

**Township of Vernon**

**TOWNSHIP COUNCIL MEETING**

**April 23, 2018**

The Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on Monday April 23, 2018 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 has been provided to the public and the press on January 5, 2018 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 Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, and Council President Jean Murphy, Mayor Harry Shortway, CFO Elke Yetter, Administrator Charles Voelker, Township Attorney Joshua Zielinski.

**SALUTE TO THE FLAG**

Council Member Murphy led the assemblage in the salute of the flag.

**PROCLAMATIONS:**

Mayor Shortway brought forward Police Chief Randy Mills and Captain Dan Young and read the Proclamation for Police Week May 13-19, 2018. Chief Mills thanked the Council and Mayor for their continued support.

**Proclamation**



**Police Week 2018**

**WHEREAS:** The Congress and President of the United States have designated the week of Sunday, May 13, 2018 through Saturday, May 19, 2018 as National Police Week; and

**WHEREAS:** The members of the Township of Vernon Police Department play an essential role in safeguarding the rights and freedoms of the Township of Vernon; and

**WHEREAS,** It is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS,** the men and women of the Vernon Township Police Department unceasingly provide a vital service.

**NOW, THEREFORE,** I, Council President Jean Murphy, Mayor Shortway and the Vernon Township Council do hereby proclaim that the week of May 13, 2018 through May 19, 2018 is designated as Police Week in the Township of Vernon and call upon all citizens and patriotic civic and educational organizations to observe this week with appropriate ceremonies and observances in which all of our community may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Given under my hand in these free United States in the Township of Vernon, State of New Jersey on this 23<sup>h</sup> day of April, two thousand eighteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council Member Kadish read the Proclamation for Older American's Month, May 2018

**Proclamation**



**Older Americans Month  
May 2018**

**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 Jean Murphy, Mayor Shortway and the Vernon Township Council do hereby proclaim **May 2018 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 April, two thousand eighteen, and to which I have caused the Seal of the Township of Vernon to be affixed and have made this proclamation public.

Council President Murphy read the Proclamation which stated that Vernon Township accepts the Designation as an Appalachian Trail Community.



**Proclamation  
Vernon, New Jersey**

**WHEREAS**, Appalachian Trail (A.T.) founder Benton MacKaye's vision of the A.T. included opportunities for recreation, recuperation, and employment through "...a series of recreational communities throughout the Appalachian chain... to be connected by a walking trail"; and

**WHEREAS**, communities along the A.T. are important partners for the sustainability of the Trail and its greenway for an estimated four million visitors to the Trail every year; and

**WHEREAS**, Appalachian National Scenic Trail walking, adventures, overlooks, and primitive areas present opportunities to attract visitors to Appalachian Trail Communities™ from around the world; and

**WHEREAS**, this designation will act as a catalyst for enhancing sustainable economic development and engaging Vernon citizens as A.T. stewards; and

**WHEREAS**, Vernon is recognized as taking steps to ensure the ongoing protection of its natural and recreational resources while investing in its future as a memorable destination along the A.T.; and

**WHEREAS**, Vernon, NJ is now recognized and designated as an Appalachian Trail Community™, an official designation conferred by the Appalachian Trail Conservancy, and desires to continue its efforts to support the A.T. and its community effort for at least 5 years.

**NOW, THEREFORE**, I, Mayor Shortway and the Vernon Township Council, do hereby proclaim that Vernon accepts the designation as an Appalachian Trail Community and urges its citizens to support the A.T. through appropriate programs, activities, and ceremonies.

IN WITNESS THEREOF, I have hereunto set my hand this 23rd day of April, 2018

### **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: Van Tassel

All members voted in favor.

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

MOVED: Dan Kadish

SECOND: Mark Van Tassel

All members voted in favor.

### **MINUTES**

Council President Murphy asked for a motion to approve the Executive and Regular Meeting Minutes of March 26, 2018.

