

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING**

February 14, 2008

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:14 p.m. in the Vernon Municipal Center, Church Street, Vernon, New Jersey with Mayor Austin Carew presiding. There were 8 interested persons in attendance.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press January 2, 2008 by delivering to the press and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant to the provisions of the Open Public Meetings Act.

SALUTE TO THE FLAG

The Mayor led the assemblage in the salute to the flag.

ROLL CALL OF MEMBERS

The roll call of members was called and Richard Carson, Neil Desmond, and Austin Carew answered the call. Also present were Melinda Carlton, Township Manager, and Michael Witt, Township Attorney. Mayor Carew stated Glenn McLaughlin called to say he would not be able to attend tonight's meeting. Let it be noted that James Oroho arrived at 7:55 p.m.

Allison Petrik stated she majored in Environmental Studies at Ramapo College. She led a campaign at the college for the College President to sign the President's Climate Commitment, to reduce the college's ecological footprint and become carbon neutral. She suggested that people need to take action against global warming by bringing clean energy to their community. She stated there are quick solutions (i.e. replace lighting with compact fluorescent light bulbs; composting; unplug appliances not in use, etc.) that Vernon's municipal offices and schools can take to slow down global warming.

OPEN THE MEETING TO THE PUBLIC

Gary Martinsen. He reiterated and agreed to what Allison Petrik stated to the township going green.

Thomas McClachrie. He asked if the resolution on the contract for Gene Osias will be approved tonight.

There being no further questions and/or comments, the Mayor closed the meeting to the public.

PRESENTATIONS AND SPECIAL ITEMS

Lou Kneip, Township Engineer, and Pat Seger, Recreation Director. Pat Seger gave a presentation on the Maple Grange Park Phase III. She said the park is the pride and joy for not only Vernon residents, but for other visitors as well. The park will be used by senior citizens who will start a senior walk day, children playing organized sports, and those individuals using the bike path. The high school track students use the bike path as part of their exercise program. Maple Grange Park is to be completed in different phases. Phase I was to install two multi-purpose rectangle fields that are completely finished. Phase I (a) included the snack bar facility with a community building and announcer booths. Phase II are two rectangle multi-purpose fields with two softball fields, which is 90% completed. Later it was determined it was impossible to have two rectangle fields so the township went with two softball fields incorporated into one field. Phase III is to upgrade Veterans Memorial Park, and Phase IV is for tennis courts, volleyball, horseshoes, playground, etc. Mrs. Seger recommended that the announcer booth be installed for football games. The purpose for a community building is because our town is a commuter town. The commuter can pickup their family member, go to the park for practice/game and have dinner at the community center. In addition, the center would have restroom facilities, and be used for other social/private gatherings as well as the holiday tree lighting. Lou Kneip commented on a concept plan prepared by Miliar and

Bauer, Landscape Architects, in 2000 and they envisioned a very elaborate and expensive community center, which included an indoor swimming pool. The location for this community center is owned by the State. The township staff realized this was not feasible so they envisioned a smaller, simpler community center on the upper plateau of the park site. Approximately two years ago, a modular Adirondack style building was considered, but was decided against after bids came in and the cost was thought to be too high. The contractors who specialize in modular homes do not often do public bidding, and are not bonded/insured. Ms. Seger recommended that the community center move forward now with the snack bar, covered pavilion and bathrooms. Eventually the building can be added on. She asked if the bocce court could be installed at the park since it was removed during the course of sewer construction. The bocce court was located behind the municipal complex at the far end of the parking lot. Lou Kneip said these are the essential elements to complete the park. The recreation department has a \$250,000 DCA grant for the community center. Melinda Carlton said this presentation is to give the council an overall picture as to where the township stands with Maple Grange Park's Phase II, and what is needed for Phase III. She will contact DCA to see if the grant could be used towards the architecture, design, etc. and other capital projects. Further research needs to be done on the liability and cost to the town of a pool. The council requested more detail on the DCA grant.

MANAGERS COMMENTS

Melinda Carlton gave a draft copy of the budget to the council and is close to finalizing it. She suggested that the council review the budget, and to forward their questions/comments to her. The budget will be introduced on March 11, 2008. The council discussed how the Vernon website could be improved.

ATTORNEY'S REPORT

Faulkner Act Presentation

Mayor Carew suggested that this presentation be held off until all council members are present. Michael Witt said he had nothing else to report.

DISCUSSION OF NEW ORDINANCES

No new ordinances to discuss.

