

Township of Vernon

TOWNSHIP COUNCIL MEETING MINTUES

September 23, 2019

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:00 p.m. on September 23, 2019 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Jean Murphy presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 3, 2019 and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

ROLL CALL

Present were Council Members Patrick Curreri, Mark Van Tassel, John Auberger and Council President Murphy, Attorney Josh Zielinski, Mayor Harry Shortway, and Business Administrator Charles Voelker. Council Member Ooms was not present.

SALUTE TO THE FLAG

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

PROCLAMATIONS

Council President Murphy read the Proclamation for Bells Across America to honor fallen firefighters.

Recognizing Bells Across America

WHEREAS, being a firefighter is a very satisfying profession that is highly respected by children and adults alike; and

WHEREAS, firefighters stand for all that is good in our society which is why they are one of the few occupations to be welcomed into your homes without an appointment; and

WHEREAS, communities rely on their firefighters to solve many types of problems ranging from fires, floods, traffic accidents, and hazardous materials incidents, and more; and

WHEREAS, firefighters go through a rigorous training program so they can follow their dreams to serve their communities with the knowledge that the other members of their team have been equally trained and will look out for each other; and

WHEREAS, despite human instinct to run away from a fire for fear of being injured, firefighters are the only ones who run towards a burning building as they are willing to risk their lives for complete strangers regardless of race, creed, color, or socioeconomic status; and

WHEREAS, Bells Across America will be held during National Fallen Firefighters Memorial Weekend held on October 5 and 6 to honor those fallen heroes who have made the ultimate sacrifice; and

WHEREAS, Vernon Township has been fortunate to not lose any firefighters in the line of duty while serving with our fire departments: Highland Lakes, McAfee, Pochuck Valley, and Vernon.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Vernon that it does hereby recognize all Fallen Firefighters.

“PLEDGE TO PAUSE” PRESENTATION

Lindsay McAloney, Vernon Township High School teacher came forward to explain “Pledge to Pause” program which she created with the Vernon Coalition to keep negative online posting and hate speech to a minimum. The multi-tiered initiative questions whether the Vernon community that negatively posts online would continue that conversation in local stores with their children present setting a terrible example. Ms. McAloney said her first event was at Artstanding where 284 took the pledge by painting their hands red, then applying it to the banner with their signature.

She recited the Pledge: I Pledge to Pause before posting negative words, images or comments involving other individuals. I understand my words have the power to affect the daily life, mental health and wellbeing of others. I will think about the impact my words will have on others before I post. I pledge to Pause before posting negative words or comments regarding a community establishment like a restaurant, school, business or township organization, etc. I understand my words have power to persuade others from frequenting the establishments and adversely affect those local businesses and organizations. Rather than post negatively, impacting our community in that way, I agree to contact the business privately with my concerns so they can improve for other customers, enhancing our community. With this handprint, I pledge to leave a positive digital footprint.

Ms. McAloney explained that people go straight to Facebook with negative comments about businesses, trumping the chain of command. She explained that Tier 1 is taking the pledge and placing handprints on the banners. Tier 2 of the Pledge asks businesses to support the initiative by displaying a handprint poster in the window reminding customers to go the business first before posting on social media to allow concerns to be corrected. She noted that most local business owners are residents, friends, coaches and community members are willing to address issues.

Ms. McAloney commented that when Vernon school children are provided chrome books, first thing they are taught is to leave a positive digital footprint and added that this presentation was done before the Board of Education members who all took the pledge. She added her goal is to reach many of the Vernon community creating numerous banners of handprint pledges that when taped together could be displayed throughout town for awareness of a nicer community. Ms. McAloney explained there is a Facebook page for Pledge to Pause with a hand logo which can be posted when anyone sees negative posts to remind people not to engage. Ms. McAloney commented she brought supplies and asked questioned if any one present would like to take the pledge. The Council took a recess to permit persons to take the pledge to pause.

Council President Murphy asked for a motion to take a brief recess at 7:16 p.m.

MOVED: Mark Van Tassel

SECOND: John Auberger

All members present voted in favor.

Council President Murphy asked for a motion to return to meeting at 7:26 p.m.

MOVED: John Auberger

SECOND: Mark Van Tassel

All members present voted in favor.

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: Mark Van Tassel

All members present voted in favor.

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

MOVED: John Auberger

SECOND: Mark Van Tassel

All members present voted in favor.

MINUTES

Council President Murphy asked for a motion to approve the Regular Meeting Minutes of August 26, 2019.

MOVED: John Auberger
SECOND: Patrick Curreri

A roll call vote was taken:

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

Motion carried.