MOVED: Dan Kadish

SECOND: John Auberger

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion Carried to approve the Executive and Regular Meeting Minutes of March 26, 2018

### **ITEMS FOR DISCUSSION**

#### Municipal Services Act

Mayor Shortway, stated in 2010 when he was a former council member, the Township commissioned an Engineering study to analyze the reimbursement costs of the Municipal Services Act based on the Stonehill v. Vernon decision by Judge Stanton. Unlike the 1.5 factor decided in the legal case, the Engineering report found lower difficulty factors for the various qualified communities, but the Township chose to continue using the 1.5 factor for all. Mayor Shortway noted that Vernon Township roads are very difficult to maintain during snowstorms and praised Vernon DPW workers for their extraordinary job done. He added Council owes it to the taxpayers to fully analyze the formulas used in providing the reimbursements to the qualified communities.

Council President Murphy stated that all council members received reports detailing reimbursements for the past few years and asked Ed Babcock, DPW Director to come forward to offer information.

Mr. Babcock explained since 2011, Vernon Township decided to buy all grits and salt for all the lake communities at a lower cost than they could purchase. The problem is the wear and tear on the fleet to deliver multiple loads to each of the communities for every storm while also making sure the fleet is ready to maintain the Township roads. Council Member Auberger commented the fleet must then in the spring pick up unused grit at a further expense to the Township. Council Member Auberger suggested a further analysis be done for total cost of fuel, fleet maintenance and labor. Mr. Babcock added the Township maintains an adequate supply of salt, but it must be constantly monitored so Township roads don't suffer.

Council Member Van Tassel had no comments at this time.

Council Member Kadish commented that in the 1990's the Council negotiated with each community for the reimbursement and opined the Township should not be fully reimbursing the communities by paying for the salt, and gas. He added based on the report, the Township should be using the individual numerical factor formulated and feels the Township is being penalized because the community roadways are not per law up to standards.

Council Member Ooms had no comments at this time.

Council President Murphy explained that Mr. Babcock computes all costs incurred for snowplowing township roads broken down per mile which is used to calculate the community's reimbursement. Council Member Kadish stated he does not want all taxpayers to pay more for this formulation than what they should be. Mr. Babcock added that the communities must be held accountable for the material that is delivered for their roadways and suggested mandatory locked sites to store the material.

Council Member Kadish questioned how the lighting reimbursement is calculated. Ms. Yetter explained the communities are reimbursed 13.4% per law for their road lighting costs but added further examination should be reviewed for locations billed. Council President Murphy asked Mayor Shortway to get a quote to update the Engineering report to add Baker Road and remove Whispering Woods development. Mayor Shortway stated there is no line item in the budget but will analyze issue and follow up with Council.

## **CONSENT AGENDA**

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Council President Murphy gave a brief explanation of Resolutions #18-129 to #18-138.

Council Member Kadish asked to pull Resolution #18-135 from the Consent Agenda.

Council President Murphy asked for a motion to approve Resolutions #18-129 through #18-134 and #18-136 through #18-138.

MOVED: Mark Van Tassel

SECOND: Dan Kadish

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, John Auberger (except #18-138), Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: John Auberger from Resolution #18-138.

ABSENT: None

Motion carried to approve Resolutions #18-129 through #18-134 and #18-136 through #18-138.

## **Resolution #18-129**

### **RECOGNIZING MUNICIPAL CLERK'S WEEK**

**WHEREAS**, a Municipal Clerk is a professional who provides continuity in government from administration to administration, seeing to it that the business of local government continues uninterrupted while providing experienced and dedicated public service to the governing body, colleagues and residents; and

**WHEREAS**, one of the oldest positions of public servants in local government, the Municipal Clerk's Office was established when the early colonists came to America and began setting up forms of local government; and

**WHEREAS**, a Municipal Clerk has core duties prescribed by state statute, including but not limited to 1) acting as secretary to the municipal corporation; 2) acting as secretary to the governing body; 3) serving as chief administrative officers in all elections; 4) serving as chief registrar of voters in their municipality; 5) serving as the administrative officer responsible for accepting and issuing various licenses and permits; 6) serving as coordinator and records manager; and 7) performing other such duties as are imposed by statute, regulation of municipal ordinance or resolution; and

**WHEREAS**, in recognition of Municipal Clerk's Week (May 6-12, 2018), the Municipal Council of the Township of Vernon wishes to recognize its Municipal Clerk, Lauren Kirkman, and her staff for their outstanding services with which they provide to our community.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that while recognizing the importance of its role and functions of the Municipal Clerk's Office and the impact it has on the public, that it salutes its Municipal Clerk and the Clerk's Office for their dedication and commitment to Vernon Township's local government; and

**BE IT FURTHER RESOLVED**, that the Municipal Council of the Township of Vernon recognizes all New Jersey's Municipal Clerks and their staff members for their service to their respective local governments and calls upon other communities to join them in recognizing their Municipal Clerks and staff members the week of Municipal Clerk's Week, May 6-12, 2018.

