Jersey for a \$2,000.00 grant to be used toward for these efforts.

Mr. Furrey explained Michael Cheski and the entire committee have been actively working on the No Net Loss Tree Grant to find locations in the Township to plant trees. Mr. Cheski has also worked with the DPW to create signs to increase public awareness of frogs crossing during nighttime on roadways. Mr. Furrey added that GAAC member Tony Cilli, developed the GAAC Facebook page and updates it with committee goals, minutes and activities for the public. Mr. Furrey added GAAC is in process of certification for 'Sustainable Jersey' which is obtained through a point system. Items earning points include Fleet Inventory Management Program, Recycling, Open Space, Environment Commission actions and thanks Township employee Mishelle Downtain for her considerable efforts to compile information needed for Vernon to be a Sustainable Community. Mr. Furrey thanked the Council for their continued support in the committee's efforts and Council Member Murphy asks if Council could have copy of the Greenway plan and map.

Jessi Paladini, [REDACTED] questioned the Council as to why the need for the ballot box drawing the Boards & Commissions terms because she opines they are already staggered. She claims that four HPC terms end in 2017, four end in 2018, and one ends in 2019. The Environmental Commission terms she claimed are also staggered, in her opinion, because they were appointed in 2015 and four were appointed in 2016. Ms. Paladini stated the land Use Board is guided by Municipal Land Use Law and read the statute how terms are set. She added that the Environmental Commission voted to seek a declaratory judgement by court on various things as well as terms of members and asks the Council to wait. Ms. Paladini stated she is a current Land Use Board member and if drawing ends her term, she will challenge the action in court. As secretary to the Environmental Commission, she said has sent numerous emails noting the Township's website had incorrect terms for the EC members and believes changing terms will cause Township to end up in court causing residents to pay more taxes.

Council President Kadish asked for a motion to close Public Comments.

MOVED: Jean Murphy
SECONDED: Dick Wetzel
All members voted in favor.

MAYOR'S REPORT –None at this time.

ITEMS FOR DISCUSSION

A. Vernon View Drive Bridge (Brookhollow)

Bruce Zaretsky came before Council and stated bids for alternate driveway have been received and a contractor was approved. He adds Mr. Hordyck will follow up with Sussex County for their requirements and Langan Engineering is continuing with the submission of review as the bridge predates WWII and when that aspect is approved it may be up to a 90 day process. He adds once all permits are obtained, weather dependent, the project time frame from demo to finish is no more than 3 weeks.

Council Member Ooms asked if alternate route has been completed to which Mr. Zaretsky answered it will be done before construction of bridge and plans for stone road are completed. The stone road will be for residential use only. The stone road will withstand rain storm and adverse conditions and reiterates the association has spent more than \$40,000 already and is committed to fixing the bridge. Council Member Rizzuto asked if Senator Oroho should be contacted to move the approval process along. Mr. Zaretsky stated once the application is submitted we can reach out to him for assistance. Council Member Murphy asked how wide will the alternate road be and Mr. Zaretsky stated it would be 14 ft. wide enough for two cars, site distance is good and Langan Engineering will review to see what else is required. Council President Kadish suggests a deadline for work to be completed should be set and Mr. Zaretsky offers June 2017. Mr. Hordyck adds they are working as fast as the state allows and will provide Council with a copy of the application with a map once it is submitted to state.

Council Member Ooms asks what about commercial vehicles and Mr. Hordyck explained the residents have worked with vendors to service our properties with smaller lighter trucks and have been using bridge for five years now with no issues. Council Member Murphy asked how much will it cost for alternate access drive and Mr. Zaretsky said \$15,000 mostly material costs and emphasizes they will continue to keep Council updated. Sean Scully, owner of property where alternate access drive is located adds there is an agreement between the residents using his driveway and himself for liability reasons. Mr. Scully adds what we need most is approval for what we are planning from the county and Township support. Council President Kadish asked if the county has approved the plans to which Mr. Zaretsky said they have not. Mr. Zaretsky stated he will ask the county because it was an existing driveway. Council Member Rizzuto made a motion to continue adoption of Ordinance#16-20 for another month. Mr. Scully emphasizes the project is moving ahead and the alternate access road will be a backup for bridge and used during demolition and construction. Council Member Murphy questioned Mr. Ursin if Township needs to approve the project at all. Mr. Ursin stated being on a county road it must have county approval and the association must meet with the county for that approval.

Mr. Ursin explains if it is the council's wish to continue this matter, the motion would be to vote down the adoption of Ordinance#16-20 and have Clerk draft a duplicate for consideration in January of 2017 to continue matter.