FUTURE CONSIDERATION

Melinda Carlton said the McAfee Legends Redevelopment ordinance will be scheduled for first reading on March 13.

APPROVAL OF MINUTES

The Mayor asked that the Regular Meeting and Executive Session minutes of September 10, 2007 be carried to the next scheduled meeting.

CONSENT AGENDA

RESOLUTION #08-42: VERNON TOWNSHIP CANCELLATION OF HIGHLAND LAKES POLLUTION CONTROL GRANT RECEIVABLE AND APPROPRIATION BALANCES

WHEREAS, there is a receivable with an offsetting appropriation from the State of New Jersey Department of Environmental Protection Grant in the amount of \$1,000.00 and

WHEREAS, this receivable is no longer collectible as revenue

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriations be cancelled.

**RESOLUTION #R08-43: AUTHORIZING AND DIRECTING
THE REINSTATEMENT OF INSTALLMENT PAYMENTS FOR
THE PLEASANT VALLEY LAKE DAM ASSESSMENT ON
BLOCK 268.20 LOT 8 PURSUANT TO NJSA 40:56-35(b)**

WHEREAS, the Township Council confirmed the Special Assessment of the Pleasant Valley Lake Dam Restoration Project by Resolution #03-131 dated November 10, 2003; and

WHEREAS, Block 268.20 Lot 8 was assessed pursuant to said Resolution; and

WHEREAS, the Township Council is satisfied that the owners of said property failed to make the installment payment due as a result of extenuating circumstances over which they had no control as stated in their letter request; and

WHEREAS, the Township Council is authorized to reinstate the installment payments due under the assessment pursuant to NJSA 40:56-35 (b).

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

1. Upon payment by the owners of Block 268.20 Lot 8 of any and all delinquent payments for the Pleasant Valley Lake Special Assessment herein referenced together with any interest and/or penalties thereon, the Tax Collector is hereby authorized and instructed to accept said payment, interest and penalties and to restore to said owner the right to make future assessment payments pursuant to and under the installment payment plan established for the said assessment.
2. Nothing herein should be construed to alter, amend or terminate the payments, past or future, owed by the owners of Block 268.20 Lot 8 due and owing under the referenced special assessment.
3. This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #R08-44

Resolution – Authorizing the Approval of Bills List

Be it resolved that the following bills lists are hereby approved:

Current	Ck# 28182	to	Ck# 28216
Current	Ck# 28221	to	Ck# 28278
Current	Ck# 28280	to	Ck# 28342
Current	Ck# 28345	to	Ck# 28346
Capital	Ck# 2453	to	Ck# 2455
Capital	Ck# 2456	to	Ck# 2459
Capital	Ck# 2460	to	Ck# 2465
Capital	Ck# 2466	to	Ck#
Capital	Ck# 2467	to	Ck#
Grant	Ck# 28217	to	Ck# 28220
Grant	Ck# 27279	to	Ck#
Grant	Ck# 27343	to	Ck# 28344
Grant	Ck# 27347	to	Ck#
Planning & Zoning	Ck# 3618	to	Ck# 3633
Planning & Zoning	Ck# 3634	to	Ck# 3648
Recreation Trust	Ck# 735	to	Ck#
Recreation Trust	Ck# 736	to	Ck# 737
Dog Trust	Ck#	to	Ck#
Other Trust	Ck#	to	Ck#
Senior Citizen Trust	Ck#	to	Ck#
Outside Services	Ck# 1407	to	Ck# 1412
Outside Services	Ck# 1413	to	Ck# 1415
Unemployment Trust	Ck#	to	Ck#
Open Space Trust	Ck#	to	Ck#
PVL Dam Rehab Asm	Ck#	to	Ck#
PVL Dam Rehab Exp	Ck#	to	Ck#
COAH	Ck#	to	Ck#
Sewer Operating	Ck# 110	to	Ck#

Sewer Operating	Ck# 111 to	Ck# 112
Sewer Capital	Ck# 1001 to	Ck# 1002
Developer's Bonds	Ck# to	Ck#
Road Assessment	Ck# 1005 to	Ck#
Payroll Deduction	Ck# to	Ck#
Payroll Checks	Ck# 31718 to	Ck# 31787 (2nd Pay in Jan)
Payroll Deduction	Ck# 2831 to	Ck# 2843 (2 nd Pay in Jan)
Total Payroll Gross	\$369,632.02 (2nd Pay in Jan)	
Payroll checks	Ck# 31788 to	Ck# 31852 (1 st Pay in Feb)
Payroll Deduction	Ck# 2844 to	Ck# 2850 (1 st Pay in Feb)
Total Payroll Gross	\$354,355.26	

Melinda Carlton reviewed the expenditures.

