

VERNON TOWNSHIP COUNCIL

REGULAR MEETING MINUTES

September 14, 2020

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on September 14, 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, Andrew Pitsker, Kelly Weller and Council President Shortway. Also present were Mayor Howard Burrell, Business Administrator Charles Voelker and Township Attorney Josh Zielinski.

SALUTE TO THE FLAG

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

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: Andrew Pitsker

All members present voted in favor.

Vincent Speziale – representative from Council 62 Local 3181, questioned Resolution #20-190 Local Agreement between the Vernon MUA and the DPW. Mr. Speziale explained that the Union sent out several emails requesting that the Union review the Local Agreement before it went in front of the Township Council. He asked why is this Union being disrespected and not being allowed to review the Local Agreement which they are entitled to review before it goes in front of the Council for a vote. Mr. Speziale said that they sent several emails to the Township requesting that the Union would be able to review the agreement between Union Members to check the agreement that there may be negotiable items etc. They have not gotten a response from the Township and they are requesting the resolution gets tabled until the Union has the option to review the Agreement. Mr. Speziale said that according to the Union Attorney, we do have the right to request that.

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: Andrew Pitsker

All members were in favor.

MINUTES

August 24, 2020 – Regular Meeting

Council President Shortway asked for a motion to approve the above meeting minutes.

MOVED: Jean Murphy

SECOND: John Auberger

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Shortway

NAYES: None

ABSTAIN: Weller

ABSENT: None

Motion carried to approve the above meeting minutes.

RESOLUTIONS

Resolution #20-186: Authorizing the Use of Morris County Cooperative Pricing Council for Proposed Improvements to Pleasant Valley Drive

Council President Shortway asked for a motion to approve Resolution #20-186.

MOVED: Jean Murphy
SECOND: John Auberger

A roll call vote was taken:
AYES: Auberger, Murphy, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve Resolution #20-186.

RESOLUTION #20-186

AUTHORIZING THE USE OF MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR PROPOSED IMPROVEMENTS TO PLEASANT VALLEY DRIVE

WHEREAS, the Township of Vernon has a need for contracting services for Proposed Improvements to Pleasant Valley Drive; and

WHEREAS, the Morris County Cooperative Pricing Council advertised and received bids for roadway milling, paving, guide rails, and complete line stripping; and

WHEREAS, the bids received allowed for vendors to extend their pricing to municipalities who are a member of the Morris County Cooperative Pricing Council, a State regulated County Contract Purchasing System; and

WHEREAS, the Vernon Township Engineer recommends the Township Council award contracts for milling and paving, guide rails and complete line striping (subject to final approvals from the New Jersey Department of Transportation) through the use of the Morris County Cooperative Pricing Council to the following contractors:

- 1) Milling & Paving: Tilcon New York, Inc. (Contract #6) in an amount of **\$56,653.65**; and
- 2) Traffic Striping: Denville Line Painting, Inc. (Contract #36) in an amount of **\$1,861.76**; and
- 3) Guide Rails: Road Safety Systems, LLC (Contract #26) in an amount of **\$8,431.80**.

WHEREAS, the Certified Municipal Finance Officer of the Township of Vernon has certified that the funds for these contracts are available in Account #C-04-20-011-01 Road Improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon that the vendors, Tilcon New York, Inc., Denville Line Painting, Inc., and Road Safety Systems be utilized for the Improvements to Pleasant Valley Drive through the respective Morris County Cooperative Pricing Council contracts at the amounts not to exceed listed herewith, subject to the final approval from the New Jersey Department of Transportation.

This Resolution shall take effect immediately according to law.

Resolution #20-187: Authorizing the Use of Morris County Cooperative Pricing Council for Proposed Improvements to Lake Pochung Road Phase II

Council President Shortway asked for a motion to approve Resolution #20-187.

MOVED: John Auberger
SECOND: Andrew Pitsker

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #20-187.

