

**VERNON TOWNSHIP COUNCIL  
REGULAR MEETING**

**March 13, 2008**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:09 p.m. in the Vernon Municipal Center, Church Street, Vernon, New Jersey, with Mayor Austin Carew presiding. There were 29 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, Glenn McLaughlin, and Austin Carew answered the call. Also present were Melinda Carlton, Township Manager, and Michael Witt, Township Attorney. Let it be noted that James Oroho called the office that he would be away.

**CHANGES TO AGENDA**

Melinda Carlton stated the council will receive their revised copies of resolutions later in the meeting.

**PRESENTATIONS AND SPECIAL ITEMS**

**Wallkill River National Wildlife Refuge Draft Conservation Plan – Fred Suljic** – Melinda Carlton stated Fred Suljic left early today due to illness. However, the information will be e-mailed to the council by Monday, at the latest, for their review.

**Nisovoccia & Company – Internal Controls** – Bud Jones, Representative with the Nisovoccia Company. Bud Jones gave an overview of internal controls on the purchasing and cash disbursements function they will provide to the township. In addition, the auditors would be interviewing some of the related personnel to confirm their duties in the system and then evaluate the system for possible weaknesses or areas in which internal controls can be improved. The company submitted an evaluation report dated March 13, 2008. Questions were asked by the council.

**Cerenzio & Panaro – SCMUA Wallkill Treatment Plant Expansion Project** – Pete Cerenzio, Consulting Engineer, and Ed Enright. Pete Cerenzio gave an overview presentation of the Sewer Service's three pumping stations and force-main project that serves the Mountain Creek area, Stonehill area, and Great Gorge Village. The force main from these three areas, including Crystal Springs, discharges into the authority's pipeline system, which flows to the Upper Wallkill Wastewater Treatment Plant. These facilities are owned by the Vernon Sewerage Transmission Corporation, and possess an allocation of 380,000 gallons per day at the Upper Wallkill plant. The new Town Center program has two requirements for wastewater capacity. The town center requires 99,000 gallons per day; and Mountain Creek requires 166,000 gallons per day. The Department of Environmental Protection has not allowed mining the aquifer. The water for the new developments is taken from United Water. Questions were asked by the council. The original pipe for the wastewater was replaced by SCMUA. This pipe will be utilized to carry treated water back to Vernon. Cerenzio and Panaro has tested six different sites and found them not suitable. The Herold Square site was tested and it was determined to be a good site for groundwater recharge. Mr. Cerenzio said the engineers need to make some modifications to the treatment plant to treat the water for drinking, but the plant provides well in excess to what the Wallkill Treatment Plant provides. Mountain Creek is currently designing the new pumping station #1, which will be constructed at their cost. The

system will eventually be turned over to whatever entity will own the sewer system. Mr. McLaughlin asked if leaky gas stations tanks would this affect the system, and Mr. Cerenzio said no, but they need to test for petroleum hydrocarbons. In the event of volatile petroleum products, they are purged. Mr. McLaughlin stated the town center may bring in additional restaurants to the area. He asked if fats, oils, and greases would have an impact on the system, and Mr. Cerenzio said the fog unit would head the new treatment process by skimming, aerating, etc. to remove all fats, oils, and greases. Gas sensors added to the filtration system would cut off and protect the ground water from gas spills. The one valve would act as a bypass for the system, and would shut down the water and allow all wastewater to flow directly to the plant. The system gives the operator the ability to make a judgment call as to whether there is a false alarm or not. The groundwater recharge site is at Herold Square. The engineers found this site contains upper and lower beds made up of individual cells. The system runs on a cycle where any cell is on for one cycle and off for two cycles. The cycles run for a week. The two-week off cycle allows everything underground to dry out so that no biological growth causes blockage to the soil. Some private property had to be acquired within the vicinity, and Vernon turned over a portion of the Herold Square parcel that was needed for the beds. The improvements made to the surface water discharge plant will be paid for by SCMUA. Mr. Cerenzio stated the original concept was that Vernon would not incur any costs on behalf of Mountain Creek for this project. A lengthy discussion followed to the revenue collected from Vernon Township to cover the operating costs and debt-service costs associated with the new facilities. The service contract between Vernon Township and SCMUA is slightly different than the contract with other participants. The authority keeps 100% of new-connection fees from other participants. Mountain Creek must cover the next three years of expenses of the MUA in Vernon. They have paid out less than \$2 million in letters of credit that cover the next three years. At the end of each year the company has to determine what the next three years' expenses will be so the security can be increased, if necessary. Mountain Creek and Vernon Township were concerned about losing the ratable when the entire sewer system is in operation. Mr. Cerenzio stated the Department Council of Affordable Housing must authorize the bonds to be issued in the amounts of the bid. Mr. Carson asked where United Water fits into this project, and Mr. Cerenzio said the authorities buying pump station #3 and the force main will be signing the contract Wednesday and will close on that acquisition when the bonds are issued. In reference to pump stations #1 & 2 and the collection system, a proposal was submitted to evaluate the system and what work was completed, and derive at a clean recommendation to Vernon relative to the costs. Melinda Carlton stated the proposal will be brought to the council at the next meeting. Mayor Carew asked if the expansion of the system will be a detriment to Wallkill wildlife, and Pete Cerenzio said any future expansion of a facility will have to be done through discharge of ground rules. He does not believe they will get any approvals to discharge more flow into the Wallkill because it will be Category 1 water body integration.