RESOLUTION #R08-46: AMENDING RESOLUTION #08-35

WHEREAS, it was the intention of the Township Council to adopt Resolution #08-35 with the words “ Block 300.13 Lot 12.02Q farm Canistear Road on August 17, 2007”; and

WHEREAS, Resolution #08-35 inadvertently set forth the wording “Block 143 Lot 31, 2-22 Mordaunt Road on August 17th 2007”; and

WHEREAS, it is necessary to amend Resolution # 08-35 to correct the wording in question.

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

1. Resolution #08-35 is hereby amended to change the wording from “Block 143 Lot 31, 2-22 Mordaunt Road on August 17th 2007” to “Block 300.13 Lot 12.02Q farm Canistear Road on August 17, 2007.”
2. A copy of this resolution shall be forwarded by the Township Clerk to the Treasurer’s Office and the Tax Collectors Office.
3. This resolution shall take effect immediately upon adoption according to law.

RESOLUTION #R08-50: AUTHORIZING AND DIRECTING THE REINSTATEMENT OF INSTALLMENT PAYMENTS FOR THE PLEASANT VALLEY LAKE DAM ASSESMENT ON BLOCK 269.13 LOT 41 PURSUANT TO NJSA 40:56-35(b)

WHEREAS, the Township Council confirmed the Special Assessment of the Pleasant Valley Lake Dam Restoration Project by Resolution #03-131 dated November 10, 2003; and

WHEREAS, Block 269.13 Lot 41 was assessed pursuant to said Resolution; and

WHEREAS, the Township Council is satisfied that the owners of said property failed to make the installment payment due as a result of extenuating circumstances over which they had no control as stated in their letter request; and

WHEREAS, the Township Council is authorized to reinstate the installment payments due under the assessment pursuant to NJSA 40:56-35 (b).

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

1. Upon payment by the owners of Block 269.13 Lot 41 of any and all delinquent payments for the Pleasant Valley Lake Special Assessment herein referenced together with any interest and/or penalties thereon, the Tax Collector is hereby authorized and instructed to accept said payment, interest and penalties and to restore to said owner the right to make future assessment payments pursuant to and under the installment payment plan established for the said assessment.
2. Nothing herein should be construed to alter, amend or terminate the payments, past or

future, owed by the owners of Block 269.13 Lot 41 due and owing under the referenced special assessment.

3. This Resolution shall take effect immediately upon adoption according to law.

A motion was made by Neil Desmond to approve the Consent Agenda and the motion was seconded by Rich Carson.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTIONS FOR SEPARATE ACTION

RESOLUTION #08-15: AUTHORIZING A CONTRACT FOR THE ACQUISITION OF GOODS OR SERVICES PURSUANT TO NJSA 19:44A-20.4 AND/OR NJSA 19:44A-20.5 WITH GENE OSIAS, CONSULTANT

WHEREAS, there exists a need for the procurement of goods or services for the Township of Vernon from Gene Osias for consulting services; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, Vernon desires to enter into contract with Gene Osias, pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that the value of the contract will exceed \$17,500.00 and shall not exceed \$50,000.00; and

WHEREAS, the term of the contract will commence on January 1, 2008 through June 30, 2008 or subject to the legal terms of the contract; and

WHEREAS, Gene Osias has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 14th day of February, 2008, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

1. The Township of Vernon is authorized to engage Gene Osais for the purpose of providing consulting services as described in the attached agreement.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract with Gene Osias.
3. Gene Osias shall be engaged pursuant to contract to be entered by and between Gene Osias and the Township and for such periods of time as permitted by law or as set forth in the contract, if not contrary to law, and for such compensation as agreed.
4. A copy of the Business Entity Disclosure Certification previously provided by Gene Osias shall be filed with this Resolution.
5. This contract is awarded without competitive bid as a Professional Services Contract under the provisions of NJSA 40A:11-5 (1) (a).
6. That a notice of this action shall be published once in the official newspaper in accordance with law, and said notice to provide that the contract awarded and the Resolution authorizing same are available for public inspection in the office of the Township Clerk.
7. This Resolution shall take effect immediately upon adoption according to law.