RESOLUTION #20-187

AUTHORIZING THE USE OF MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR PROPOSED IMPROVEMENTS TO LAKE POCHUNG ROAD PHASE II

WHEREAS, the Township of Vernon has a need for contracting services for Proposed Improvements to Lake Pochung Road, Phase II; and

WHEREAS, the Morris County Cooperative Pricing Council advertised and received bids for roadway milling, paving, guide rails; catch basin retro fitting and complete line stripping; and

WHEREAS, the bids received allowed for vendors to extend their pricing to municipalities who are a member of the Morris County Cooperative Pricing Council, a State regulated County Contract Purchasing System; and

WHEREAS, the Vernon Township Engineer recommends the Township Council award contracts for milling and paving, guide rails, catch basin retrofitting and complete line striping (subject to final approvals from the New Jersey Department of Transportation) through the use of the Morris County Cooperative Pricing Council to the following contractors:

- 1) Milling & Paving: Tilcon New York, Inc. (Contract #6) in an amount of **\$262,868.30**; and
- 2) Traffic Striping: Denville Line Painting, Inc. (Contract #36) in an amount of **\$8,656.40**; and
- 3) Guide Rails: Road Safety Systems, LLC (Contract #26) in an amount of **\$49,946.80**; and
- 4) Catch Basin Retrofitting: General Foundries (Contract # 14) in an amount of **\$2,041.00**.

WHEREAS, the Certified Municipal Finance Officer of the Township of Vernon has certified that the funds for these contracts are available in Account #C-04-20-011-01 Road Improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon that the vendors, Tilcon New York, Inc., Denville Line Painting, Inc., Road Safety Systems and General Foundries, Inc. be utilized for the Improvements to Lake Pochung Road Phase II through the respective Morris County Cooperative Pricing Council contracts at the amounts not to exceed listed herewith, subject to the final approval from the New Jersey Department of Transportation.

This Resolution shall take effect immediately according to law.

Resolution #20-188: Authorizing the Use of Morris County Cooperative Pricing Council for Proposed Improvements to Breakneck Road Phase II

Council President Shortway asked for a motion to approve Resolution #20-188.

MOVED: Kelly Weller

SECOND: Jean Murphy

Council Member Murphy asked if Vernon Township is supposed to be getting a grant on this improvement.

Township Administrator Voelker answered yes, after the project is completed.

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #20-188.

RESOLUTION #20-188

AUTHORIZING THE USE OF MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR PROPOSED IMPROVEMENTS TO BREAKNECK ROAD PHASE II

WHEREAS, the Township of Vernon has a need for contracting services for Proposed Improvements to Breakneck Road Phase II; and

WHEREAS, the Morris County Cooperative Pricing Council advertised and received bids for roadway milling, paving, and complete line stripping; and

WHEREAS, the bids received allowed for vendors to extend their pricing to municipalities who are a member of the Morris County Cooperative Pricing Council, a State regulated County Contract Purchasing System; and

WHEREAS, the Vernon Township Engineer recommends the Township Council award contracts for milling and paving, and complete line striping (subject to final approvals from the New Jersey Department of Transportation) through the use of the Morris County Cooperative Pricing Council to the following contractors:

- 1) Milling & Paving: Tilcon New York, Inc. (Contract #6) in an amount of **\$204,070.00**; and
- 2) Traffic Striping: Denville Line Painting, Inc. (Contract #36) in an amount of **\$9,566.80**;

WHEREAS, the Certified Municipal Finance Officer of the Township of Vernon has certified that the funds for these contracts are available in Account #C-04-20-011-01

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Vernon that the vendors, Tilcon New York, Inc, and Denville Line Painting, Inc. be utilized for the Improvements to Breakneck Road Phase II through the respective Morris County Cooperative Pricing Council contracts at the amounts not to exceed listed herewith, subject to the final approval from the New Jersey Department of Transportation.

This Resolution shall take effect immediately according to law.

Resolution #20-189: Resolution Authorizing the Issuance of Not Exceeding \$1,897,996 Bond Anticipation Notes of the Township of Vernon, In the County of Sussex, New Jersey

Council President Shortway asked for a motion to approve Resolution #20-189.

MOVED: Andrew Pitsker

SECOND: Kelly Weller

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolution #20-189.

RESOLUTION # 20-189

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,897,996 BOND ANTICIPATION NOTES 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. Pursuant to a bond ordinance of the Township of Vernon, in the County of Sussex (the "Township") entitled: "Bond ordinance providing for the restructuring of a portion of the cost of acquisition of capacity at the sanitary sewage treatment plant of the Sussex County Municipal Utilities Authority by the Township of Vernon, in the County of Sussex, New Jersey, appropriating \$2,800,000 therefor and authorizing the issuance of \$2,666,000 bonds or notes of the Township for financing such appropriation", finally adopted on November 14, 2011 (#11-23), bond anticipation notes of the Township in a principal amount not exceeding \$1,897,996 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 3. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. The Chief Financial Officer is hereby authorized and directed 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 (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) 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 5. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 6. This resolution shall take effect immediately.