At this time, the Mayor opened the meeting to the public for any questions and/or comments.

Bruce Zaretsky. He asked for clarification on the timeline for the 40,000 gallons usage.

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

## **MANAGER'S COMMENTS**

Melinda Carlton contacted the Department of Public Works regarding tree limbs that fell this past winter. She suggested that one Saturday, possibly in late April or early May, be set aside to allow residents to haul the brush, limbs, etc. to the road department's site where it could be chipped and put into a mulching pile. The cost factor would be paying one road department employee to maintain the gate. Neil Desmond asked if a provision has been made for traffic control, especially with the lineup of residents dropping off the brush, and Ms. Carlton said it will be done. The council agreed to one Saturday.

The township has been in contact with a company to assist in making the current website more attractive and effective. The company would provide software and training to the township department heads who will be responsible for updating their departmental page. She said they have had a few orientations with the company and, after doing an analysis, the end result showed the township would save money.

Ms. Carlton received a call from a Florida resident (an ex-Vernon Township resident) who would very much like to donate a painting, 43 ½ x 31 ½, to be hung in the Municipal Center. The painting is of the apple blossom time in Vernon. The council agreed that this painting be accepted.

Lakeland Bank made an offer to the Recreation Department to pay for and install a scoreboard at Maple Grange Park and allow the bank to advertise on it, subject to the council's approval. Neil Desmond asked if the bank is looking to purchase a specific size scoreboard or signage, and Melinda Carlton said she needs to find out the location and size of the logo on the scoreboard.

## **ATTORNEY'S REPORT**

Michael Witt gave a presentation on Vernon's form of government under the Faulkner Act. He said there are 17 different kinds of government municipalities in the State of New Jersey to choose from. The type of government Vernon chose in 1998 is the New Jersey Optional Municipal Charter Act. This Act, which falls under the Faulkner Act, was originally enacted in 1950 and revised in 1981. The Faulkner Act offers four basic plans (mayor-council, council-manager, small municipality and mayor-council-administrator) and two procedures by which the voters of a municipality can adopt one of the plans. The plan Vernon took was the council-manager. All policy-making authority is vested by the township council. The council can appoint the township manager and township clerk. They can also determine the method of appointing certain positions such as the town attorney, members of the planning board and zoning board, and may create commissions and committees with advisory powers. Mr. Witt reiterated the law that *the municipal council shall act in all the matters as a body, and it is contrary to the spirit of this article for any of its members to seek individually to influence the official acts of the municipal manager, or any other officer, or for the council or any of its members to direct or request the appointment of any person to, or his removal from, office; or to interfere in any way with the performance by such officers of their duties...* He discussed the duties of the mayor and how the charter provides that he/she can be elected either by the council or by the voters. In this form of government the mayor would be considered the chairman of the board; and the chief executive would be the township manager. The township manager is the chief executive and administrative official of the municipality and implements the policies set forth by the council. The manager's duties are to execute all ordinances, remove department heads and all other officers, prepare the municipal budget, negotiate contracts, make recommendations for municipal improvements, and attend all meetings of the municipal council. There are important rights the public has: remove elected officials after he/she has served at least one year, and initiative and referendum. Initiative and referendum is whereby the public can initiate ordinances by getting a petition signed by 15% of the voters at the last election. The petition is submitted to the municipal clerk, who in turn would certify the petition and put it on for the next election. To file a referendum petition with the municipal clerk, the ordinance shall be suspended until ten days following a finding by the municipal clerk that the petition is insufficient or, if an amended petition be filed, until five days thereafter. Questions were raised by the public to electing a mayor. Mr. Witt stated the Faulkner Act affirms that *the mayor shall be elected by the members of the council; or the mayor shall be elected by the voters of the municipality, and shall serve for a term of four years.* If the township wants a change of government, a charter commission has to be formed, put on the ballot, and voters would vote to have it changed to the form of government they desire.