CONSENT AGENDA

Council President Murphy gave brief explanation of Consent Agenda and asked for a motion to adopt Resolutions #19-190 through #19-196.

MOVED: John Auberger
SECOND: Patrick Curreri

A roll call vote was taken:

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

Motion Passed to adopt Resolutions #19-190 through #19-196.

**A RESOLUTION AUTHORIZING THE TWP. OF VERNON
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

RESOLUTION #19-190

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on September 23, 2019 the governing body of the **Township of Vernon**, County of **Sussex**, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Vernon

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION #19- 191

AUTHORIZING THE AWARD OF CONTRACT FOR CONTAINER SERVICE AT THE TOWNSHIP’S PUBLIC WORKS AND ANIMAL CONTROL FACILITIES

WHEREAS, there exists a need to haul and dispose of solid waste (type 10) containers at the Township’s Public Works and Animal Control facilities and;

WHEREAS, Gaeta Recycling Company has provided for quotes for these services proposed for the time frame of November 1, 2019 through October 31, 2020; and

WHEREAS, the Qualified Purchasing Agent has solicited formal quotes for these services, of which Gaeta Recycling Company was the lowest cost of the three (3) quotes; and

WHEREAS, the Qualified Purchasing Agent recommends awarding a contract to Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson, New Jersey 07053 who submitted the pricing of \$1,448.00 per month for a total of \$17,376.00 for the contract period of November 1, 2019 through October 31, 2020; and

WHEREAS, the Chief Financial Officer subject to the approval of the 2020 Municipal Budget certifies \$17,376.00 is available in:

2019 Municipal Budget (\$2,896.00): 9-01-26-310-20 Buildings and Grounds O/E

2020 Municipal Budget (subject to approval): 0-01-26-310-20 Buildings and Grounds O/E

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, the Mayor, Clerk and CFO are authorized to execute a contract with Gaeta Recycling Company, Inc., 278 Railway Ave., Paterson NJ 07053 not to exceed \$17,376.00

RESOLUTION #19-192

AUTHORIZING A DATE FOR MUNICIPAL TAX SALE

WHEREAS, the governing body of the Township of Vernon, County of Sussex, State of New Jersey, desires to collect all taxes, assessments and other municipal charges that are now delinquent; and

WHEREAS, The Tax Collector is directed to sell all municipal delinquencies through December 31, 2018 in a manner prescribed by N.J.S.A. 54:5-19, and as amended by Chapter 99, Public Laws of 1997.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon, that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with New Jersey law, both as stated above, on Wednesday, December 4, 2019 via Electronic Tax Sale.

RESOLUTION # 19-193

REFUND OVERPAYMENT

(Block 527 Lot 254 – Columbia Bank)

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Columbia Bank in the amount of \$817.03 representing refund for overpayment of 3rd qtr. 2019 property taxes for Block 527 Lot 254 also known as [REDACTED]

**RESOLUTION # 19-194
REFUND OVERPAYMENT
(Block 35 Lot 6 – Columbia Bank)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to Columbia Bank in the amount of \$2352.29 representing refund for overpayment of 3rd qtr. 2019 property taxes for Block 35 Lot 6 also known as [REDACTED].

**RESOLUTION # 19-195
REFUND OVERPAYMENT
(Various Lots and Blocks-CoreLogic)**

BE IT RESOLVED, by the Council of the Township of Vernon, Vernon, New Jersey, that a warrant be drawn to CoreLogic in the amount of \$ 6,682.52 representing refund for overpayment of the following property taxes:

OWNER	BLOCK	LOT	REFUND AMOUNT
CoreLogic	59	3	\$1783.34
CoreLogic	136	3	\$2497.12
CoreLogic	160	129	\$1473.62
CoreLogic	526	286	\$928.44
		TOTAL:	\$6682.52

RESOLUTION 19-196

RESOLUTION AMENDING RESOLUTION #19-179 – AUTHORIZING THE HIRING OF A HEARING OFFICER FOR DISCIPLINARY MATTERS

WHEREAS, the Vernon Township Council approved Resolution #19-179 on August 26, 2019; and

WHEREAS, the Township of Vernon desires to amend the Resolution for the award of service of Hearing Officer to conduct a disciplinary hearing regarding public employees; and

WHEREAS, Edward Florio, Esq. is an experienced and well qualified hearing officer for matters regarding public employees; and

WHEREAS, Edward Florio, Esq. shall be compensated \$150.00 an hour as needed not to exceed \$5,000.00 for his services and Chief Financial Officer certifies funds are available in Account # 9-01-20-155-53 of the 2019 Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Vernon in the County of Sussex, State of New Jersey, that Edward Florio, Esq. shall serve as the hearing officer for disciplinary matters regarding employees of Vernon Township and shall be compensated \$150.00 an hour as needed not to exceed \$5,000.00 for his services.