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

AYES: Five

NAYS: Zero

Resolution #20-190: Resolution Authorizing Interlocal Services Agreement for the Services of the Department of Public Works

Council Member Auberger made a motion to table Resolution #20-190 until the next Township Council meeting September 28, 2020, seconded by Jean Murphy.

Council Member Auberger asked if this can be sent to the Union for review so we do not have to table this for the third time.

Council Member Murphy questioned if the Director of the DPW is involved in the choosing the two DPW Laborer employees or just the Mayor or the Mayor's designee as stated in the resolution.

Administrator Voelker answered that the Mayor could delegate the responsibility to the DPW Director.

Council Member Murphy asked why the resolution does not state that. She feels that the DPW Director would know better as far as who he needs in the positions.

Administrator Voelker said the DPW Director has that discretion. In the past it was discussed and depending on the projects that were being done by the DPW as a whole and then a determination was done as to who would be the best fit on any given day or week.

MOVED: John Auberger
SECOND: Jean Murphy

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to table Resolution #20-190 until the next Township Council meeting September 28, 2020.

Resolution #20-191: Refund Overpayment (Block 527 Lot 184 – DePalma-Farr)

Resolution #20-192: Refund Overpayment (Block 527 Lot 184 – DePalma-Farr)

Resolution #20-193: Refund Overpayment Due to State Tax Court Judgement (Ruggieri) Block 469 Lot 43

Resolution #20-194: Refund Overpayment Due to State Tax Court Judgement (Ruggieri) Block 469 Lot 43

Resolution #20-195: Refund Overpayment Due to State Tax Court Judgement (Mitchell) Block 528 Lot 147

Resolution #20-196: Refund Overpayment Due to State Tax Court Judgement (Mitchell) Block 528 Lot 147

Resolution #20-197: Refund Overpayment Due to State Tax Court Judgement (Mitchell) Block 528 Lot 147

Resolution #20-198: Refund Overpayment Due to State Tax Court Judgement (Ryan) Block 527 Lot 295

Resolution #20-199: Refund Totally Disabled Veteran (Block 338 Lot 6 – Ponsica)

Resolution #20-200: Refund Totally Disabled Veteran (Block 338 Lot 6 – Ponsica)

Resolution #20-201: Refund Totally Disabled Veteran (Block 234 Lot 108 – Beltran)

Resolution #20-202: Refund Totally Disabled Veteran (Block 234 Lot 108 – Beltran)

Council President Shortway asked for a motion to approve Resolutions #20-191, #20-192, #20-193, #20-194, #20-195, #20-196, #20-197, #20-198, #20-199, #20-200, #20-201 and #20-202.

MOVED: Jean Murphy

SECOND: John Auberger

A roll call vote was taken:

AYES: Auberger, Murphy, Pitsker, Weller, Shortway

NAYES: None

ABSTAIN: None

ABSENT: None

Motion carried to approve Resolutions #20-191, #20-192, #20-193, #20-194, #20-195, #20-196, #20-197, #20-198, #20-199, #20-200, #20-201 and #20-202.

RESOLUTION # 20-191

REFUND OVERPAYMENT

(Block 527 Lot 184 – DePalma-Farr)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Matthew and Catherine Perna, in the amount of \$1,638.79 representing

refund for overpayment of 3rd qtr. 2020 property taxes for Block 563 Lot 37 also known as [REDACTED]

RESOLUTION # 20-192

REFUND OVERPAYMENT

(Block 527 Lot 184 – DePalma-Farr)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Vaugh DePalma-Farr, in the amount of \$889.39 representing refund for overpayment of 3rd qtr. 2020 property taxes for Block 527 Lot 184 also known as [REDACTED]

RESOLUTION # 20-193

REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT

(Ruggieri) Block 469 Lot 43

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 469 Lot 43 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 \$1,234.49 to Spiotti & Esposito, P.C. Attorney Trust Account.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION # 20-194

REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT

(Ruggieri) Block 469 Lot 43

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2018: and,
WHEREAS, such Judgment has resulted in an overpayment of 2018 property taxes for Block 469 Lot 43 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 2018 overpayment in the amount of \$1,268.40 to Spiotti & Esposito, P.C. Attorney Trust Account.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION # 20-195

REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT

(Mitchell) Block 528 Lot 147

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2015: and,
WHEREAS, such Judgment has resulted in an overpayment of 2015 property taxes for Block 528 Lot 147 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 2015 overpayment in the amount of \$886.72 to Wolf Vespasiano, LLC Attorney Trust Account, attorney for Plaintiff