## **DISCUSSION OF NEW ORDINANCES**

### **FIRST READING TONIGHT:**

#### **ORDINANCE #08-04: AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR A PORTION OF THE MCAFEE VILLAGE REDEVELOPMENT AREA AND DESIGNATING THE COUNCIL OF THE TOWNSHIP OF VERNON TO ACT AS THE REDEVELOPMENT AGENCY FOR THE MCAFEE VILLAGE MIXED USE REDEVELOPMENT AREA AND ESTABLISHING THE MCAFEE VILLAGE ZONING DISTRICT OF THE LAND DEVELOPMENT CODE OF THE TOWNSHIP OF VERNON –**

Rich Carson stated it's time that the council moves forward with the redevelopment. Neil Desmond said this should be treated as a 600+ acre planning area

governed under one ordinance.

**FUTURE CONSIDERATION**

Melinda Carlton stated there are no ordinances to be listed for future consideration.

**OPEN THE MEETING TO THE PUBLIC**

Mary Ellen Vichiconti. Ms. Vichiconti requested that the Council consider passing an ordinance to amend the Township Code to provide for the election of the Mayor directly by voters, as permitted under the Faulkner Act. The Council took the matter under advisement.

Dennis Downey. He asked if the Environmental Commission could be appropriated \$4,500 for Earthfest. He said the Commission is under time constraints with the vendors. Melinda Carlton understood Mr. Downey’s urgency for the funds, but needs additional time to verify which account the money was put in. She will contact Dennis Downey after she looks into the records.

Bruce Zaretsky. He expressed concern to the work that has been initiated on Route 515. Mr. Zaretsky wants to start a referendum to have the township remove the curbs on Route 515. Mr. Witt stated the county wants the township to be informed of the project, but ultimately they control that road.

Rich Casper, Curtis Drive. He asked if the council could provide him with an update on the Amy Green & Associates study of Hidden Valley Lake. Lou Kneip, Township Engineer, stated the planning board had authorized the follow-up to the Green & Associates study approximately a year ago. The township’s concern was to be sure the developer put up the escrow money prior to authorizing the associates to proceed. Mr. Kneip said the developer was not in agreement to have the study done. The money was received a month ago and put into the escrow account. The state has lifted their stop work order. The township stop work order is still in effect, because the developer has to fulfill a number of items in accordance with their amended planning board approval.

Thomas McClachrie. He asked what the final cost is for the SCMUA obligations to the township. Melinda Carlton said the analysis would be ready within six weeks.

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

**APPROVAL OF MINUTES**

Mayor Carew stated the executive session minutes of September 10, 2007; September 14, 2007; September 15, 2007; December 10, 2007; January 5, 2008; January 24, 2008; the Special Meeting minutes of September 14 and 15, 2007 and January 5, 2008 be carried to the next scheduled meeting to allow council ample time to review. All in favor.

**CONSENT AGENDA**

**RESOLUTION #R08-64**

Resolution – Authorizing the Approval of Bills List  
Be it resolved that the following bills lists are hereby approved:

Current	Ck# 28442	to	Ck# 28491
Current	Ck# 28493	to	Ck#
Current	Ck# 28494	to	Ck# 28558
Capital	Ck# 2471	to	Ck#
Capital	Ck# 2472	to	Ck#
Capital	Ck# 2473	to	Ck#
Grant	Ck# 28492	to	Ck#
Grant	Ck# 28559	to	Ck# 28562