INTRODUCTION/1ST READING OF PROPOSED ORDINANCES

Council President Murphy read the title and asked for a motion to Introduce Ordinance #19-21.

Ordinance #19-21: An Ordinance Of The Township Of Vernon, County Of Sussex, State Of New Jersey, Amending And Supplementing Chapter 5 Of The Municipal Code Of The Township Of Vernon Entitled “Administration Of Government” To Update The Rules Of Order And Procedure Governing Council Meetings

MOVED: John Auberger
SECOND: Mark Van Tassel

A roll call vote was taken:

AYES: Patrick Curreri, Mark Van Tassel, John Auberger, Jean Murphy

NAYES: None

ABSTAIN: None

ABSENT: Sandra Ooms

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: Mark Van Tassel

All members voted in favor.

Peg Distasi, Silver Spruce Vernon, commented that Camp Sussex property had new owners in 2018 with idea of investing \$2-3 million for Art Project. Owners now have leased property to Hello Panda which proposes to hold weekly light festivals. Ms. Distasi questioned if this event is considered a special short temporary event as stated in Ordinance 02-04. She stated many questions about these events have arisen from the community regarding numbers of attendees, traffic flow, environmental issues, aquifer supply as well as noise and light pollution potentially impacting the quality of life for residents. Ms. Distasi suggested the Council invite the presenters of this event to explain their business plan but added that this self-contained event will not help any local businesses or the stability of Vernon's economic development. She suggested this event should be located in a commercial zone, not off of Route 565. Ms. Distasi stated that although Vernon cannot impede the right of way of the landowner to reasonable use of his property, she questioned the impact to other Vernon residents.

Amanda Hayes, Vernon, commented the great job that the Captain, Kevin Duffy, has done with increasing the volunteer members in the Glenwood Pochuck Ambulance Squad and praised the young people for giving back to the community with their volunteerism.

Kevin Duffy, Captain of Glenwood Pochuck Ambulance Squad thanked the squad members who volunteer every day and had over 20,000 riding hours, not include monthly training. He expressed appreciation for the overwhelming support of the Squad.

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

MOVED: Mark Van Tassel

SECOND: John Auberger

All members voted in favor.

MAYORS REPORT

Mayor Shortway stated that paving began today on Warwick Turnpike with line striping scheduled for next week. Mayor Shortway reported that engineering plans for Lake Pochung Road improvements continue as additional drainage issues were identified. Mayor Shortway explained the project requires NJDOT approval but noted that projects throughout the state are being delayed because the NJDOT now outsources the proposals. He added that weather may also be a concern for project to be completed in 2019.

Mayor Shortway reported that Applied Landscaping will begin the project at Maple Grange Park on September 24, 2019 with grading the stone and then turf is scheduled to be on site on September 30th beginning with filed #2. He noted that construction for both fields is anticipated to take four weeks with completion as early as mid-October.

Regarding the Revaluation, Mayor Shortway reported that new property values for 2020 will be determined based on their estimated market value as of October 1, 2019 and all property owners will be notified by mail of their new assessed values. He added that inspectors from Realty Appraisal will continue to visit all properties, measuring and photographing the exteriors of all buildings and inspecting the interiors. Mayor Shortway explained it is necessary for inspectors to examine the interior in order to properly assess each property. He explained that should an owner not be present at first visit, a card with contact information will be left for the owner to schedule another inspection.

Mayor Shortway reported that dumping of solid waste used as fill was found at a residential construction site on Murphy Court. The Township Engineer and Zoning Officer had found solid waste and further notified NJDEP for further investigation.

Mayor Shortway commented that Vernon Township officials are meeting with the organizers of the Hello Panda Festival and explained that requirements set by the Fire Prevention, Building, Zoning and Sussex County Health departments must be met before a permit to hold the event is issued.

Mayor Shortway reported that an electrical system failure occurred at Veteran's Memorial Park causing extensive damage to the 40-year old circuit box. Preliminary estimates to repair the damage exceed \$10,000 to \$15,000 and a complete overhaul could be as much as \$50,000.