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION # 20-196

REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT

(Mitchell) Block 528 Lot 147

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2016: and,
WHEREAS, such Judgment has resulted in an overpayment of 2016 property taxes for Block 528 Lot 147 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 2016 overpayment in the amount of \$889.78 to Wolf Vespasiano, LLC Attorney Trust Account, attorney for Plaintiff
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION # 20-197

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT
(Mitchell) Block 528 Lot 147**

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 528 Lot 147 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 \$891.14 to Wolf Vespasiano, LLC Attorney Trust Account, attorney for Plaintiff
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION # 20-198

**REFUND OVERPAYMENT DUE TO STATE TAX COURT JUDGMENT
(Ryan) Block 527 Lot 295**

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2015: and,
WHEREAS, such Judgment has resulted in an overpayment of 2015 property taxes for Block 528 Lot 295 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 2015 overpayment in the amount of \$260.80 to Wolf Vespasiano, LLC Attorney Trust Account, attorney for Plaintiff
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Treasurer and Tax Collector.

RESOLUTION #20-199

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 338 Lot 6 – Ponsica)**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS awarded Carlo Ponsica 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 3rd quarter 2020 property tax in the amount of \$1416.24 to Carlo Ponsica.

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

RESOLUTION #20-200

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 338 Lot 6 – Ponsica)**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS

awarded Carlo Ponsica 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 cancel 2020 and 2021 property tax.

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

RESOLUTION #20-201

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 234 Lot 108 – Beltran)**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS awarded Alejandro Beltran 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 2nd & 3rd quarter 2020 property tax in the amount of \$2,956.89 to Alejandro Beltran.

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

RESOLUTION #20-202

**REFUND FOR TOTALLY DISABLED VETERAN
(Block 234 Lot 108 – Beltran)**

WHEREAS, THE DEPARTMENT OF VETERANS AFFAIRS awarded Alejandro Beltran 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 cancel 2020 and 2021 property tax.

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

Resolution #20-203: Public Notice of Assignment of Municipal Tax Sale Certificates

Council President Shortway asked for a motion to approve Resolution #20-203.

MOVED: Andrew Pitsker
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Murphy, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve Resolution #20-203.

RESOLUTION # 20-203

**PUBLIC NOTICE OF ASSIGNMENT OF
MUNICIPAL TAX SALE CERTIFICATES**

Notice is hereby given that the Township of Vernon in the County of Sussex, has set September 14, 2020 at 7:00 pm as the date, time and place to consider the offer of NJSL 301, LLC to acquire by assignment, the following Tax Sale Certificates, held by the Township of Vernon as:

BLOCK	FKA	LO T	FKA	AMOUNT OWED	OWNER ON CERT.
2	10	8	25	\$21,773.73	O’KANE,BERNARD P
234	124.12	41	4	\$3,435.20	MATTHEWS,TERE NCE & JACQUELINE
267	126.12	2	17	\$14,409.08	HOLMES,DOROTH Y L
273	132.04	71	28	\$18,426.83	HOPPER,JOHN W
427	154.13	28	36	\$17,349.59	ALLIED DEVELOPMENT & REAL ESTATE HO
427	154.10	50	12	\$10,715.05	SHIRHALL,ROBER T M & ERIN E

Said offer represents the amount due with subsequent liens. The owner of said property and all interested parties will be given the opportunity to be heard prior to taking action by the Township Council.

This notice is given pursuant to the provision of NJSA 54:5-113 et seq.

Resolution #20-204: Resolution Honoring the Vernon Township High School Senior Class of 2020 and Designating Main Street as “2020 Senior Drive”

Council President Shortway asked for a motion to approve Resolution #20-204.

MOVED: Jean Murphy
SECOND: Andrew Pitsker

A roll call vote was taken:
AYES: Murphy, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: Auberger
ABSENT: None

Motion carried to approve Resolution #20-204.

