

VERNON TOWNSHIP COUNCIL

REGULAR MEETING MINUTES

JUNE 8, 2020

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on June 8, 2020 via Zoom Webinar in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Harry Shortway presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 7, 2020 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 John Auberger, Jean Murphy, Kelley Weller and Council President Shortway. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker, CFO Donelle Bright and Township Attorney Josh Zielinski.
Council Member Van Tassel was not present.

SALUTE TO THE FLAG

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

PROCLAMATION

Sussex County Pride

Zoe Heath, Executive Director of Pride, thanked the Council for having the proclamation on the agenda.

PUBLIC COMMENTS *(For Current Agenda Items Only, Limited to 3 minutes per person)*

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

MOVED: John Auberger

SECOND: Kelly Weller

All members present voted in favor.

Wing – Wing’s Asian Bistro, supports the Pump Track project. He feels that the Pump Track will bring business to the community.

Tom McClachrie – Vernon Township, commented on Resolution #20-139 saying that the resolution does not state exactly what it is for but he is assuming it is for liquidity. Mr. McClachrie does not understand how we can give out pay raises and borrow money if we cannot figure out our finances so that they are current. Mr. McClachrie said the resolution does not have a limit on how much interest is going to be paid. He said this is not tax free to the taxpayers who have to pay the interest.

CFO Donelle Bright explained that we were advised to pass a Tax Anticipation Notes resolution in case we have a cash flow shortage come August because of mortgages being pushed out for six months. She

explained that banks are still asking owners to pay their taxes on time because there is nothing in effect right now that removes interest and penalties for people that are paying their taxes late. Ms. Bright is hoping that Covid-19 bonds and notes are approved at the State level. She would be using the TAN resolution as a backup plan in case the Covid-19 bonds and notes do not get approved.

Seeing no other members of the public wishing to speak, Council President Shortway asked for a motion to close the meeting for Public Comments.

MOTION: Kelly Weller
SECOND: John Auberger
All members were in favor.

CONSENT AGENDA

Resolution #20-131: Refund Overpayment (Block 451 Lot 45 – Dovenmuehle)

Resolution #20-132: Refund Overpayment (Block 526 Lot 368 – Marjorie Hanus)

Resolution #20-133: Refund Overpayment (Block 379 Lot 30 – Dinowitz)

Resolution #20-134: Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Authorizing the Qualified Purchasing Agent to Receive Certain Bids in Accord with N.J.A.C.5:34-5.1, E-Procurement.

Resolution #20-135: Refund Overpayment Due to State Court Judgement (Mardad, LLC) Block 526 Lot 233

Resolution #20-136: Authorizing the Use of the Public Rights-of-Way by Planet Networks, Inc.

Resolution #20-137: Resolution of the Township of Vernon, County of Sussex, State of New Jersey, Authorizing the Increase to the Bid Threshold

Council President Shortway read the titles of the resolutions

Council Member Auberger asked to have Resolution #20-138 removed from the Consent Agenda.

Council Member Murphy asked to have Resolution #20-139 removed from the Consent Agenda.

Council President Shortway asked for a motion to approve the consent agenda.

MOVED: John Auberger
SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Murphy, Weller, Shortway

NAYES:

ABSTAIN:

ABSENT: Van Tassel

Motion carried to approve the consent agenda.

RESOLUTION # 20-131

**REFUND OVERPAYMENT
(Block 451 Lot 45 - Dovenmuehle)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Dovenmuehle in the amount of \$1,158.20 representing refund for overpayment of 2nd qtr. 2020 property taxes for Block 451 Lot 45 also known as [REDACTED]
[REDACTED]

RESOLUTION # 20-132

**REFUND OVERPAYMENT
(Block 526 Lot 368 – Marjorie Hanus)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Marjorie Hanus in the amount of \$1232.87 representing refund for overpayment of 1st quarter 2020 property taxes for Block 526 Lot 368 also known as [REDACTED]
[REDACTED]

RESOLUTION # 20-133

**REFUND OVERPAYMENT
(Block 379 Lot 30 - Dinowitz)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Dinowitz in the amount of \$1,200.47 representing refund for overpayment of 1st qtr. 2020 property taxes for Block 379 Lot 30 also known as [REDACTED]
[REDACTED]

RESOLUTION #20-134

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE QUALIFIED PURCHASING AGENT TO RECEIVE CERTAIN BIDS IN ACCORD WITH N.J.A.C.5:34-5.1, E- PROCUREMENT