## **RESOLUTION #18-130**

**TOTAL DISABLED VETERAN (Govier)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on January 1, 2018 awarded Gareth D. Govier a 100% permanent and totally disabled veteran: and,

**WHEREAS,** as of said date the law exempts said property from taxation,

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Township of Vernon hereby authorizes the Tax Collector to cancel the taxes for 2018 in the amount of \$933.73 for Block 31.02 Lot 9 also known as [REDACTED].

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

**#18-131**

**REFUND FOR TOTALLY DISABLED VETERAN (Govier)**

**WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS** on January 1, 2018 awarded Gareth D. Govier a 100% permanent and totally disabled veteran: and,

**WHEREAS,** the law exempts said property from taxation.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Township of Vernon hereby authorizes the Tax Collector to refund 2018 1<sup>st</sup> quarter in the amount of \$933.74 to Gareth D. Govier.

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

**RESOLUTION #18-132**

**CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF REVENUE AND APPROPRIATION AMENDING THE 2018 BUDGET AS A REVENUE AND APPROPRIATION OF \$1,100.00**

**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 \$6,600.00 2018 Distracted Driving Crackdown from the New Jersey Division of Highway Traffic Safety; and wishes to amend its 2018 budget for the difference between the awarded amount and the original budgeted amount of \$5,500.00 or \$1,100.00 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 2018 in the sum of \$1,100.00 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 \$1,100.00 is hereby appropriated under the caption 2018 Distracted Driving Crackdown Grant.

**RESOLUTION #18-133**

**AUTHORIZING THE AWARD OF A CONTRACT FOR 2018 BETWEEN A & E CLOTHING AND THE TOWNSHIP OF VERNON TO LOCATE CLOTHING DONATION BINS AT MUNICIPAL RECYCLING CENTER**

**WHEREAS**, Vernon Township has a need to contract with a new vendor to locate Donation Clothing Bins in the Vernon Township Municipal Recycling Center on Church Street for the continued service to Township residents; and

**WHEREAS**, Vernon Township has received a proposal from A& E Clothing, Carteret, NJ to provide Clothing Bins on Township Property and compensate Vernon Township \$60.00 per month per Bin; and

**WHEREAS**, the Business Administrator and DPW Director recommend that Vernon Township engage with A & E Clothing Corp to provide four (4) donation bins at the Recycling Center commencing immediately through December 31, 2018; and

**WHEREAS**, A & E Clothing Corp. has been collecting clothing in New Jersey for over twelve years which donations are shipped throughout the USA, Europe, Asia, Africa and South America and proceeds further support Non-Profit Organizations such as Retired Peace Officer Charity Organization and for research for Cancer, Crohn's Disease and Sudden Infant Death Syndrome; and

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

1. The Township of Vernon is authorized to engage A & E Clothing Corp. for the purpose of locating four (4) Clothing Donation Bins at the Vernon Township Municipal Recycling Center, Church Street, NJ.
2. The Mayor and Township Clerk are hereby authorized and directed to execute Contract with A & E Clothing Corporation Corp.

**Resolution #18-134**

**RESOLUTION TO ACCEPT OR REJECT BIDS FOR TOWNSHIP PROPERTIES  
AT AUCTION HELD APRIL 18, 2018**

**WHEREAS**, the Township in conformance with N.J.S.40A:12-1 et. seq. authorized an auction of properties via Ordinance #18-04 and Ordinance #18-05; and

**WHEREAS**, the ordinances authorized the auction to be held on April 18, 2018 at 1:00 p.m. administered by Max Spann Real Estate & Auction Company.; and

**WHEREAS**, the Township has received bids for the authorized properties as indicated on Schedule A.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon, in the County of Sussex, New Jersey, that the bids be accepted or rejected as noted on Schedule A, attached hereto and made part hereof:

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to execute contracts as approved by the Township Attorney and to execute any documents required to complete the sale of properties for which bids are accepted.