RESOLUTION #20-204

**RESOLUTION HONORING THE VERNON TOWNSHIP HIGH SCHOOL SENIOR CLASS OF
2020 AND DESIGNATING MAIN STREET AS “2020 SENIOR DRIVE”**

WHEREAS, the Vernon Township High School Senior Class of 2020 has worked hard, honed their many talents, and made sacrifices to finish their academic careers in the Township of Vernon; and

WHEREAS, the Class of 2020 has experienced a senior year unprecedented in recent history due to the COVID-19 global pandemic. This has prevented many expected milestones such as attending the prom and having in person award and graduation ceremonies; and

WHEREAS, the Township of Vernon would like to encourage these young people and recognize the great milestone of graduating from high school and beginning their adult and professional lives. While the current circumstances present challenges, the experience gained through the national and state emergency will increase the resiliency of our 2020 graduates to excel throughout their lives; and

WHEREAS, this is the ending of one chapter and the beginning of another for the Class of 2020. This is a time for the Township of Vernon to come together in solidarity to support our future leaders; and

WHEREAS, the Township of Vernon commends the Vernon Township High School Senior Class of 2020 and wishes them well in their future endeavors; and

WHEREAS, Resolutions #20-123 and #154 were previously passed to temporarily renaming Main Street in honor of the Vernon Township High School Senior Class of 2020 through September 30, 2020; and

WHEREAS, a determination has been made to make the honorary designation permanent.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon hereby honors the Vernon Township High School Senior Class of 2020 and authorizes the continued and permanent presence of the honorary street signs stating “2020 SENIOR DRIVE” to recognize and honor the achievements of the Vernon Township High School Senior Class of 2020 above the sign designated Main Street at the following locations: the intersection of Main Street and State Route 94; intersection of Main Street and County Route 515; and at the intersections of Main Street and Guthrie Road.

Resolution #20-205: Renewal of Liquor Licenses in the Township of Vernon for the 2020-2021 Licensing Term

Council President Shortway asked for a motion to approve Resolution #20-205.

MOVED: Jean Murphy
SECOND: Kelly Weller

A roll call vote was taken:
AYES: Auberger, Murphy, Pitsker, Weller, Shortway
NAYES: None
ABSTAIN: None
ABSENT: None

Motion carried to approve Resolution #20-205.

RESOLUTION #20-205

**RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF VERNON
FOR THE 2020-2021 LICENSING TERM**

WHEREAS, all licenses to dispense alcoholic beverages must be renewed and reissued annually no later than September 30, 2020; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et. seq., the Vernon Township Police Department has made the necessary inspections and reported same to the Township Clerk; and

WHEREAS, all of the licensees have complied with all of the regulations as set forth by the Alcoholic Beverage Control Commission of the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the following licenses shall be reissued for the 2020-2021 licensing period effective as of October 1, 2020.

CLUB LICENSE

Wallkill Valley VFW Memorial Post #8441

1922-31-010-002

PLENARY RETAIL CONSUMPTION

Smokeys Glenwood Grill, LLC
Great Gorge Entertainment LLC

1922-33-013-004
1922-33-003-008

Appalachian Liq. Debtor In Possession	1922-33-007-015
Drew's Tavern, Inc. (Lamp Post Inn)	1922-33-001-004
PLENARY RETAIL DISTRIBUTION	
Mac & Lindy's LLC (Mac & Lindy's Fine Wine & Spirits)	1922-44-012-001
HOTEL EXCEPTION	
Stone Hill Recreation SPE LLC	1922-36-011-003

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Ordinance #20-16: An Ordinance Amending the Vernon Township Administrative Code Chapter 250, Article II Fees and Escrows Enumerated in Section 250-15 Related to Animal Control

Council President Shortway read by title Ordinance #20-16.

Council President Shortway asked for a motion to introduce Ordinance #20-16.

MOVED: Andrew Pitsker
 SECOND: Kelly Weller

A roll call vote was taken:
 AYES: Auberger, Murphy, Pitsker, Weller, Shortway
 NAYES: None
 ABSTAIN: None
 ABSENT: None

Motion passed to introduce Ordinance #20-16.

Ordinance #20-17: Ordinance of the Township of Vernon, County of Sussex, State of New Jersey, Authorizing Acceptance of an Amended Easement for the Property Known as Block 395, Lot 4 on the Official Tax Map of the Township of Vernon

Council President Shortway read by title Ordinance #20-17.

Council President Shortway asked for a motion to introduce Ordinance #20-17.

MOVED: Andrew Pitsker
 SECOND: John Auberger

A roll call vote was taken:
 AYES: Auberger, Murphy, Pitsker, Weller, Shortway
 NAYES: None
 ABSTAIN: None
 ABSENT: None

Motion passed to introduce Ordinance #20-17.

PUBLIC COMMENTS

Council President Shortway asked for a motion to opened the meeting for Public Comments.
 MOTION: John Auberger
 SECOND: Kelly Weller
 All members were in favor.