Planning & Zoning	Ck# 3656	to	Ck# 3660
Planning & Zoning	Ck# 3661	to	Ck# 3662
Recreation Trust	Ck# 739	to	Ck#
Recreation Trust	Ck# 740	to	Ck# 741
Recreation Trust	Ck# 742	to	Ck#
Dog Trust	Ck#	to	Ck#
Other Trust	Ck# 737	to	Ck# 738
Senior Citizen Trust	Ck#	to	Ck#
Outside Services	Ck# 1418	to	Ck# 1422
Outside Services	Ck# 1423	to	Ck# 1424
Outside Services	Ck# 1425	to	Ck#
Unemployment Trust	Ck# 1112	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#	to	Ck#
Sewer Capital	Ck# 1005	to	Ck# 1006
Sewer Capital	Ck# 1007	to	Ck#
Sewer Capital	Ck# 1008	to	Ck#
Developer's Bonds	Ck#	to	Ck#
Road Assessment	Ck#	to	Ck#
Payroll Deduction	Ck#	to	Ck#

Payroll Checks	Ck# 31832	to	Ck#31934 (2 <sup>nd</sup> Pay in February)
Payroll Deduction	Ck# 2851	to	Ck# 2865 (2 <sup>nd</sup> Pay in February)
Total Payroll Gross	\$383,136.93		

Payroll Checks	Ck# 31935	to	Ck#32013 (1 <sup>st</sup> Pay in March)
Payroll Deduction	Ck# 2867	to	Ck# 2874 (2 <sup>nd</sup> Pay in March)
Total Payroll Gross	\$432,932.08		

**RESOLUTION#R08-69: TOWNSHIP OF VERNON**  
**TEMPORARY BUDGET 2008 SEWER OPERATING**

Sewer Operating	
Other Expenses	<u>\$2,887.50</u>
 TOTAL TEMPORARY APPROPRIATIONS - 2008	 <u><u>\$2,887.50</u></u>

**BE IT RESOLVED** by the Township Committee of the Township of Vernon that the above Temporary Budget be approved for the year 2008 in accordance with 40A:4-19

A motion was made by Rich Carson to approve the Consent Agenda and the motion was seconded by Glenn McLaughlin.

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

**RESOLUTIONS FOR SEPARATE ACTION**

**RESOLUTION #08-58: AUTHORIZING CHANGE ORDER #1 TO INCREASE CONTRACT PRICE BY \$8,000 FOR MAPLE GRANGE PARK PROJECT PHASE II DESIGN AND INSPECTION SERVICES CONTRACT WITH HAROLD PELLOW & ASSOCIATES**

A motion was made by Neil Desmond to adopt the above resolution and the motion was seconded by Glenn McLaughlin.

Rich Carson stated Maple Grange Park is a beautiful park, which he supports. He commented there seems to be a trend toward additional engineering costs incurred on contracts that were previously awarded for different projects. Mr. Carson asked for clarification. Lou Kneip, Township Engineer, and Corey Stone, Pellow Associates: Mr. Stone stated Pellow Associates did a proposal in August of 2006 and it was anticipated that the project would have been completed by the end of the year. Unfortunately, Pellow Associates did not receive authorization for the final phase until April of 2007 due to the township's budget constraints. Mr. Carson asked if there were going to be cost increases then why weren't they included in the original proposal, and Mr. Stone said they anticipated that the project would have been completed in 2006 but it took longer. Mr. Kneip stated the township tries to obtain the best price from the consultants. The consultant's price is good, but Mr. Kneip is reluctant to have the consultants add on an additional cost of \$8,000 for a buffer that may or may not be needed.

A roll call vote was taken. Rich Carson, yes with stated reluctance; Neil Desmond, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

**RESOLUTION #08-65: AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT FOR THE PROVISION OF HEALTH OFFICER SERVICES BETWEEN THE COUNTY OF SUSSEX AND THE TOWNSHIP OF VERNON**

**WHEREAS**, the Township of Vernon is in need of temporary services of a licensed Health Officer in order to comply with the provisions of N.J.S.A. 26A:3A2-14; and

**WHEREAS**, the County of Sussex and the Township of Vernon desire to formalize an arrangement for the services of a licensed Health Officer; and

**WHEREAS**, the County of Sussex agrees to provide the services of a licensed Health Officer to the Township of Vernon for a maximum of four(4) hours per week on site at the Vernon Township Municipal site and for telephone support, as necessary, for a period not to exceed sixteen (16) weeks from the execution of this agreement; and