**EXHIBIT A**

**Vernon Twp Tally April 18, 2018**

Bidder #	Back-up Bidder #	Pkg #	Property Address	Bid Price	Accept / Reject
ONLINE	422	1	4 KINGS COURT	\$ 22,500	Accept
526	NONE	2	4 TRALEE PL	\$ 3,760	Accept
526	NONE	3	19 & 21 LISA DR	\$ 1,100	Accept
526	NONE	4	3 & 5 TRALEE DR	\$ 7,440	Accept
<b>BULK - SEE PKG #1</b>		5	19, 21 & 23 HUMMINGBIRD TRL		Accept
<b>BULK - SEE PKG #1</b>		6	15 ROBIN'S TER		Accept
<b>BULK - SEE PKG #1</b>		7	24 EVERGREEN RD		Accept
<b>BULK - SEE PKG #1</b>		8	72 APPLESEED RD		Accept

121	NONE	9	10-12 SUMMIT CIR	\$ 6,510	Accept
<b>BULK - SEE PKG #1</b>		10	16 SUMMIT CIR		Accept
<b>BULK - SEE PKG #1</b>		11	13 WINDING HILL DR		Accept
401	NONE	12	22 LAKESIDE DR NW	\$ 3,770	Accept
ONLINE	NONE	13	833 RT 517	\$ 3,700	Accept
<b>BULK - SEE PKG #1</b>		14	16 CARNATION ST		Accept
548	none	15	12 FOREST DR/6OAK CT E	\$ 4,000	Accept
<b>BULK - SEE PKG #1</b>		16	13 & 17 FOREST DR		Accept
443	NOONE	17	16 RIDGE VIEW CT	\$ 3,650	Accept
<b>BULK - SEE PKG #1</b>		18	12 ACORN		Accept
554	NONE	19	15 BEECH TREE DR	\$ 3,700	Accept
<b>BULK - SEE PKG #1</b>		20	3 BEECH TREE DR		Accept
<b>BULK - SEE PKG #1</b>		21	103 WAWAYANDA RD & 4 POND DR		Accept
<b>BULK - SEE PKG #1</b>		22	6 & 8 CEDAR TREE DR		Accept
<b>BULK - SEE PKG #1</b>		23	30 CEDAR TREE DR		Accept
<b>BULK - SEE PKG #1</b>		24	1 ASPEN WOOD DR		Accept
<b>BULK - SEE PKG #1</b>		25	9 & 13 LAUREL DR & 4 SILVER BIRCH LN		Accept
<b>BULK - SEE PKG #1</b>		26	46 BARRY DR N		Accept
ONLINE	NONE	27	33 CEDAR TREE DR	\$ 4,070	Accept
503	121	28	15 EMERALD DR	\$ 5,500	Accept
ONLINE	NONE	29	3 EMERALD DR	\$ 1,080	Accept
<b>BULK - SEE PKG #1</b>		30	4 FOUNTAINHEAD DR		Accept
<b>BULK - SEE PKG #1</b>		31	25 CURVING HILL DR		Accept
ONLINE	NONE	32	46 JORDAN DR	\$ 4,890	Accept
<b>BULK - SEE PKG #1</b>		33	2 CURVING HILL DR		Accept
463	NONE	34	8 CURVING HILL DR	\$ 3,650	Accept
515	NONE	35	4 SHADY LN	\$ 4,240	Accept
<b>BULK - SEE PKG #1</b>		36	102 CEDAR TREE DR		Accept
<b>BULK - SEE PKG #1</b>		37	105 CEDAR TREE DR		Accept
<b>BULK - SEE PKG #1</b>		38	17 ELM TREE RD		Accept
<b>BULK - SEE PKG #1</b>		39	2 MARION DR		Accept
549	none	40	15 HICKORY RD	\$ 3,760	Accept
<b>BULK - SEE PKG #1</b>		41	31 CHESTNUT TREE RD		Accept
<b>BULK - SEE PKG #1</b>		42	11 CHESTNUT TREE RD		Accept