Jessica Paladini – Vernon Township, spoke to Harry Shortway and any elected and appointed official at the meeting. Ms. Paladini said if you ever publicly lie, slander, harass, or defame her and her reputation and integrity like Harry Shortway did at the last meeting and the last five years, there will be legal

consequences. She feels that Harry Shortway did this because she repeatedly told the Mayor, Council and Business Administrator of the violations to the Open Public Meetings Act, the violations to the Open Public Records Act and the falsified meeting minutes of the Vernon Township High School science teacher and former Environmental Commission Chairwoman Cara Brown and her lawlessness.

Ms. Paladini feels that she was falsely accused of collusion with the MUA over sewer fees. She asked Mr. Shortway why has that building still not been hooked up to the sewer 5 years after he got into office. Ms. Paladini asked if it was because of a deal that was made with the BOE and the current owner to force the Historical Society out.

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: Andrew Pitsker

All members were in favor.

MAYOR COMMENTS

PUBLIC MEETING ON CHANGE TO ANNUAL REASSESSMENT

As part of our efforts to Move Vernon Forward, your town government has taken action to:

1. Ensure that the property taxes that our residents and other taxpayers are obligated to pay, are accurate, fair, and in line with current market trends; and ...
2. Prevent the kinds of sudden and steep property tax changes, or significant “tax shifts”, that result from the long, 10-year periods between normal municipal revaluations.

As part of our approach to accomplish these two important objectives, I recently announced that our town had requested, and received, approval from the Sussex County Board of Taxation and the New Jersey Division of Taxation to conduct property reassessments every year, rather than every 10 years.

With the implementation of the process of conducting property reassessments every year, rather than conducting the more costly and bureaucratic property revaluations every 10 years, Vernon Township will join with 116 other New Jersey municipalities who use this method of determining the value of the properties within their borders.

While I have communicated directly, publically, and privately to a host of our residents concerning this change to an annual municipal assessment, the questions that I and our Tax Assessor, Ms. Kristen Umansky, have received reveals to me that my communications have not been as clear or as effective as I had hoped that they would be.

And therefore, on next Monday, September 21, at 7:00 p.m., Ms. Umansky will join with Associated Appraisal Group, the well-known firm that the township has contracted with to assist us in conducting our reassessment program, in hosting a public Zoom meeting presentation and question and answer session on our annual reassessment program.

A notification concerning this public Zoom meeting presentation and question and answer session has already been posted on the town’s website; the link that will enable the public to participate in this session will be added to that posting on or before Friday, September 18.

I look forward to the time when important meetings such as this presentation/question and answer session, as well all of our governmental meetings, can again be held in person.

However, at this point in time, the COVID-19 rules concerning the number of individuals that we can have in a facility, combined with the social distance guidelines, do not allow us accommodate residents in our municipal facilities as we did before this coronavirus interceded in our lives.

However, we look forward to you joining the Friday, September 18, Zoom presentation/question and answer session on our town’s annual reassessment initiative.

GOOD NEWS FOR VERNON AND ITS FINANCIAL FUTURE!

My Vernon Family, it is with pleasure I inform you of a result from the Council's and the Mayor's corporative efforts to Move Vernon Forward.

On this past Friday, Moody's Investors Service, the world renowned company that ranks the creditworthiness of borrowers, announced that they had award Vernon Township the bond rating of Aa3, the rating that Moody's awards organizations that are - - and I quote from their rating guide - - "Rated as high quality and very low credit risk".

Based on Moody's judgement of our town's finances prior to 2017, they had put a negative outlook on our town's financial affairs. However, in Moody's press release concerning Vernon's bond rating, they stated, and again I quote, "The negative outlook has been removed".

As reasons for this good bond rating and improved outlook, Moody's cited:

→ Vernon's recent years of rebuilding its Fund Balance - - that is the town's savings account - - that was started under former Mayor's Shortway's leadership; and the Mayor and Council's wise and appropriate use of funds from that Fund Balance to help out the town's taxpayers in the face of this COVID-19 created economic crisis.

→ The recently implemented plan to replace town vehicles and equipment in an efficient and financially responsible manner.

→ Actions being taken to pay down the town's debt and to create a pay-as-you-go system for most capital expenses.

→ Actions being taken to foreclose on vacant lots in Tax Lien status; actions that help to reduce the drain of cash from the town, as well as helping to reduce the amount of tax dollars that we must include in our annual budget as a reserve for uncollected taxes.

→ The recent passage of our Short Term Rental Ordinance, which will not only contribute to making the town safer, but will also bring in income that will reduce tax increases. And...