A motion was made by Rich Carson to table this resolution to a future date, and the motion was seconded by Neil Desmond. All in favor. Motion carried.

**RESOLUTION #08-45: AUTHORIZING A PROFESSIONAL SERVICE
CONTRACT WITH HATCH MOTT MACDONALD, LLC FOR THE YEAR 2007**

WHEREAS, there exists a need for professional services for the Township of Vernon in the matter of general consulting and construction administration for Vernon Town Center Sewer System, Contracts 3 & 4 ; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq) requires that the resolution authorizing these “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, Vernon desires to appoint Hatch Mott MacDonald, LLC pursuant to a contract under the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that the value of the contract will exceed \$17,500.00 and shall not exceed \$66,026.64 for pending invoices; and

WHEREAS, the term of the contract will be for a year term January 1, 2007 thru December 31, 2007; and

WHEREAS, Hatch Mott MacDonald, LLC, has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 14th day of February, 2008, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

The Township of Vernon is authorized to engage Hatch Mott MacDonald, LLC, for the purpose of general consulting and construction administration for Vernon Town Center Sewer System, Contracts 3 & 4.

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Professional Services Contract with Hatch Mott MacDonald, LLC.

Said Professional shall be engaged pursuant to contract to be entered by and between the Professional and the Township and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Township Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

Melinda Carlton stated this resolution approves a contract for \$66,026.64, which will allow the township to pay Hatch Mott for the services rendered.

A motion was made by Rich Carson to approve the above resolution, and the motion was seconded by Neil Desmond.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTION #08-47: RESOLUTION AUTHORIZING THE APPLICATION TO THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR “COPS IN SHOPS” GRANT PROGRAM FOR THE YEAR 2008

WHEREAS, the Township of Vernon Council declares that the problem of underage drinking is a serious threat to the health, safety and welfare of the public; and

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (“ABC”) is the recipient of a \$350,000 federal block grant from the United States Department of Justice Office of Juvenile Justice and Delinquency Program (“OJJDP”); and

WHEREAS, the ABC is seeking sub-grant applications from local governments in order to provide funding for local government law enforcement agencies that wish to participate in ABC’s “Cops in Shops” program, a program designed to educate youth, adults and parents about legal repercussions of underage drinking, and to foster cooperation between local law enforcement and local licensed alcoholic beverage retailers to prevent persons under 21 years of age from purchasing alcohol; and

WHEREAS, the Council desires that the Vernon Township Police Department continue to take affirmative steps in combating underage drinking by participating in the ABC “Cops in Shops” program.

THEREFORE BE IT RESOLVED, that Vernon Township declares its support for the application to the Division of Alcoholic Beverage Control for participation in the “Cops in Shops” grant program for the year 2008 and pledges to increase awareness of the problem of underage drinking.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the Grant monies between the Township of Vernon and the Division of Alcoholic Beverage Control for the “Cops in Shops” grant program.

A motion was made by Neil Desmond to approve the above resolution, and the motion was seconded by Rich Carson.

Mr. Carson asked to what extent would the Vernon Police Department be involved, and Melinda Carlton said the department would work to see that no liquor is sold to anyone who is underage. Michael Witt said this program derives from the Juvenile Office, grants money to the local and state enforcement agencies and provides education to law enforcement and retail alcohol sellers. The undercover officers would be placed in stores where alcohol is sold.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTION #08-48: AUTHORIZING CREATION OF A VERNON TOWNSHIP RECORDS MANAGEMENT COMMITTEE

WHEREAS, a viable Records Management Committee helps ensure that all municipal government departments have a voice in the planning of government-wide records management programs, especially those heavy records management duties and functions, and

WHEREAS, a Records Management Committee allows for discussion of records management issues, which can lead to:

1. Identifying records management problems shared by numerous departments, so that a common solution may be sought;
2. Specific departments offering experience and solutions for problems that arise in other departments that have already been solved in theirs;
3. Creating a unified front for seeking records management funding and support from the governing body;
4. Sharing records management successes and failures, sharing of data and

experience, and opening dialogue relative to records management plans; and

5. Development of projects that have government-wide scope and/or would benefit the most departments within the local government.