WHEREAS, the Township of Vernon has appointed a Qualified Purchasing Agent in accord with N.J.S.A. 40A:11-9; and

WHEREAS, the State of New Jersey in Administrative Code in response to the Covid 19 crisis has promulgated rules to allow for electronic receipt of bids with the rules at N.J.A.C. 5:34-1 et. Seq. and

WHEREAS, Sean P. Canning, QPA has recommended the use of Bidnet Direct software which complies with all the administrative rule as required by the New Jersey Administrative Rules; and

WHEREAS, the electronic procurement platform is available to other officials as required to virtually observe bid openings in a transparent manner and provide for bids available for public inspection; and

WHEREAS, the cost to the Township and to the Vendors wishing to conduct business with the Township is a zero cost;

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

1. That Sean P. Canning QPA of The Canning Group LLC is hereby authorized to conduct bid openings and procurement in accord with N.J.S.A.40A:11-9 through E-Procurement in accord with N.J.A.C. 5:34-1 et. Seq., through Bidnet Direct at a zero cost to the Township and to vendors for bid response.

RESOLUTION # 20-135
REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT
(Mardad, LLC) Block 526 Lot 233

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2017: and,
WHEREAS, such Judgment has resulted in an overpayment of 2017 property taxes for Block 527 Lot 441 also known as [REDACTED]
NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, to authorize the Tax Collector to refund the 2017 overpayment in the amount of \$304.04 to the Spiotti & Esposito, P.C.
BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Township Tax Collector.

RESOLUTION 20-136
AUTHORIZING THE USE OF THE PUBLIC RIGHTS-OF-WAY BY
PLANET NETWORKS, INC.

WHEREAS, Planet Networks Inc. ("Planet Networks") is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout New Jersey; and

WHEREAS, Planet Networks has petitioned the municipality for consent to use the public rights-of-way to place its telecommunication facilities aerially on existing and new utility poles and/or in underground conduit; and

WHEREAS, the Federal Communications Commission has held that that "an effective prohibition [under the Telecommunications Act of 1996] occurs where a state or local legal requirement

materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service ... not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services." Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84, FCC-18-133A1, at para. 36, p. 15-16; and

WHEREAS, Planet Networks has or will enter into agreements with the utility companies for the use of their poles; and

WHEREAS, N.J.S.A. 48:3-19 provides that "[t]he consent of the municipality shall be obtained for the use by a person of the poles of 'another person unless each person has a lawful right to maintain poles in such street, highway or other public place;" and

WHEREAS, N.J.S.A. 27:16-6 provides, in part that "[t]he board of chosen freeholders shall not grant an easement, right of way, or use in, under or over, any portion of a county road in a municipality, unless the governing body of the municipality ... shall consent thereto;" and

WHEREAS, N.J.S.A. 46:17-8 provides that "[a]ny telegraph or telephone company organized under the laws of this or any other State, or of the United States may erect, construct and maintain the necessary poles, wires, conduits, and other fixtures for its lines, in, upon, along, over or under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles, and through, across or under any of the waters within this State and upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same."

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal agency; and

WHEREAS, it is in the best interests of the municipality and its citizens to grant consent to Planet Networks.

NOW THEREFORE BE IT RESOLVED THAT:

1) That the governing body does hereby grant permission and authority to Planet Networks, Inc. to install fiber optic cables and related facilities on existing utility poles within the public right-of-way and to install new utility poles, upon the following terms and conditions:

- a) Planet Networks shall adhere to all applicable federal, State, and local laws in connection with its use of the public right-of-way.
- b) Planet Networks shall obtain any applicable permits in connection with the installation of its facilities;
- c) Planet Networks shall indemnify, defend and hold harmless the municipality, its officials, agents, and employees, from and against any claim of liability, damages or loss resulting in bodily injury or property damage arising out of Planet Network's use of the public right-of-way, except to the extent such loss, injury or property damage resulting from the acts or omissions of the municipality.
- d) Planet Networks shall procure and maintain, at its cost and expense, commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence

and \$500,000 for damage or destruction to property in any one occurrence and shall include the municipality as an additional insured on said insurance policy.

- e) Planet Networks shall be responsible for the repair of any damage to pavement or any structure arising from its construction, installation or maintenance of its facilities.
- f) Notwithstanding any provision contained herein, neither the municipality nor Planet Networks shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this consent.
- g) That the Mayor is hereby authorized to execute and the Clerk to attest to any other documents necessary to effectuate the terms of this resolution.