<b>BULK - SEE PKG #1</b>		43	47 CHESTNUT TREE RD		Accept
<b>BULK - SEE PKG #1</b>		44	1 COLD SPRING DR/7 JUNIPE		Accept
<b>BULK - SEE PKG #1</b>		45	44 HICKORY RD		Accept
<b>BULK - SEE PKG #1</b>		46	6 BROOK LN		Accept
ONLINE	NONE	47	3 HALL'S HILL	\$ <b>2,340</b>	Accept
<b>BULK - SEE PKG #1</b>		48	22 GLEN DR		Accept
<b>BULK - SEE PKG #1</b>		49	16 GLEN DR		Accept
<b>BULK - SEE PKG #1</b>		50	8 GLEN DR		Accept
<b>BULK - SEE PKG #1</b>		51	6 GLEN DR		Accept
538	546	52	269, 273, & 277 RTE 94	\$ <b>195,000</b>	Accept
422	online	53	MAIN ST & 527 RT 515	\$ <b>125,000</b>	Accept
<b>BULK - SEE PKG #1</b>		54	25 BREAKNECK RD		Accept
<b>BULK - SEE PKG #1</b>		55	358 E LAKESHORE DR		Accept
<b>BULK - SEE PKG #1</b>		56	111 GLEN RD		Accept
ONLINE	NONE	57	1242 LAKESIDE DR E	\$ <b>3,940</b>	Accept
<b>BULK - SEE PKG #1</b>		58	84 BREAKNECK RD		Accept
ONLINE	NONE	59	503 ALAQUA RD	\$ <b>550</b>	Accept
<b>BULK - SEE PKG #1</b>		60	16 SHOMOKIN RD		Accept
<b>BULK - SEE PKG #1</b>		61	21 MOUNTAIN AVE		Accept
<b>BULK - SEE PKG #1</b>		62	47 PADDOCK AVE		Accept
441	NONE	63	3 OAK ST	\$ <b>3,580</b>	Accept
ONLINE	NONE	64	18 VALLEY TER	\$ <b>7,830</b>	Accept
<b>BULK - SEE PKG #1</b>		65	518 & 520 RETREAT DR		Accept
<b>BULK - SEE PKG #1</b>		66	505 TRANQUILITY DR		Accept
PASS		67	552 GRANDVIEW DR		Reject
<b>BULK - SEE PKG #1</b>		68	135 HIGHLAND LAKES RD		Accept
ONLINE	NONE	69	202 CANADAWA LN/136 HL	\$ <b>3,750</b>	Accept
<b>BULK - SEE PKG #1</b>		70	203 MOUNTAINSIDE DR		Accept
online	none	71	2043 LAKESIDE DR W	\$ <b>3,890</b>	Accept
474	none	72	641 CANISTEAR RD/1010 LKS	\$ <b>4,090</b>	Accept
<b>BULK - SEE PKG #1</b>		73	104 COON DEN RD		Accept
ONLINE	NONE	74	9 WOODLAND DR	\$ <b>1,260</b>	Accept
<b>BULK - SEE PKG #1</b>		75	47 WEST SHORE DR OR 18W		Accept
<b>BULK - SEE PKG #1</b>		76	43 WEST SHORE DR OR 14W		Accept



559	NONE	77	37 WEST SHORE DR OR 8W	\$ 4,270	Accept
<b>BULK - SEE PKG #1</b>		78	9 WEST SHORE DR		Accept
ONLINE	NONE	79	62 EAST SHORE DR	\$ 4,250	Accept
<b>BULK - SEE PKG #1</b>		80	32 EAST SHORE DR		Accept
<b>BULK - SEE PKG #1</b>		81	39 BUTTERNUT RD		Accept
ONLINE	NONE	82	58 BUTTERNUT RD	\$ 1,220	Accept
<b>BULK - SEE PKG #1</b>		83	9 BLACK OAK TRL		Accept
464	online	84	10-12 PEACH TREE RD	\$ 7,000	Accept
online	NONE	85	11 PINE ST	\$ 4,280	Accept
<b>TOTALS</b>				\$ 459,570	
		33			
<b>AVERAGES</b>				\$ 13,926	