NOW THEREFORE, BE IT RESOLVED, that the Vernon Township Council affirms the creation of the Records Management Committee, which shall be comprised of the following departments:

1. Township Manager
2. Finance
3. Clerk
4. Vital Statistics
5. Health
6. Planning & Zoning
7. Building
8. Engineering
9. Fire Prevention
10. Animal Control
11. Police
12. Personnel
13. Parks & Recreation
14. Assessor
15. Tax Collector
16. Public Works

Melinda Carlton said Sussex County received a \$3 million grant to institute a share of records management services with other towns in the county. Vernon Township has been providing information to the county on the number of documents that Vernon has, regarding how they should be handled before they can be purged. The county has asked that each municipality pass a resolution, which authorizes them to create a records management committee. Neil Desmond asked if there will be a cost to the township, and Melinda Carlton said no, but she has received information from the departments that it will take over 1,300 hours of staff time to purge documents. In time, information would be scanned onto microfilm.

A motion was made by Rich Carson to approve the above resolution, and the motion was seconded by Neil Desmond.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTION #08-49: AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH NISOVOCCIA & COMPANY, LLP FOR THE YEAR 2008

WHEREAS, there exists a need for professional services for the Township of Vernon in the matter of municipal auditing; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq) requires that the resolution authorizing these "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, Vernon desires to appoint Nisovoccia & Company, LLP pursuant to a contract under the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that the value of the contract will exceed \$17,500.00 and shall not exceed \$40,500; and

WHEREAS, the term of the contract will be for a year term January 1, 2008 thru December 31, 2008; and

WHEREAS, Nisovoccia & Company, LLP has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 14th day of February, 2008, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

The Township of Vernon is authorized to engage Nisovoccia & Company, LLP for the purpose of municipal auditing services.

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Professional Services Contract with Nisovoccia & Company, LLP.

Said Professional shall be engaged pursuant to contract to be entered by and between the Professional and the Township and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Township Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

A motion was made by Neil Desmond to approve the above resolution, and the motion was seconded by Rich Carson.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTION # 08-51: AUTHORIZING CHANGE ORDERS EXCEEDING 20% OF THE ORIGINAL CONTRACT WITH TOMCO CONSTRUCTION FOR THE TOWN CENTER ROAD DEVELOPMENT, PHASE II

WHEREAS, the Township of Vernon entered into a contract with Tomco Construction, Inc., for the Phase II development of the Town Center Road (Main Street)("Phase II") pursuant to Resolution #R05-88, which contract provided for an expenditure of \$4,361,333.00 and which contract provided for unit pricing in anticipation of potential unforeseen construction issues; and

WHEREAS, numerous change orders were implemented, for items including elective add-ons, contract delay upcharges, and for various unforeseen circumstances, the total of which were more than 20% in excess of the original contract price; and

WHEREAS, all Phase II change orders have been paid by the Township with the exception of Retainage totaling \$50,614.28 and a change order for Final Quantity Adjustments totaling \$18,563.93; and

WHEREAS, some Phase II change orders were necessitated by potential danger to the public health, safety and welfare and, therefore, required immediate action prior to the adoption of a Resolution to exceed the contract amount; and

WHEREAS, although the total amount of the change orders exceeded the original contract price by more than 20%, reports concerning the change orders required by the New Jersey Department of Community Affairs, Division of Local Government Services, were omitted at the time the change orders were processed;

WHEREAS, the Township Engineer has provided a certification report confirming the reasons for the actions covered by the various change orders; and

WHEREAS, the Chief Finance Officer has certified the availability of funds in the amount of \$69,178.21 which is available in account #3092901; and

WHEREAS, the Township Council does not condone the manner in which the previous change orders were processed and desires to ensure full compliance by the Township with Division of Local Government Service requirements.

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

1. Change Order #35 in the amount of \$147,339.58 for traffic signal revisions at Route 94/Main Street and Route 515/Main Street, and Change Order #36 in the amount of \$42,645.64 for material and labor upcharges beginning in the 11th month of the 6-month contract, are hereby authorized in the total amount of \$189,985.22. Said charges brings the contract amount to 23.80% over the original contract amount and payment of said amount is further authorized (this amount will be filed as a report to the Division of Local Government Services on Sheet 44 of the Budget Document to satisfy reporting requirements).

2. The final change order is hereby approved. The Township Manager, Director of Finance and Township Engineer are hereby authorized to provide the final payment to Tomco Construction, Inc. in the amount of \$69,178.21.

The Township Clerk shall cause notice of this change to be published once in the authorized newspaper which shall include the original contract amount, the additional authorized amount and the fact that the change was required because of unforeseen subsurface conditions.

3. The Township Clerk is instructed to notify the State Division of Local Government Services, on the required form, of this Resolution as required by law.