STATEMENT: This resolution authorizes and consents to Planet Networks, Inc.'s installation of fiber optic cables and related facilities on new and existing utility poles and conduits within the public rights-of-way.

RESOLUTION #20-137

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE INCREASE TO THE BID THRESHOLD

WHEREAS, effective July 1, 2020 the Governor of the State of New Jersey has adjusted the bid threshold for awarding contracts under the Local Public Contracts Law. The change in the bid threshold allows municipalities with a Qualified Purchasing Agent to increase their bid threshold up to \$44,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Sean P. Canning of The Canning Group was appointed the Township of Vernon's Qualified Purchasing Agent by the adoption of Resolution #20-41 and possesses the qualifications and designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A. C. 5:34-5 et seq.; and

WHEREAS, the Township of Vernon desires to increase the bid threshold to \$44,000.00 in accord with N.J.S.A.40A:11-3a.

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

1. That the bid threshold is hereby increased to \$44,000.00 effective July 1, 2020 consistent with the New Jersey Local Publics Contract Law.

RESOLUTIONS

Resolution #20-138: Resolution of Extension Award for Two (2) Years to Campbell Supply Co Inc for Fire Apparatus and Ambulance Repair Bid

Council President Shortway asked for a motion to approve Resolution #20-138.

MOVED: Kelly Weller

SECOND: Harry Shortway

A roll call vote was taken:

AYES: Murphy, Weller, Shortway

NAYES:

ABSTAIN: Auberger

ABSENT: Van Tassel

Motion carried to approve Resolution #20-138.

RESOLUTION #20-138

RESOLUTION OF EXTENSION AWARD FOR TWO (2) YEARS TO CAMPBELL SUPPLY CO INC

FOR FIRE APPARATUS AND AMBULANCE REPAIR BID

WHEREAS, there is a need for a Fire Apparatus and Ambulance Repair Bid contractor in the Township of Vernon; and

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

WHEREAS, the Township of Vernon received bids for Fire Apparatus and Ambulance Repair Bid under bid 5-2018 duly advertised and held a public bid opening on May 24, 2018 at 12:30pm; and

WHEREAS, Campbell Supply was awarded a two (2) year contract under bid 5-2018 in resolution #18-164; and

WHEREAS, the Township desires to extend the contract pricing as per N.J.S.A. 40A:11-15, for a two (2) year extension under the terms and auspices as provided for in R18-164 and bid 5-2018; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, that the recommendation to award is hereby accepted. The services awarded to Campbell Supply through resolution #18-164 is hereby extended for a period of two (2) years under the authority of N.J.S.A. 40A:11-15, effective April 9, 2020.

Resolution #20-139: Resolution Authorizing the Issuance of Not Exceeding \$12,000,000 Tax Anticipation Notes of 2020 of the Township of Vernon, In the County of Sussex, New Jersey

Council Member Murphy asked if we were only passing this resolution in case taxes do not come in and only a certain amount will be used if needed.

CFO Bright explained that she has cash flow reports from last year that she compares to this year. If the cash flow is not coming in to carry us, she will take the TANS out.

Council President Shortway asked for a motion to approve Resolution #139

MOVED: John Auberger

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Murphy, Weller, Shortway

NAYES:

ABSTAIN:

ABSENT: Van Tassel

Motion carried to approve Resolution #20-139.

RESOLUTION #20-139

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$12,000,000 TAX ANTICIPATION NOTES OF 2020 OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:

Section 1. In anticipation of the collection of taxes for the year 2020 levied or to be levied in such year or in anticipation of other revenue for such year, and for the purposes provided for in the budget or for which taxes are levied or to be levied for such year, tax anticipation notes of 2020 (the "Notes") of the Township of Vernon, in the County of Sussex (the "Township"), are hereby authorized to be issued in the principal amount of \$12,000,000 pursuant to the Local Budget Law of the State of New Jersey.

Section 2. The following matters in connection with the Notes are hereby determined:

TITLE: \$12,000,000 Tax Anticipation Notes of 2020

**DATE, NUMBER,
DENOMINATION AND PLACE OF
PAYMENT:**

As may be determined by the Chief Financial Officer.

MATURITY:

As may be determined by the Chief Financial Officer.