**Resolution #18-136**

**RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT WITH AFSCME COUNCIL 52, LCOAL 3181**

**WHEREAS**, the AFSCME Council 52, Local 3181 (hereinafter “AFSCME”), serves as the majority representative for a portion of the employees of the Township of Vernon (“Township”); and

**WHEREAS**, on or about February 7, 2017, the AFSCME filed an grievance with the Township alleging a violation of the collective negotiations agreement between the parties; and

**WHEREAS**, AFSCME and the Township have expressed a desire to amicably resolve the grievance; and

**WHEREAS**, the Township has determined that is in the best interests of the Township to resolve the grievance amicably; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon that the Mayor and Township Clerk are authorized to execute a settlement agreement with AFSCME Council 52, Local 3181 in a form similar to the attached agreement. The Township Attorney and Township Labor Counsel may make applicable language changes deemed in the best interest of the Township.

**RESOLUTION #18-137**

**AUTHORIZING A CONTRACT WITH GREENER BY DESIGN FOR OPEN SPACE ADVISORY CONSULTANT SERVICES IN THE AMOUNT NOT TO EXCEED \$15,000.00**

**WHEREAS**, there is a need by Vernon Township to retain a Consultant to provide Open Space Advisory Services; and

**WHEREAS**, Greener by Design has submitted a proposal, to provide planning services in connection with the Township’s acquisitions, stewardship and management of its open space and recreational holdings; and

**WHEREAS**, the purpose of this agreement is to assist the Township with a variety of open space acquisition and recreational development services, including (but not limited to) Trail System and Greenway Trail Planning, Land Preservation, Green Acres Grant administration; and

**WHEREAS**, the term of the agreement shall be for a twelve (12) month period commencing on May 1, 2018 through April 30, 2019; and

**WHEREAS**, the Chief Financial Officer has certified funds in an amount not to exceed \$15,000.00 in Account #741200.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AS FOLLOWS:**

1. A contract shall be awarded by the Township of Vernon, New Jersey for services herein specified to Greener by Design, New Brunswick, NJ.
2. The cost of said agreement shall not exceed a total of \$15,000.00.

**RESOLUTION #18-138**

**AUTHORIZING CONTRACTS  
WITH CERTAIN APPROVED STATE CONTRACT VENDORS  
TRANSAXLE LLC STATE CONTRACT T2188**

**WHEREAS**, the Township of Vernon may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services under the State Contract; and

**WHEREAS**, the Township has the need on a timely basis to ensure heavy on road equipment repair utilizing State contracts; and

**WHEREAS**, Transaxle LLC, holds state contract T2188 and Vendor contract A85849 for repair of heavy on road equipment; and

**WHEREAS**, the Township intends to enter into contracts with the attached referenced State vendors through this resolution and properly executed contracts, which shall be applicable to all the conditions to current State contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those approved State vendors on the attached list, pursuant to all conditions of the individual State contracts; and

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the Township of Vernon and the referenced state vendors shall be from this date to January 2019; and

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

**RESOLUTIONS TO BE ADOPTED BY SEPARATE ACTION:**

Council President Murphy asked for a motion to approve Resolution #18-135.

Council Member Kadish questioned the map. He added that when the Redevelopment Plan is done, the Township should clarify what type of development is right for the area. Mayor Shortway explained Vernon already has Town Center Guidelines Plan with vision from prior Councils and Land Use Boards. Ms. Kirkman added that Chapter 330 from the Township Code illustrates the permitted uses in the Town Center and clarified that this Resolution is to approve only the Redevelopment Study. Mr. Zielinski further explained that the next step after designating an Area in Need of Redevelopment by meeting criteria, the Council inputs a Plan. Council Member Kadish opined that zoning in the Town Center area has destroyed residential parcels.

MOVED: Jean Murphy

SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #18-135.