Council President made a motion to move Item Adoption of Ordinances, Ordinance #16-20 to here in agenda with Patrick Rizzuto seconding and all members voting in favor.

ADOPTION OF ORDINANCES

Ordinance #16-20: An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Prohibiting Commercial Vehicles From Using Vernon View Drive Bridge

Council President Kadish asked for a motion to adopt Ordinance#16-20.

Motion: Patrick Rizzuto
Second: Dick Wetzel

A roll call vote was taken:

Ayes: None

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

Abstain: None

Absent: None

Motion failed to adopt Ordinance#16-20.

Council President Kadish directs Municipal Clerk to add duplicate ordinance of Ordinance#16-20 on the second meeting held in January 2017(specific date not yet scheduled).

B. Date of Reorganization

Council President Kadish stated the Reorganization Meeting for 2017 was scheduled for January 2, 2017 at 7:30 pm but adds that the Municipal Building is closed that day and asks Council if anyone wants to reschedule. Council discussion approved leaving date for Reorganization Meeting for January 2, 2017 at 7:30 p.m.

C. Pump Stations

Mayor Shortway commented he has spoken to Mountain Creek and made them aware of the necessity to commit to plans for the replacement of Pump Station and adds recently \$6,600 was spent in repairs. He added per the Township contract with Mountain Creek, replacement of the pump station was to have been completed by July 1, 2013 but due to delays in plans and change in ownership has not yet been completed. Mr. Ursin added the pump station is not involved with the legal case on the lift stations. Mr. Shortway adds Mountain Creek has conceptual plans and delay is caused by how much capacity they will need and per the contract the MUA and Township engineer must approve all designs. Council President Kadish questioned Mr. Ursin about the obligation to repair the lift stations by Mountain Creek. Mayor Shortway noted the pump station is beyond it's useful life and must be fixed to operate efficiently. Mr. Ursin stated the next step for the administration would be to formalize a default notice. Mayor Shortway notes the new owners took ownership June 2015 and he has been in constant contact with them but still waiting on their plans to move forward. Council Member Murphy asks how long would it take to rebuild the pump station to which Mr. Ursin explained there is significant permit process and if plans were made now would be hard to get approvals in 2017. Mayor Shortway commented that MUA Executive Director John Scerbo has sent letter to Mountain Creek with the Township's concerns and requesting a statement of intent from the principles.

Council President Kadish suggested having a Council work session of this item of discussion. Mr. Ursin said the concern of the council is apparent and may direct the Mayor to proceed with a formal default notice which will open the dialogue to Mountain Creek. Mr. Ursin added that when Mountain Creek can present a scope of the renovation or replacement and timetable would be the time to hold a work session. Council Member Rizzuto agreed that Mountain Creek has made a number of conceptual plans but the Township needs to move forward with a schedule and doesn't want the problem to get turned back to Township. Council Member Rizzuto added individuals coming to Vernon need infrastructure, public sewer and water. Council Member Murphy emphasized the burden of increased debt should not be on the people of Vernon. Mayor Shortway commented that there will be a meeting on December 8, 2016 to discuss bonding for water and sewer in Town Center. Council Member Ooms asked how much the pump station replacement would cost and Mayor Shortway provided an estimate between \$1.2 and \$1.5 million. Council Member Rizzuto suggested to send a letter to Mountain Creek to set up meeting prior to moving into a formal default notice and continue further discussion in January.

CONSENT AGENDA

Council President Kadish read brief description of Resolutions# 16-250 - #16-253.

Council President Kadish asked for a motion to approve Resolutions#16-250 through #16-253.

MOVED: Sandra Ooms

SECONDED: Patrick Rizzuto

A roll call was taken:

AYES: Jean Murphy (16-250, 16-252, 16-253) Sandra Ooms, Patrick Rizzuto, Dick Wetzels, Dan Kadish

NAYES: None

ABSTAIN: Jean Murphy Resolution #16-251 only.

ABSENT: None

Motion carried to approve Resolutions# 16-250 - #16-253.