INTEREST RATE:

As may be determined by the Chief Financial Officer.

FORM:

As may be determined by the Chief Financial Officer.

Section 3. The borrowing power of the Township on tax anticipation notes for the year 2020 is \$24,047,614.33 as determined by a certificate of the chief financial officer, acting chief financial officer or treasurer (the "Chief Financial Officer") filed in the office of the Township Clerk, such certificate being as follows:

"CERTIFICATE

I, DONELLE BRIGHT, Chief Financial Officer of the Township of Vernon, in the County of Sussex, New Jersey, **HEREBY CERTIFY** as follows:

The gross borrowing power in respect to tax anticipation notes of 2020, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year, is \$24,047,614.33.

The amount of notes outstanding in anticipation of the collection of the taxes of the 2020 fiscal year, except such notes as will be renewed by or paid from other proceeds of the notes to be issued, is \$0.

The net borrowing power, being the excess of the first over the second of the two above amounts, is \$24,047,614.33.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of June, 2020.

Donelle Bright
Chief Financial Officer"

Section 4. The Chief Financial Officer is hereby authorized and directed to determine

all matters in connection with the details, sale, award and issuance of the Notes not determined by this or a subsequent resolution and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of the Notes. The Chief Financial Officer is hereby authorized to sell the Notes at public or private sale at not less than par and to deliver the same to the purchasers thereof upon receipt of the purchase price plus accrued interest from the date of the Notes to the date of delivery thereof and payment therefor.

Section 5. The Notes shall be general obligations of the Township and the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the Notes, and, unless otherwise paid or payment provided for, taxes shall be levied in an amount sufficient to pay the principal of and interest on the Notes as the same shall become due and payable.

Section 6. The Chief Financial Officer is authorized and directed to report in writing to this Township Council at the meeting next succeeding the date when the sale of any of the Notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full in the minutes of such meeting.

Section 7. The Chief Financial Officer is hereby authorized and directed, after consultation with bond counsel to the Township and other Township professionals, to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the Notes to the purchasers thereof as promptly as possible, including without limitation (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the Notes, (ii) the preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the Notes, (iii) the execution of a Continuing Disclosure Undertaking, with respect to the Notes in accordance with Rule 15c2-12

promulgated by the Securities and Exchange Commission, (iv) the obtaining of a credit rating for the Notes and (v) the execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the Notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 8. This resolution shall take effect immediately.

Upon motion of John Auberger, seconded by Kelly Weller, the foregoing resolution was adopted by the following vote:

AYES: Four

NOES: None

ABSENT: One

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #20-13: Ordinance Amending and Supplementing the Salary Ordinance for “Non-Union” Employees

Council President Shortway read by title Ordinance #20-13.

Council President Shortway asked for a motion to approve Ordinance #20-13 for introduction.

MOVED: John Auberger

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Murphy, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: Van Tassel

Motion carried to approve Ordinance #20-13 for introduction.

PUBLIC COMMENTS

Council President Shortway asked for a motion to opened the meeting for Public Comments.

MOTION: John Auberger

SECOND: Jean Murphy

All members were in favor.

Bruce Zaretsky - Vernon Township, commented on the bicycle pump track and the walking path saying this is a project that has been on the books for a long time. He hopes the Council does not lose track of this idea because it is something that the community needs. Mr. Zaretsky feels that this will raise the community spirit and is an outdoor activity everyone wants. Mr. Zaretsky remembers the resistance there was with building Maple Grange Park and now he feels that nobody in town would trade that park for the money it cost to build it.

Martin O'Donnell – Vernon Township, urges the Council to adopt a resolution requiring all board and committee members to attend an online class on Robert's Rules and other issues. He feels that in doing this all of the boards and committees will be trained and this will limit the Town's liability.

Sandra Ooms – Vernon Township, commented that Vernon closed on the property across from Maple Grange Park and she questioned why we are not starting there to build trails.

Ms. Ooms asked commented about a gathering on Saturday in the Town Center asking why it was not on the Police Facebook page or the Town's website. She feels this would have helped people avoid the area or participate in the gathering. Ms. Ooms feels that any event taking place in the Township should be posted on the Police Facebook page of the Town's website.

Adam Paladini – Vernon Township, supports the pump track. He understands that there is money set aside for recreation and open space. Mr. Paladini has been to the Port Jervis pump track several times and he would like to see the same for this community. He feels that the pump track would be an amenity for this community and he would like to see a resolution for approval on the next Council meeting.