**TOWNSHIP OF VERNON**

**RESOLUTION #18-135**

**RESOLUTION DESIGNATING VARIOUS LOTS IN  
THE TOWN CENTER ZONE AND ADJACENT PARCELS  
AS AN AREA IN NEED OF REDEVELOPMENT**

**WHEREAS**, on August 28, 2017, the Township Council of the Township of Vernon adopted a resolution (#R17-169) authorizing and directing the Vernon Township Land Use Board (hereinafter “Land Use Board”) to undertake a preliminary investigation to determine whether the properties in a proposed redevelopment area, a portion of the area which is commonly referred to as the Town Center Zone (hereinafter “TC Zone”) and adjacent parcels, is a non-condemnation redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, the Local Redevelopment and Housing Law (hereinafter “LRHL”) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated, or in the alternative may help achieve the policy and planning goals and objectives of the State of New Jersey Development and Redevelopment Plan (hereinafter “SDRP”) which states that “new development should be guided into centers to preserve open space, farmland, and natural resources . . . and strengthen beneficial economic development opportunities.”; and

**WHEREAS**, the Land Use Board, thoroughly investigated and discussed the issue of redevelopment and the process of investigating an area in need of redevelopment. This investigation included a review of the criteria set forth in the LRHL (N.J.S.A. 40A:12A-5) to determine if said area of Vernon qualifies as an area in need of redevelopment; and

**WHEREAS**, the study area included a total of 173 parcels located in the TC Zone and surrounding areas along NJSH Route 94, County Route 515, Main Street, and Church Street (collectively “Study Area”); and

**WHEREAS**, the Land Use Board adopted a resolution (a) undertaking the investigation as to whether the Study Area, or any portion thereof, constitutes an area in need of redevelopment in accordance with the LRHL; and (b) authorizing Jessica C. Caldwell, P.P., A.I.C.P. of J. Caldwell & Associates (the “Planning Consultant”) to prepare a preliminary investigation report of the study area; and

**WHEREAS**, the Planning Consultant prepared a report dated January 23, 2018, Area in Need of Redevelopment Study For Parcels Located in the TC Zone and Surrounding Area (hereinafter “Redevelopment Report”), which details the findings and recommendation relevant to whether the Study Area should be designated as an “area in need of redevelopment”; and

**WHEREAS**, the Redevelopment Report includes a property-by-property description of characteristics and conditions found by the Planning Consultant and the conditions by which the properties meet the criteria of the LRHL; and

**WHEREAS**, the Land Use Board considered the Redevelopment Report and conducted a public hearing pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation, posting, and distribution of a map of the potential area in need of redevelopment; and

**WHEREAS**, the primary goals of the Township of Vernon redevelopment effort is to improve the quality of life of township residents and improve the economic foundation of the Township so that long-

term property tax stability is addressed for all Vernon taxpayers as indicated in the aforesaid Council resolution; and

**WHEREAS**, on April 11, 2018, the Land Use Board adopted a Resolution finding that the area referenced therein qualifies under N.J.S.A. 40A: 12A-1 et seq. as an area in need of redevelopment and fulfills a clear and convincing public purpose so as to achieve the aforesaid goals of the Township Council; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Vernon that the Redevelopment Report, January 23, 2018, prepared by Ms. Caldwell, is hereby accepted and the Land Use Board's Resolution is hereby accepted and attached hereto; and

**BE IT FURTHER RESOLVED** that the Township Council of the Township of Vernon hereby designate the properties referenced in the attached Land Use Board Resolution as an area in need of redevelopment. That area being a portion of the TC Zone and further identified in the attached Redevelopment Report, dated January 23, 2018, which describes the substantial evidence and conditions in existence to include those properties in an area in need of redevelopment.

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

Council Member Murphy read Ordinance#18-16 by title only.

**Ordinance #18-16:** Bond Ordinance Providing For The Improvement Of The Sanitary Sewerage System In And By The Township Of Vernon, In The County Of Sussex, New Jersey, Appropriating \$140,000 Therefor And Authorizing The Issuance Of \$140,000 Bonds Or Notes Of The Township For Financing Such Appropriation

Council President Murphy asked for a motion to open the public hearing for Ordinance#18-16.

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

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-16.

MOVED: Mark Van Tassel  
SECOND: Jean Murphy  
All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-16.