TOWNSHIP OF VERNON

RESOLUTION #16-250

RESOLUTION AUTHORIZING REFUND BI 199, Lot 49 C0001

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Lereta, LLC in the amount of \$536.19 representing refund for overpayment

of 3rd qtr. 2016 property taxes for Block 199.03 Lot 49 C0001, also known as [REDACTED]

TOWNSHIP OF VERNON

RESOLUTION #16-251

RESOLUTION AUTHORIZING REFUND BI 145, Lot 1.03

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Nancy Patterson in the amount of \$2532.12 representing refund for overpayment of 4th qtr. 2016 property taxes for Block 145 Lot 1.03, also known as [REDACTED]

TOWNSHIP OF VERNON

RESOLUTION #16-252

RESOLUTION AUTHORIZING REFUND (Bl. 83.06, Lot 3)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Wells Fargo Real Estate Tax Services in the amount of \$1,617.31 representing refund for overpayment of 4th qtr. 2016 property taxes for Block 83.06 Lot 3, also known as [REDACTED]

Council President Kadish read a brief description of Resolutions #16-254 through #16-260.

Council President Kadish asked for a motion to approve the Resolutions #16-254 through #16-260

MOVED: Patrick Rizzuto

SECONDED: Dick Wetzel

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 Resolutions #16-254 through #16-260.

TOWNSHIP OF VERNON

RESOLUTION #16-254

AUTHORIZING THE AWARD OF CONTRACT WITH ATLAS BUSINESS SOLUTIONS TO MAINTAIN THE TOWNSHIP'S POLICE DEPARTMENT SCHEDULING SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the Scheduling System for the Police Department for the year 2017; and

WHEREAS, Atlas Business Solutions services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement Atlas Business Solutions, P.O. Box 9013, Fargo, ND, 58106, and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$1,250; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with Atlas Business Solutions, for maintenance of the scheduling system at the Vernon Police Department for an amount not to exceed \$1,250, annually.

TOWNSHIP OF VERNON

RESOLUTION #16-255

AUTHORIZING THE AWARD OF CONTRACT WITH GOLD TYPE BUSINESS MACHINES TO MAINTAIN THE TOWNSHIP'S POLICE DEPARTMENT INFOCOP SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the INFOCOP System for the Police Department for the year 2017; and

WHEREAS, GTBM services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement GTBM, 351 Paterson Avenue, East Rutherford NJ 07073, and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$4,000; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with GTBM, for maintenance of the INFOCOP system at the Vernon Police Department for an amount not to exceed \$4,000, annually.

TOWNSHIP OF VERNON

RESOLUTION #16-256

AUTHORIZING THE AWARD OF CONTRACT WITH KML TECHNOLOGY TO MAINTAIN AND SERVICE THE TOWNSHIP'S POLICE DEPARTMENT 911 PRIMARY SOURCE ANSWERING POINT SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the 911 System for the Police Department for the year 2017; and

WHEREAS, KML Technology services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement KML,

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$5,000; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with KML Technology, for maintenance of the 911 Primary Source Answering Point System at the Vernon Police Department for an amount not to exceed \$5,000, annually.

TOWNSHIP OF VERNON

RESOLUTION #16-257

AUTHORIZING THE AWARD OF CONTRACT WITH LAWSOFT TO MAINTAIN AND SERVICE THE TOWNSHIP'S POLICE DEPARTMENT COMPUTER AIDED DISPATCH (CAD) SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the Computer Aided Dispatch System for the Police Department for the year 2017; and

WHEREAS, Lawsoft services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement to Lawsoft, 15 Hamburg Turnpike Suite 2, Bloomingdale NJ, 07403 and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$14,150; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with Lawsoft, for maintenance of the Computer Aided Dispatch system at the Vernon Police Department for an amount not to exceed \$14,150, annually.

TOWNSHIP OF VERNON

RESOLUTION #16-258

AUTHORIZING THE AWARD OF CONTRACT WITH LJ SECURITY TO MAINTAIN AND SERVICE THE TOWNSHIP'S POLICE DEPARTMENT POLE BARN SECURITY SYSTEM AT THE MUNICIPAL BUILDING FOR 2017

WHEREAS, there exists a need to install and maintain a Security System in the Police Pole Barn at the Municipal Building for the year 2017; and

WHEREAS, LJ Security has services the Township system and has the expertise to install and maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement to LJ Security, P.O. Box 770, Vernon, NJ 07462; and

WHEREAS, the installation fee is \$1,575 and the term of the monitoring system contract will be from January 1, 2017 through December 31, 2017 with the total annual monitoring system contract price not to exceed \$372.00; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute the installation and enter into a maintenance contract with LJ Security, for the Police Pole Barn Security System at the Municipal Building, in the amount of \$1,575 for the installation, and for an amount not to exceed \$372.00, annually for the monitoring service.