→ The outstanding support of our town by its largest taxpayer, Mountain Creek. Mountain Creek has not only paid their taxes in full and on time, but they have consistently made their sewer debt payments ahead of time.

These results are indeed good news for Vernon Township and its financial future. And I want to thank our town's Chief Financial Officer, Ms. Donelle Bright, for her very sound and creative financial leadership. Her specific planning, organizing, directing, coordinating, and controlling financial actions played an indispensable role in our town getting this good bond rating, and these very positive financial comments.

I used part of my comments at tonight's Town the Council to shine a light on one of the recent positive things that our outstanding Director of Recreation and Community Affairs, Ms. Mishelle Downtain, and our equally outstanding Senior Center Manager, Ms. Jane Damstra, have done to enhance the quality of life for those senior citizens that we are so fortunate to have as a part of our community family.

As I have previously communicated, we have not yet received approval from the Department of Health to re-open the Senior Center portion of the Municipal Center for the specific purpose of serving our senior citizens.

However, Ms. Downtain and Ms. Jane Damstra have worked close with a host of positive individuals and organizations in our area to put together the procedures and the amenities which allow our seniors to pick up takeout meals at the Senior Center, and offers them the additional opportunity to socialize, from a proper social distance, while eating their meals in a beautiful area under canopy tents located in a safe area out front of the Senior Center.

This beautiful outdoor area for the senior members of our Vernon family was made possible by:

→ Kuiken Brothers Building Supply Company, who donated the wood that Eagle Scout, Paul Mele, Jr. used to build the planters.

- Volunteers from the community organization, Vernon Cares, who added a special look to the planters by staining them.
- Ms. Dawn Montanaro, from the McAfee Garden Center, who donated the plants for the planters, and did the planting.
- Pappas Garden, who donated the plants for all of the other ground containers.
- Our own Vernon Rotary, who purchased a needed storage shed, locks and solar lights. And in addition, they purchased two complete table and chair sets for this senior facility, provided the human power to build many of the items, and helped with cleaning up the facility and getting it ready for our seniors to use.
- And of course, our Department of Public Works, which plays such a key role in so many of the things that we do in this township, contributed to this project. Key and indispensable contributions were made by DPW staff members Joe Pariso, Nick Pugliese, Mark Izzo, and Jane Tutolo.

COUNCIL COMMENTS

Council Member Murphy asked if Council President Shortway received the minutes from the last three meetings of the Wastewater Feasibility Committee. She feels the minutes should be completed.

Council Member Murphy asked about the meeting the Mayor and Business Administrator had with residents from Brook Hollow and asked if there was an update.

Mayor Burrell commented that they met with all of the residents from Brook Hollow except one. As an outcome of the meeting they are trying to find financing to build the bridge and they may need an assessment and the residents agreed to this. Mayor Burrell explained that a source to find the financing has not been found. They are still looking for financing and Mayor Burrell asked for ideas if anyone had any ideas as to where Brook Hollow could get the financing from.

Council Member Murphy said she had an idea but did not want to talk about it in public.

Council Member Murphy mentioned that on Route 517 the County painted on the road in large bright letters the word "slow". with an arrow showing that there is a sharp bend coming up. She feels that driving at night this catches your eye and Vernon can use this on some of their roads with sharp turns.

Council Member Murphy commented that she was sorry to see that Cara Brown was subjected to the abuse, and she was sorry to see that she left the Environmental Commission. Council Member Murphy wishes that things like that would stop happening to our very valuable volunteers.

Council Member Auberger thanked the first responders and the public who came out to Vernon's first 911 Memorial Service. It was very nice and great see the different age groups that were there, from the Scouts to the Seniors. He hopes the service happens every year.

Council Member Weller commented that she was not able to be at the 911 Memorial Service but she said she did hear wonderful things about it and it was nice to hear there was such a great turnout.

Council Member Weller told Mayor Burrell that it is wonderful news that Moody's had a good report and thanked him for sharing that news with all of us.

Council Member Weller commented on the trash that was dumped at Maple Grange Park is so disheartening and it is hard to believe that someone would do that to our park. She hopes they find out who did the dumping.

Mayor Burrell responded saying that progress is being made to find out who did the dumping and it is very disheartening.

Council Member Weller commented that the Farmer's Market had over 20 vendors and it was the most amazing Farmer's Market we have had to date. She said it was wonderful to see so many vendors and people there and this is what Vernon is all about. Council Member Weller thanked Mishelle Downtain and all the others for all of their hard work.