Dan Kraus – Vernon Township, commented that he is very passionate about the pump track and he feels that the support the residents will get both physically and mentally from the pump track will help many people. He said that this is our chance to build something that will help a lot of families cope with the uncertainty that we all face together. Mr. Kraus feels that Vernon Township is being viewed as a safe haven from the Corona stress. Mr. Kraus also feels that the pump track will be quite an attraction for realtors to bring in families and local businesses. Mr. Kraus is formally requesting that the resolution for the pump track be on the next agenda to avoid any more delays.

Peg Distasi – Vernon Township, is support of the pump track. Ms. Distasi is also in support of developing the trails on the property that Vernon purchased earlier this year.

Peter Vocaries – Vernon Township, owns a local business and he would like the Council to make a motion on the pump track. He said the money has already been appropriated and the location has already been chosen. Mr. Vocaries feels the location is in the middle of town and this will bring families together because it is an outdoor activity.

Tom McClachrie – Vernon Township, feels that entities that have liquor licenses due for renewal, should have to have their property taxes paid before the renewal is approved. Mr. McClachrie mentioned the three slave cemeteries in Vernon. He said that 2 have already been recognized, and that we have to acknowledge where we have been and move forward.

Seeing no other members of the public wishing to speak, Council President Shortway asked for a motion to close the meeting for Public Comments.

MOTION: John Auberger

SECOND: Kelly Weller
All members were in favor.

MAYOR COMMENTS

Mr. Council President and other Council Members, I use my report tonight to update you and the public on some of the events that occurred in our township this weekend.

This Saturday, some of our town's residents added their voices to the millions of American voices around our nation who, during the past two weeks, have expressed their feelings and concerns on the issue of how our great country can, and should, continue its century's long march towards achieving that "more perfect union" that's expressed as an objective in the preamble to our nation's constitution.

And as you are no doubt aware, the discussion, and the voices, have focused on the negative aspects of the issues of race and color that have been in conflict with our nation's constitution, and that have been the source of a great and deadly civil war, plus years of great and destructive civil disturbances in our nation, since our country's very beginning.

The key thing that I want to ensure that you, and members of the Vernon public at large, know, is that the residents of our town who participated in a large group gathering, related to this issue, at the corner of Route 94 and what was Main Street - - which has temporarily been renamed 2020 Senior Drive - - those residents conducted themselves in the way that I have come to expect from the good people of Vernon Township.

They conducted themselves in not only a peaceful and orderly manner, but also with class and positiveness.

I am especially pleased and proud of the fact that in Vernon Township, there was not any noticeable or detectable amount of the type of hostile name calling or violent or destructive behavior; no blocking of traffic; and none of the other negative behaviors and actions that has unfortunately been a part of some of these events in other towns and cities around our nation.

Prior to my wife Reba and I making an appearance at this gathering, I first made a visit to the Vernon Police Department.

The purpose of my visit was to let our police officers know, in no uncertain terms, that during this period when the negative and unacceptable behavior of some law enforcement officials was reflecting negatively on all law enforcement officials, that I was very proud of them as an organization; and, that their behavior - - not only during the five plus months that I have been mayor, but also during the almost 40 years that my family and I have lived in Vernon Township - - their behavior as a collective group had earned them my respect and strong support.

During the earlier part of the day, I visited the municipal center to thank and provide moral support for the efforts of our town's Municipal Beautification Committee, as they did what they have done for years - - and that is, to take actions that enhance the appearance of our town by planting an array of beautiful flowers, on this day around the municipal center. This committee serves a meaningful purpose for our town, and I very much appreciate their efforts.

In closing, let me express my opinion that this was another weekend when Vernon Township as a collective group showed why the New Jersey Health Care Quality Institute selected Vernon as only one of 12 New Jersey towns to include on their list of New Jersey Healthy Towns to Watch!

Mr. Council President and other Council Members / that ends my meeting report.

Council Member Auberger made a motion to re-open the meeting to the public, seconded by Council Member Murphy. All members were in favor.