**WHEREAS**, in return for the services of a licensed Health Officer, in accordance with the conditions outlined above, the Township of Vernon agrees to compensate the County of Sussex at a rate of \$300 per week not to exceed \$4,800.00; and

**WHEREAS**, N.J.S.A. 40:8A-1 et seq., the Interlocal Services Act, provides a mechanism for making such contracts between public agencies.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex, State of New Jersey, that the Freeholder Director and Clerk of the Board are authorized to execute this Resolution which shall act as the Interlocal Agreement between the county of Sussex and the Township of Vernon for the provision of Health Officers Services as described herein: and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to the clerk of the Township of Vernon, the Sussex County Department of Environmental and Public Health Services, the Sussex County Administrator, and the Vernon Township Manager.

Melinda Carlton distributed a revised copy of the resolution to the council. She commented that this resolution is to compensate an interim Health Officer between Sussex County and the Township of Vernon. The funds could not be certified until now because the CFO had a death in the family. Health State reports need to be done and there is a minimal amount of supervision for the health department. The State has recognized that Gene Osias has resigned and the township is currently without a verifiable health officer.

A motion was made by Rich Carson to adopt the above resolution and the motion was seconded by Glenn McLaughlin.

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

**RESOLUTION #08-66: AUTHORIZING APPOINTMENT OF ACTING TOWNSHIP CLERK**

**WHEREAS**, the Vernon Township Municipal Clerk, Patricia Lycosky, resigned as of March 3, 2008; and

**WHEREAS**, the position of Deputy Municipal Clerk is currently held by Andrea Bates;

**WHEREAS**, pursuant to N.J.S.A. 40A:9-135, it is necessary that the Township appoint the Deputy Municipal Clerk as Acting Municipal Clerk until the position of Municipal Clerk is filled.

**NOW, THEREFORE, BE IT RESOLVED**, that the Vernon Township Council hereby appoints Deputy Municipal Clerk Andrea Bates to serve as Acting Municipal Clerk at an annual salary of \$70,000.00, to be prorated for actual days served as Acting Municipal Clerk, until the position of Municipal Clerk is filled.

Melinda Carlton commented that the Deputy Municipal Clerk has been in the Acting Clerk capacity since March 1, 2008 until the new clerk starts on March 24, 2008. Michael Witt stated that in the absence or disability of the Municipal Clerk that a Deputy Municipal Clerk be appointed as Acting Municipal Clerk, as required by law.

A motion was made by Neil Desmond to adopt the above resolution and the motion was seconded by Glenn McLaughlin.

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

**RESOLUTION #08-67: AUTHORIZING AN APPOINTMENT AND PROFESSIONAL SERVICES CONTRACT WITH WIRED UP, LLC, FOR THE YEAR 2008**

**WHEREAS**, there exists a need for professional services for the Township of Vernon for the purpose of Computer Technician services; and

**WHEREAS**, the Township Manager has determined that Wired Up, LLC, the Township's current contractor providing Computer Technician services, is qualified to continue providing the Township with such services; 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. 40A: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 Wired Up, LLC, pursuant to a contract under the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer has certified that the value of the contract will exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from January 1, 2008 to December 31, 2008, with a total contract price not to exceed \$26,000; and

**WHEREAS**, Wired Up, LLC has submitted a Business Entity Disclosure Certification in compliance with applicable law.

**NOW THEREFORE BE IT RESOLVED**, this 13th day of March, 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 Wired Up, LLC, for the purpose of Computer Technician Services; and

2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with Wired Up, LLC, as negotiated by the Township Manager.

This Professional Services Contract is awarded without competitive bidding (1) as a "Professional Service" under the provisions of the Local Public Contracts Law and/or (2) for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software.

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 and the Professional Services Contract 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 commented that this is a Professional Services Contract which extends the existing contract with a company titled Wired Up, LLC where the company previously provided one-person service every other Friday, which increased to every Friday. The township is experiencing technological problems with the computers and transmission of data, which makes day-to-day operations difficult.

A motion was made by Glenn McLaughlin to adopt the above resolution and the motion was seconded by Rich Carson.