Council Member Pitsker said he was proud to be at the 911 Memorial and we could not have done it without the Fire Department. He said the Farmer's market had a lot of energy and hopefully in 2 weeks it will be even better.

Council Member Pitsker mentioned that he visited the DPW site with Mayor Burrell and Administrator Voelker where the pump track and trail are being proposed. Council Member Pitsker reviewed the piles of stone, asphalt and railroad ties. He notes that the railroad ties need to be removed because they are construction debris. Council Member Pitsker noted that this area is a worksite for bringing material for various jobs throughout the town. He sees the sites as staging areas and process points to bring material to and determine the proper disposal methods of material. He does believe that the DPW need to be more diligent in keeping with the maintenance and disposal of materials, this will help us address these issues in the future. Council Member Pitsker walked through various areas of the property looking for any issues other than the documented piles that we know about. His findings so far walking through the 11 acres are minimal. He found drainage pipe, various construction material, a couple of tires, and a golf ball. He is a bit perplexed because he had difficulty finding the materials on the site that are pictured on social media but with permission he will continue to hunt for these things in the pictures. Council Member Pitsker said we have an opportunity to clean up what was found and this is our opportunity to fix it and make it right so we can move forward. Council Member Pitsker feels that the DPW's actions needs to be addressed. There needs to be a better process in place, accountability and solutions so that the site is maintained more effectively in the future.

Council Member Pitsker is researching other towns and states who have benefited from the utilization of trails and trail ways. Work needs to be done to confirm the analytics and the cost. Most important safety comes first, as a town we need to address everyone's concerns and do our due diligence to come together to make this happen.

Council Member Pitsker had the opportunity to attend the grand opening of the Executive Insurance. He spoke to some of the business people in the town who either currently have a business in the town or are trying to bring in a business. Council Member Pitsker said that there is a lot of frustration when trying to get permits and work with the Land Use Board to get businesses off the ground quicker. Council Member Pitsker proposes we find a solution, a potential liaison to link the new business prospects to the Township, Government and the building and permitting processes so they can have a better understanding. Council Member Pitsker requested that the Mayor consider to have one of the Committees to address and take action so that we can move Vernon on the business side more effectively.

COUNCIL PRESIDENT COMMENTS

Council President Shortway commented on the 911 Memorial Service was truly moving and he glad Vernon did it.

Council President Shortway said that Jessi Paladini's accusations are totally false. He thanked Council Member Murphy for sticking up for Cara Brown. He said Cara Brown is a wonderful person who he considers a pillar in this community.

I would like again to point out the Mountain Creek under the leadership of Joe Hession has satisfied all of Creek's sewer financial obligations. This amount is approximately 2.7 million dollars. In addition, MC is current on their property taxes. The Mountain Creek Team not only works with our community they are a vital part of our community.

Currently, Minerals owes Q1-Q3 of their sewer bills for a total of \$133,359.76.

Minerals also owes \$43,191.25 in taxes.

Minerals has also applied for additional building permits and have open permits.

I am respectfully requesting that the Administration enforce our building codes;

[341-1: Payment of delinquent taxes and assessments required prior to issuance or reissuance of license or permit.](#)

[341-2: Revocation of license or permit for nonpayment; reinstatement.](#)

Our community should not tolerate any entities that do not fulfill their financial obligations and who have a history of controversial action or inaction.

The State has provided the Township a waiver of the requirement to appoint a Municipal Plan Endorsement Advisory Committee.

Much appreciation to Jessica Caldwell and her staff for their diligent work and the following entities for their assistance:

Vernon Police Athletic League

Vernon Chamber of Commerce

Greenway Action Advisory Committee

The 2018 & 2019 Vernon Economic Development Advisory Committee

Vernon Township Board of Education

The Vernon Land Use Board

All the businesses that provided input including the Daily Bean, Heaven Hill Farm, BOZ Electric and Smokey's Brick Oven Pizza.

And all residents that completed the EDAC survey in 2018.

Your assistance in marching Vernon forward is greatly appreciated.

In closing Council President Shortway thanked everybody for all of the hard work they do especially the volunteers. We are hearing constantly about the Farmer's Market and we are going forward. Mr. Mayor thank you for all of the assistance and leadership by you and your co-workers. We do have some wonderful employees who work for the town and outstanding volunteers and he thanks them all.

ADJOURNMENT

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

The Meeting of the Township Council of the Township of Vernon was adjourned at 7:58 p.m.

Respectfully submitted,

Marcy Gianattasio, RMC, CMR
Municipal Clerk

Harry Shortway,
Council President

Minutes approved: September 28, 2020