Mayor Shortway quoted from Airbnb website: " Airbnb believes that short term rentals should support core public services. That's why, in addition to developing critical public safety tools, we are committed to working with towns to efficiently and effectively collect and remit lodging taxes on behalf of our hosts and guests." Mayor Shortway explained that Airbnb recognizes the need of some jurisdictions to limit aspects of Short Term Rentals (STR) but urges the Township to develop common-sense rules for engaging in home sharing which sets clear expectations for the host community. Airbnb believes it is possible to set in place fair guidelines which target bad actors without stifling the economic opportunities and flexibility home sharing provides families. Airbnb welcomes the opportunity to discuss regulatory solutions for Vernon.

Mayor Shortway stated that NJ Treasury agents visited the Township investigating short term rentals that are not paying the State Occupancy Tax. He noted that Airbnb will collect the tax required only with Ordinance in place and recommended Council to introduce the short term rental Ordinance at next meeting to begin receiving the hotel occupancy tax generated. Mayor Shortway claimed that Vernon has lost an opportunity to collect tens of thousands of dollars by failing to adopt this Ordinance and has asked the Township Attorney to have it ready for introduction.

COUNCIL COMMENTS

Council Member Auberger commented he saw a letter in the Advertiser News from someone who was berating the Vernon DPW for incompetent work. Council Member Auberger noted that the project in question was actually on a County Road done by contracted paving company and subcontractor flagging company; it was not related to the Township at all. Council Member Auberger added the individual should look before he leaps as the Vernon DPW does a wonderful job and works well with the public.

Council Member Van Tassel made no comments.

Council Member Curreri praised an organization Quilts of Valor who made quilts for service members and urged all public to show gratitude by keeping veterans in mind.

COUNCIL PRESIDENT COMMENTS

Council President Murphy commented in early 2019, a businessman from Flushing Queens told the Township that his company wanted to create a Camp for the Arts in the Camp Sussex location. The first event was to be the Festival of Lights by Hello Panda. Council President Murphy noted that they had met with Administration and the Township Officials for requirements as well as the Board of Education for student involvement, but progress has been slow. Council President Murphy stated the organizers were advertising at a County Fairgrounds event which prompted many residents questions.

Mr. Voelker indicated he had met with the organizers of Hello Panda and reported that as of today, there have been no permits issued by any department for the Hello Panda Festival. There will be a meeting this Wednesday with the organizers and all department officials involved to review requirements. Mr. Voelker noted confusion occurred due to website for the event which is being held at various other locations and had a high visitors turnout. Mr. Voelker indicated that the Township even would not have that many visitors or contain a beer-garden. He reported that the Vernon event is estimated to have 300-400 visitors per night.

Mr. Voelker explained because the progress has been slow, the Township will give them strict timelines for completion of requirements for the permits and require them to clarify their website with accurate information of what is expected in Vernon.

Council President Murphy questioned if the personnel manual has been distributed to the Fire Departments as part of the proposed Fire Department Ordinance. Mr. Voelker stated the personnel manual is still being revised to incorporate all current employment laws and is expected to be ready for Council discussion at the October meeting. He added that it will not be distributed until Council approval is received.

Council President Murphy questioned if there is any progress in obtaining the trail easements. Mayor Shortway stated there is no progress on easements and explained the Mountain Creek easement is held up due to conflicting legal authority.

Council President Murphy noted that the second reading of Ordinance concerning the entrance of Cedar Ridge development and RT 517 is scheduled to be on next agenda in October for adoption and questioned if the plans have been sent to Sussex County by the Township Engineer. Mr. Voelker explained the Engineer has prepared the calculations and will submit to the County, but it may not be approved by the County before the next meeting.

Council President Murphy questioned if the Revaluation completion date has been moved as there are residents that have stated that inspectors have not visited yet. Mayor Shortway stated the completion date may need to be extended.

Council President Murphy commented there is a meeting in Warwick, NY on 10/21/19 at Village Hall at 7:00 pm to discuss Airbnb issues and that Council Members may attend to hear their concerns.

Council President Murphy stated she asked the Township Attorney to review the Municipal Fee Ordinance regarding Mountain Creek because cost of pump house replacement was not included. Attorney Zielinski stated we need to know the cost to build a new pump house so it can be added to the obligations that Mountain Creek is paying to the Township. Mayor Shortway explained the Vernon Municipal Utility Authority(MUA) was supposed to obtain the quotations but agreed that being a Township asset, it should be obtained through Administration. Mayor Shortway stated a resolution may be needed to hire the Township engineer. Council President Murphy stressed the importance of adding the cost to the Ordinance so the Township can collect the funds and it is not ever forgotten. Attorney Zielinski noted the Township did give permission for the Vernon MUA to apply for the NJEIT grant but he was unsure of status.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 7:59 p.m.

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Jean Murphy,
Council President

Minutes approved: October 17, 2019