TOWNSHIP OF VERNON

RESOLUTION #16-259

AUTHORIZING THE AWARD OF CONTRACT WITH PORTER LEE TO MAINTAIN AND SERVICE THE TOWNSHIP'S POLICE DEPARTMENT PROPERTY AND EVIDENCE SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the Property and Evidence System for the Police Department for the year 2017; and

WHEREAS, Porter Lee services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement to Porter Lee; 1901 S. Wright Blvd, Schaumburg, IL 60193 and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$840; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with Porter Lee, for maintenance of the Property and Evidence system at the Vernon Police Department for an amount not to exceed \$840.00, annually.

TOWNSHIP OF VERNON

RESOLUTION #16-260

AUTHORIZING THE AWARD OF CONTRACT WITH POWERDMS TO MAINTAIN AND SERVICE THE TOWNSHIP'S POLICE DEPARTMENT INTERNAL MESSAGING AND DOCUMENTATION SYSTEM AT THE POLICE DEPARTMENT FOR 2017

WHEREAS, there exists a need to maintain the Internal Messaging and Documentation System for the Police Department for the year 2017; and

WHEREAS, PowerDMS services the Township system and has the expertise to maintain said system; and

WHEREAS, The Chief of Police recommends that the Township Council award a contract for the maintenance agreement PowerDMS, 200 E. Robinson Street Suite 425, Orlando, FL 32801, and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total annual contract price not to exceed \$1,650; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with PowerDMS, for maintenance of the Internal Messaging and Documentation system at the Vernon Police Department for an amount not to exceed \$1,650, annually.

Council President Kadish read a brief description of Resolutions #16-261 through #16-264. Council President Kadish asked for a motion to approve the Resolutions #16-261 through #16-264.

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 Resolutions #16-261 through #16-264.

TOWNSHIP OF VERNON

RESOLUTION #16-261

AUTHORIZING THE AWARD OF CONTRACT WITH AUTOMATIC TEMPERATURE CONTROL SERVICES, INC. TO MAINTAIN AND SERVICE THE TOWNSHIP'S AUTOMATIC TEMPERATURE CONTROL SYSTEM AT THE MUNICIPAL BUILDING FOR 2017

WHEREAS, there exists a need to maintain the Automatic Temperature Control System at the Municipal Building for the year 2017; and

WHEREAS, Automatic Temperature Control Services, Inc. has services the Township system and has the expertise to maintain said system; and

WHEREAS, The Qualified Purchasing Agent recommends that the Township Council award a contract for the maintenance agreement to Automatic Temperature Control Services, Inc., 207 Blackford Avenue. P.O. Box 310, Middlesex, NJ 08846; and

WHEREAS, the term of the contract will be from January 1, 2017 through December 31, 2017 with a total contract price not to exceed \$3480.00; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a maintenance contract with Automatic Temperature Control Services, Inc., for maintenance of the automatic temperature control system in the Municipal Building for an amount not to exceed \$3480.00.

TOWNSHIP OF VERNON

RESOLUTION # 16-262

2016 SALARIES FOR NON-UNION FULL TIME EMPLOYEE (Police Administrative Clerk)

WHEREAS, Ordinance #15-20 amended salary ranges for non-union full time and part time employees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey that the following persons be compensated at the annual salary or wage, the same being consistent with Ordinance #15-20 retroactive to January 1, 2016.

Position	Name	2016 Base Salary
<u>Ordinance 15-20</u>		
Police Confidential Administrative Clerk	Susan Diehn	\$ 58,667.00

TOWNSHIP OF VERNON

RESOLUTION #16-263

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

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, Briana Palmer, an active firefighter and member of the Pochuck Valley 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 Briana Palmer for membership in the New Jersey State Firemen's Association.

TOWNSHIP OF VERNON

RESOLUTION #16-264

**AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES (SPECIAL ATTORNEY)**

WHEREAS, there is a need for Professional Services to the Township of Vernon for Attorneys; and

WHEREAS, N.J.S.A. 40A:11-5 specifically exempts professional services from provisions of public bidding as provided in the Local Public Contracts Law; and

WHEREAS, said specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession, and whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced field of learning acquired by a prolonged formal course of specialized training and study as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, the Township of Vernon is desirous to enter into an agreement with these professionals as a fair and open contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as amended; and

WHEREAS, the Chief Finance Officer has certified in writing that the value of the contracts are available for these purposes; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon that they hereby authorize and approve the award of contracts of a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:20-1 et seq. to provide Services in accordance with the attached Contracts for Professional Services pursuant to a non-fair and open contract to the following:

1. Special Attorney (Sewer Negotiations) Jong Sook Nee, McManimon, Scotland & Baumann, L.L.C.

BE IT FURTHER RESOLVED, that the award of contract shall be contingent upon the completion and receipt of the following:

- (a) A fully-executed professional services contract detailing the scope of services, established fees for said professional services, mandatory Equal Opportunity Language and Affirmative Action Certificate; and
- (b) Receipt of all statutorily mandated "pay to play" political contribution forms pursuant to N.J.S.A. 19:44A-20.4 et seq.; and
- (c) New Jersey Business Registration Certificate; and
- (d) Upon the aforementioned professional being a member in good standing in his respective profession.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute, seal and deliver the attached Contracts for Professional Services on behalf of and in the name of the Township of Vernon and that the Municipal Clerk shall publish the award of contract as required by law with ten (10) days of passage of this Resolution.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #16-29: An Ordinance Of The Township Of Vernon, County Of Sussex, And State Of New Jersey Amending Chapter 518 Of The Township Code Entitled “Towing”
Council President Kadish asked for a motion to Introduce Ordinance #16-29 with a public hearing to be held on December 12, 2016.

Moved: Sandra Ooms
Seconded: Jean Murphy

A roll call vote was taken:

Ayes: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
Nays: None
Abstain: None
Absent: None

Motion Carried to approve 1st Reading of Ordinance #16-29 with a public hearing to be held on December 12, 2016.

PUBLIC HEARING/2ND READING OF ORDINANCES

Ordinance #16-25: An Ordinance Deleting Sections 212-1 To 212-7 Of the Code Of The Township Of Vernon Regarding Halloween Curfew For Minors

Council President Kadish asked for a motion to open the public hearing for Ordinance#16-25.

Motion: Jean Murphy
Second: Sandra Ooms
All Members voted in favor.

There were no public comments.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-25.

Motion: Sandra Ooms
Second: Jean Murphy
All members voted in favor.

Council President Kadish asked for a motion to adopt Ordinance#16-25.

Motion: Jean Murphy
Second: Sandra Ooms

A roll call vote was taken:

Ayes: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
Nays: None
Abstain: None
Absent: None

Motion carried to adopt Ordinance#16-25.

Ordinance #16-26: An Ordinance Amending 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 open the public hearing for Ordinance#16-26.

Motion: Patrick Rizzuto
Second: Sandra Ooms
All members voted in favor.

Jessica Paladini opined that the Council can change the ordinance governing the Environmental Commission only to the extent that the law allows and doesn't believe terms for current members can be changed after they have been legally appointed to a specific term unless due to just cause after a due process hearing.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-26.

Motion: Sandra Ooms
Second: Jean Murphy
All members voted in favor.

Council President Kadish asked for a motion to adopt Ordinance#16-26.

Motion: Jean Murphy
Second: Sandra Ooms

Council Member Rizzuto stated he disagreed with the ordinance because preferred not reducing the number of commissioners on the Environmental Commission and wanted to see it remain the same. He added he is not sure why the council is changing it, and feels it is not necessarily better to have a commission with small numbers and urges the Ordinance not be passed.

A roll call vote was taken:

Ayes: Jean Murphy, Sandra Ooms, Dan Kadish
Nays: Patrick Rizzuto, Dick Wetzel
Abstain: None
Absent: None
Motion carried to adopt Ordinance#16-26.

Ordinance #16-28: Ordinance Amending The Salary Ordinance For “Non-Union” Employees

Council President Kadish asked for a motion to open the public hearing for Ordinance#16-28.

Motion: Sandra Ooms
Second: Jean Murphy
All members voted in favor.

There were no public comments.

Council President Kadish asked for a motion to close the public hearing for Ordinance #16-28.

Motion: Jean Murphy
Second: Dick Wetzel
All members voted in favor.

Council President Kadish asked for a motion to adopt Ordinance#16-28.

Motion: Jean Murphy
Second: Sandra Ooms

A roll call vote was taken:

Ayes: Jean Murphy, Sandra Ooms, Patrick Rizzuto, Dick Wetzel, Dan Kadish
Nays: None
Abstain: None
Absent: None
Motion carried to adopt Ordinance#16-28.