MOVED: Sandra Ooms  
SECOND: Dan Kadish  
A roll call vote was taken:  
Ayes: Sandra Ooms, Dan Kadish, John Auberger, Mark Van Tassel, Jean Murphy  
Nays: None  
Abstain: None  
Absent: None  
Motion carried to adopt Ordinance #18-16.

Council Member Murphy read Ordinance#18-17 by title only.

**Ordinance #18-17:** Bond Ordinance Appropriating \$2,380,870, And Authorizing The Issuance Of \$1,453,000 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 Murphy asked for a motion to open the public hearing for Ordinance#18-17.

MOVED: Mark Van Tassel  
SECOND: John Auberger  
All members voted in favor.

Seeing no members of the public wishing to come forward, Council President Murphy asked for a motion to close the public hearing for Ordinance #18-17.

MOVED: Mark Van Tassel

SECOND: John Auberger

All members voted in favor.

Council President Murphy asked for a motion to adopt Ordinance#18-17.

MOVED: Dan Kadish

SECOND: Mark Van Tassel

A roll call vote was taken:

Ayes: Sandra Ooms, Dan Kadish, Mark Van Tassel, Jean Murphy

Nays: None

Abstain: John Auberger

Absent: None

Motion carried to adopt Ordinance #18-17.

### **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: Van Tassel

All members voted in favor.

Scott Ghysels, Barry Lakes, regarding the Municipal Services Act reimbursement, stated he is offended by Council comments of Us vs. Them, as these residents are taxpayers too, paying their share of the Township salt shed. Mr. Ghysels suggested the Township engage in discussions with all the communities when analyzing this issue. He explained during prior administration, that the communities were close to filing litigation against Vernon about the formulation of the reimbursement, but Mayor Marotta agreed to use the 1.5 factor for all to avoid litigation expenses. Mr. Ghysels added that the Township using Co-Op pricing can purchase the salt and grit at much lower costs and tax free than the communities and again urges Council to include the communities in any further analysis.

Sally Rinker questioned the sale of the Faline Building and expressed dissatisfaction over the bid process. Ms. Rinker was thankful that the parcel will be put back on tax rolls and not be used as a pocket park. Ms. Rinker expressed dissatisfaction with the way the Council meetings were run.

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

MOVED: Mark Van Tassel

SECOND: John Auberger

All members voted in favor.

### **MAYORS REPORT**

Mayor Shortway thanked the McAfee and Vernon Fire Departments for their assistance with the Beautification Committee for installation of American flags on Town Center poles.

Mayor Shortway announced the Township Auction sold 94 properties for \$459,000 and thanked Ms. Yetter for her leadership in the process, Tax Assessor Personnel, the Zoning Officers who helped to identify the properties and former Council Members Wetzel and Rizzuto for assistance.

Mayor Shortway added feedback is being analyzed from the Bus survey and now Township officials will research possible parking lots for the service.

Mayor Shortway announced Earthfest will take place on April 29<sup>th</sup> at Heaven Hill Farm, and the annual Senior Luncheon and the Taste of Vernon event will both be on April 30<sup>th</sup>.

### **COUNCIL COMMENTS**

Council Member Ooms questioned where the \$459,000 gained from the Auction will be placed in the budget. Ms. Yetter explained it will be placed in Miscellaneous Revenue Not Anticipated and be put in the fund balance at end of year.

Council Member Kadish announced a Senior Informational Event will take place on Thursday April 26<sup>th</sup> at Crystal Springs with over 40 participants exhibiting senior services.

Council Member Van Tassel had no comments

Council Member Auberger had no comments.

### **COUNCIL PRESIDENT COMMENTS**

Council President Murphy explained that the prior Ordinance to sell the Faline Building had a minimum bid price of \$90,000 which Vernon had received no bidders. The recent Auction set price at minimum of \$50,000 to develop interest from bidders and Vernon is grateful the property sold and will be improved. Council President Murphy explained that as President, she runs every Council Meeting as a Business meeting for efficiency but expressed personal disappointment that there are continual interruptions which are not constructive or helpful to the Vernon community.

### **ADJOURNMENT**

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:52 p.m.

Respectfully submitted,

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Lauren Kirkman, RMC, CMR  
Municipal Clerk

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Jean Murphy,  
Council President

Minutes approved: May 14, 2018