4. This Resolution shall take effect immediately upon adoption according to law.

A motion was made by Neil Desmond to approve the above resolution, and the motion was seconded by Rich Carson.

Neil Desmond read into record the segment of the resolution ***WHEREAS**, the Township Council does not condone the manner in which the previous change orders were processed and desires to ensure full compliance by the Township with Division of Local Government Service requirements.* He said the council is not condoning the change orders, but the vendor has to get paid.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

RESOLUTION #08-53: RESOLUTION TO CREATE THE VERNON TOWNSHIP BEAUTIFICATION COMMITTEE

WHEREAS, the Mayor and Council of Vernon Township wish to improve the esthetic value of Vernon, especially its gateways; and

WHEREAS, the physical appearance of Vernon Township corridors and entrances are critical to Vernon's economy and the regional economy and vitality; and

WHEREAS, tourism is identified in Vernon's Master Plan as its main industry.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Council of Vernon Township hereby approves and adopts the following:

Vernon Township establishes a Beautification Citizens Advisory Committee consisting of 7 to 9 members as follows:

- 1. Mayor, member of governing body _____
- 2. Planning Board member _____
- 3. Environmental Commission member _____
- 4. Township Manager (or designee) _____
- 5. Member of Public _____
- 6. Member of Public _____
- 7. Member of Public _____
- 8. Member of Public _____
- 9. Member of Public _____

A motion was made by Rich Carson to approve the above resolution, and the motion was seconded by Neil Desmond.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Austin Carew, yes. Motion carried.

INTRODUCTION OF PROPOSED ORDINANCES

Melinda Carlton said there are no proposed ordinances to be discussed.

OLD BUSINESS

Mayor Carew stated that there was nothing to report.

NEW BUSINESS

Mayor Carew stated the township managers of Sparta and Hardyston were contacted with regards to sharing the services of the Health Department. Mr. Underhill, from Sparta, indicated to Austin Carew that there has not been any complaints since Sparta went with the county a year ago. Mary Ann Smith, of Hardyston, advised Mayor Carew that they, too, have not experienced any complaints.

EXECUTIVE SESSION

Mayor Carew stated that there was nothing to report.

OPEN THE MEETING TO THE PUBLIC

Patrick Dual, 12 Stratfordshire Drive. He said approximately three weeks ago the DPW wrecked havoc with the landscaping on the corner of Stratfordshire and Revere Drive. Mr. Dual said no brush impedes the right-of-way or the safety of the egress of the roadway, and that the property owner should be notified before the DPW begins removing anything. Evergreen trees and other greenery were cut back on his property by the DPW at the right-of-way. There was an agreement with the DPW and Mr. Dual that the Dual property would be maintained by the property owner. Mayor Carew asked if this had anything to do with snowplowing, and Mr. Dual said no. Dave Pullis, DPW Supervisor, will meet with Mr. Dual tomorrow around 11 a.m. Neil Desmond asked Melinda Carlton if her schedule will allow her to meet with Dave Pullis and Mr. Dual, and Mrs. Carlton said yes.

Thomas McClachrie. He asked who authorized the work performed by Hatch Mott MacDonald. Lou Kneip said the work was performed March through November of 2007. Mr. McClachrie recommended that the council may want to consider that any expenditure exceeding \$1 million annually should be put before the public to vote on it. Mr. Desmond asked if Tom McClachrie is looking at the overall \$1 million aggregate, and Mr. McClachrie said yes. The way the township is doing it now is not doable. The expenditure should be put out for a referendum to allow the tax payers to vote on it. Mr. McClachrie said it has worked for the Board of Education. Mr. McClachrie congratulated the council for doing a fantastic job in getting the budget done in March.

Rick Renfrow. He asked if the council would consider having the Maple Grange Park Phase III placed on the referendum. Austin Carew said the park was proposed by the township staff, not elected officials. Melinda Carlton would have to provide the council with information on the DCA grant and other particulars so that that component could seriously be considered.

There being no further questions and/or comments, the Mayor closed the meeting to the public.

Rich Carson expressed “thank you” to the police, fire, EMS, and public works department on the recent snowstorm they handled so well.

ADJOURNMENT

There being no further items of business on the agenda, a motion was made by Rich Carson to adjourn the meeting and the motion was seconded by Neil Desmond. Motion carried.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:37 p.m.

Respectfully submitted,

Patricia A. Lycosky, R.M.C.
Township Clerk

Presiding Officer