Jessica Paladini – Vernon Township, said that she 100% for the pump track. She said that when Dan Kraus came to the Economic Development Advisory Commission meeting last August and he presented the idea of the pump track, he was told it was an excellent idea. Ms. Paladini said that Mr. Krause was informed that around 2016, when Sally Rinker was part of the Greenway Committee, Ms. Rinker offered to do a free bicycle pump track for the Township but that didn't happen. Ms. Paladini does not support the location of the pump track which is next to the DPW dump. She said that the NJ DEP has told Vernon they need to clean the toxic waste that was there for years. Ms. Paladini also feels that the location is not in a visible place for safety reasons. Ms. Paladini said that the Masker Marsh track would be a great place for a bicycle pump track. She wants to see Open Space money used to build the pump track.

Ms. Paladini extended an invitation to Mr. McClachrie to come to the Historical Society and show the precise location of where the slave cemetery is so that a historical marker can be placed there.

Council Member Auberger made a motion to close the meeting to the public, seconded by Council Member Murphy. All members were in favor.

COUNCIL COMMENTS

Council Member Murphy commented that when Mr. McClachrie mentioned the slave cemeteries, and Ms. Paladini said she emailed him, Mr. McClachrie said that the email went to defunct email address.

Council Member Murphy mentioned that she does not think anyone on the Council is against the pump track and she doesn't see any political reason that is holding the pump track up. Council Member Murphy has suggested that moneys from the 30% that the voters allocated to be used for a trail or a pump track be used rather than bonding or borrowing. Council Member Murphy spoke about the location of the pump track.

Council Member Murphy recognized Ellen Meixner who resigned from the Beautification Committee, saying she was always there and always ready to join in and do whatever was needed to be done.

Council Member Murphy mentioned that Harry Shortway's signature is still on her paycheck.

CFO Bright said she would check with payroll to see why that wasn't changed.

Council Member Murphy said she is a member of the Waste Water Feasibility Committee and Harry Shortway and Mike Furrey created a draft report that was emailed to the Committee. Council Member Murphy read a paragraph from the draft report. Council Member Murphy questioned part of the report that stated that the Wastewater Feasibility Committee discovered possible instances of insubordination,

incompetence and unethical acts leading to vicarious liability issues for the Township. Council Member Murphy said that the Wastewater Feasibility Committee has nothing to do with this. She said looking at the email she is not sure who it is being referred to, but what is evident, is that somehow the Wastewater Feasibility Committee and the MUA have morphed into one entity according to the report. Council Member Murphy feels that the Wastewater Feasibility Committee and the MUA are two different entities and should not be on the same report.

Council Member Weller had no comments.

Council Member Auberger thanked the Beautification Committee for the plantings in the front of the municipal building and the DPW.

Council Member Auberger asked the Mayor when Town Hall is going to reopen to the public.

Mayor Burrell answered that he does not have a date yet because the Governor extended his state of emergency. Mayor Burrell explained that the Municipal Building is just about ready for the public to begin to enter again.

Council Member Murphy commented on the location of the pump track saying she doesn't know how long a Phase 1 Study would take but she thought the professionals had taken a good look at the location and they thought it was an ideal location. Council Member Murphy asked if the DEP said it was a toxic sight.

Council President Shortway said that OSHA looked at the location and there were wood stumps, road grit and concrete being stored at the site. Council President Shortway said this may qualify as a DEP regulation but he would not qualify it as toxic. He said that action has been taken to clean the site.

Council Member Murphy would like to see a resolution on the next agenda to allow the pump tract to proceed along with the Engineers report.

Council Member Auberger and Council Member Weller were in agreement with Council Member Murphy in reference to having on the next agenda a resolution to allow the pump tract to proceed along with the Engineers report.

Council President Shortway said he would have the resolution and Engineers report on the next meeting agenda

COUNCIL PRESIDENT COMMENTS

Council President Shortway commented that Mike Furrey did not help write the report that Council Member Murphy was speaking of. He said that spent hours and hours doing research when he was Mayor. Council President Shortway will address the report at the Wastewater Feasibility Committee meeting tomorrow night.

Council President Shortway thanked Ellen Meixner for all the great work she has done with the Beautification Committee and he is sorry to see that she is moving on.

Council President Shortway said that Toni Cilli has resigned from the Greenway Action Committee. Council President Shortway mentioned that Toni has put a ton of work into the Greenway Action Committee as well as the Farmer's Market.

Council President Shortway said the Farmer's Market will take place Saturday, June 15, 2020.

ADJOURNMENT

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

The Meeting of the Township Council of the Township of Vernon was adjourned at 8:10 p.m.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Harry Shortway,
Council President

Minutes approved: June 26, 2020