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

**RESOLUTION #08-68: AUTHORIZATION TO SUBMIT A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO THE NJDEP FOR THE VERNON REGIONAL PUMP STATION UPGRADE**

**WHEREAS**, a Regional Sewage Pump Station exists within Vernon Township; and

**WHEREAS**, said pump station requires upgrading by the Sussex County Municipal Utilities Authority (SCMUA) in order to accommodate future growth in the Vernon Town Center and Mountain Creek Resort areas; and

**WHEREAS**, SCMUA will pay for the entire cost of this particular pump station upgrade; and

**WHEREAS**, SCMUA has requested that Vernon Township endorse the Treatment Works Approval (TWA) application to be submitted to the New Jersey Department of Environmental Protection (NJDEP); and

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

1. The Township will endorse the Treatment Works Approval (TWA) application for this project on the NJDEP WQM-003 form.
2. The Deputy Clerk is hereby authorized to sign the TWA application on behalf of the Township.
3. This resolution shall be made part of the application and submitted to the NJDEP.
4. This resolution shall take effect immediately upon adoption according to law.

A motion was made by Neil Desmond to adopt the above resolution and the motion was seconded by Glenn McLaughlin.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, yes; Glenn



McLaughlin, yes; Austin Carew, yes. Motion carried.

## **INTRODUCTION OF PROPOSED ORDINANCES**

### **ORDINANCE NO. 08-04: AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR A PORTION OF THE MCAFEE VILLAGE REDEVELOPMENT AREA AND DESIGNATING THE COUNCIL OF THE TOWNSHIP OF VERNON TO ACT AS THE REDEVELOPMENT AGENCY FOR THE MCAFEE VILLAGE MIXED USE REDEVELOPMENT AREA AND ESTABLISHING THE MCAFEE VILLAGE ZONING DISTRICT OF THE LAND DEVELOPMENT CODE OF THE TOWNSHIP OF VERNON.**

The above ordinance was read by title only. A motion was made by Glenn McLaughlin to introduce the above ordinance on first reading. The motion was seconded by Rich Carson.

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

At this time, the Mayor opened the meeting to the public for any questions and/or comments pertaining to this ordinance.

Gary Martinsen, Vernon resident. He stated the ordinance states *the majority of the vacation type units shall be attached townhome type units and units constructed on grade. No occupancy restriction shall apply to these vacation type units.* He expressed concern that if there is no occupancy restriction then these type of units are considered year-round residential housing.

Thomas McClachrie, Vernon Taxpayers Association. He said the association's position is that they are against PILOTS and Redevelopment Area bonds. Mr. McClachrie stated the COAH information to the developer needs to be tightened up, and in addition, the township needs to stop spending the taxpayers' money for the developer as outlined in the ordinance paragraphs *f* and *j*.

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

## **OLD BUSINESS**

Mayor Carew asked if the council could agree on the current list of people for the beautification committee, and leave it open for additional new members. He suggested that the council think about the Eco-statistics of Going Green. At the next meeting, the council could consider passing a resolution that the township is interested in Going Green. Mayor Carew spoke to the college student present at the meeting and asked her if she had an interest in being involved in the task force to identify sources of grants. She said yes. Neil Desmond asked if the beautification committee has a mission statement, and Mayor Carew said they are in the process of creating a mission statement, goals and objectives.

A motion was made by Austin Carew to appoint these people who desire to be on the beautification committee and the motion was seconded by Glenn McLaughlin. All in favor.

## **NEW BUSINESS**

Mayor Carew met with the Canoe Our Streams Committee, affiliated with the Park Service. Austin Carew said this type of activity would offer the outdoors' enthusiast many ways to enjoy themselves. Mayor Carew said the council will be kept updated on this activity.

## **EXECUTIVE SESSION**

## **RESOLUTION**

At this time, 10:29 p.m., Neil Desmond made a motion to close the meeting to the public and enter executive session. The motion was seconded by Glenn McLaughlin, with all in favor.

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the township Council of the Township of Vernon as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is Attorney-Client privileges.
3. It is anticipated that the above-stated subject matter will be made available when deemed necessary.
4. This resolution shall take effect immediately.

The meeting was reopened to the public at 11:07 p.m. The Mayor said we discussed Attorney-Client privilege.

#### **ADJOURNMENT**

There being no further items of business on the Regular Meeting agenda, a motion was made by Glenn McLaughlin to adjourn the meeting and the motion was seconded by Rich Carson, with all in favor.

The Regular Meeting of the Township Council was adjourned at 11:07 p.m.

Respectfully submitted,

Andrea Bates  
Acting Township Clerk

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Presiding Officer