APPOINTMENTS

- a. Reassignment of term dates for Historical Preservation Commission
- b. Reassignment of term dates for Land Use Board

Council Member Rizzuto opined that this is not necessary and feels the terms are staggered and the terms should follow level of attrition. Council President Rizzuto stated that he doesn't agree with proceeding this way and feels it should be done at end of term. Mr. Ursin explained as per previous approval of Resolutions, the Township will be holding a random drawing tonight to correct terms of six members of the Historic Preservation Committee (HPC) and 6 members of the Land Use Board(LUB) as they were not done correctly per state statute. Mr. Ursin explained the appointment terms should have been staggered in 2011 and again in 2015 but were not. Mr.

Ursin feels the statute places a high priority to stagger terms at inception of initial appointment but law does not refer to what happens if error is found mid-term. Council is involved and can act now with transparency at a public meeting or choose to hold off when terms end and hope the future 2018 administration will correct later. Mr. Ursin added public policy recommends correcting the issue now rather than later and the council voted to support this process. Council President Kadish instructs Mr. Ursin to begin.

Mr. Ursin states there are six pieces of paper in a box with the following term expiring end of year to be drawn randomly: 3 of 2016, 2 of 2017 and 1 of 2018. Six names of members from the Historic Preservation Commission to be staggered are placed in another box to be drawn randomly. One piece of paper from the term box will be drawn followed by one piece of paper from name box which will be announced for the record.

2016 Charles Bates
2017 Christopher Hanke
2016 Ilene Franklin
2016 Valerie Seufert
2017 Nancy Adam
2018 Theodore Laabs

c. Reassignment of term dates for Land Use Board

Mr. Ursin put six cards in one box with the following term expiration dates to be drawn randomly: 3 of 2016, 2 of 2017 and 1 of 2018. Six names of Class IV Land Use Board members to be staggered are placed in another box to be drawn randomly. One card from term box will be drawn followed by one card from name box which will be announced for the record.

2017 Richard Spoerl
2016 Andrea Cocula
2016 Jessica Paladini
2017 Joseph Tadrack
2016 Martin Theobald
2018 Ed Rolando, Jr.

Mr. Ursin explained the Mayor could reference the results as stated on record and make your appointments.

Mayor Shortway stated the following appointments with their new terms to the Historic Preservation Commission:

2017 Christopher Hanke
2016 Charles Bates
2016 Ilene Franklin
2016 Valerie Seufert
2018 Nancy Adam
2018 Theodore Laabs

Mayor Shortway approved the following appointments of Class IV Members with their new terms to the Land Use Board:

Martin Theobald 2016
Richard Spoerl 2017
Joseph Tadrack 2017
Andrea Cocula 2016
Ed Rolando, Jr. 2018
Jessica Paladini 2016

COUNCIL COMMENTS

Council Member Ooms commented to Mayor Shortway and Mr. Voelker that there are still political signs posted throughout Township and Mayor will ask Zoning Officer to contact respective candidates to have them removed. Ms. Ooms asked who is responsible for cleaning out the community garden now that the growing season is over. Mayor Shortway will check with Ms. Downtain and Ms. Murphy added that it is the responsibility of the resident that rented space. Ms. Ooms suggested all Council Members share what they learned at the League of Municipalities this November for the benefit of the Township.

Council Member Murphy commented as a member of the Beautification Committee, that American flags were hung in the Town Center, were donated and were hung by Haltner Tree Service at no cost to Township. Ms. Murphy finds it hurtful and mean that some people on social media post that the flags are ugly, costly and berates volunteers for helping to make Vernon look nicer. Ms. Murphy added the beautification committee budget for 2016 was \$3,000 and used \$395.71 for flowers and plants at municipal building, DPW building, RT 515 median all planted by volunteers. She adds \$169.15 was spent on paint to freshen up the existing Welcome to Vernon signs throughout Township and also DPW made new signs for other gateways to town. The vendor East Coast Flags was used to purchase the brackets and snowflake flags for Town Center to welcome visitors through the ski season. Ms. Murphy added the Beautification Committee are working to get approval to hang flags in the McAfee area as well.

Dan Kadish, expressed thanks to the Beautification Committee for making Vernon look better.

Sandra Ooms, also thanked Mary Ellen Vichiconti for her donations to the Township.

Dick Wetzal, reminded the public the Community Tree Lighting will be held on December 8, 2016 at 6:00 p.m. and the Senior Citizen Holiday Dinner will be held on December 15, 2016 at a cost of \$7.00 per person.

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 Rizzuto with all members voting in favor.

The regular meeting of the Township Council of the Township of Vernon was adjourned at 9:10 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President 2017

Dan Kadish,
Council President 2016

Minutes approved: January 30, 2017