

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING**

March 27, 2008

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:13 p.m. on Thursday, March 27, 2008 in the Vernon Municipal Center, Church Street, Vernon, New Jersey. There were 40 interested persons in attendance.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on 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. Councilman James Oroho previously told the council that he would either be late to the meeting or not in attendance.

COUNCIL COMMENTS

Mayor Austin Carew read a statement announcing the resignation of Councilman James Oroho, effective at the close of the meeting, due to unforeseen changes in his professional job responsibilities. Mr. Carew expressed Councilman Oroho's regrets and spoke of Mr. Oroho's accomplishments, including delivering on the council's promises of having an open and transparent government and bringing financial accountability to the community. He also conveyed Mr. Oroho's positive view of the town's future, as well as its challenges, which include dealing with increasing expenses and debt levels. This, Mr. Oroho believes, is in light of the current economic environment and the number of town projects in progress. Moreover, he expressed confidence that the council will be aggressive in consolidating or sharing municipal services and functions, to both save the town money and allow the council to win back the trust and confidence of the community. Mr. Oroho said Vernon needs to diversify its economy so that it isn't dependent solely on the tourism industry for growth, an approach he says has had mixed results at best over the years. He also praised Melinda Carlton for her leadership skills and business acumen, which he believes will serve the town very well.

PUBLIC COMMENTS

Tom McClachrie, Vernon Taxpayers Association: Pointed out a small mathematical error in Ordinance #08-06 of \$52.06. It's not a huge sum, he admitted, but he said that in dealing with the taxpayers, the municipal government should take care to be more precise.

Sharon Douglas, Highland Lakes: Ms. Douglas said she was against the proposed location of a dog park on Sand Hill Rd., because of its proximity to a preschool/elementary school. She said she sent a package of related letters to the Mayor and council, which Melinda Carlton acknowledged receipt of. Ms. Douglas expressed concern that the dog park would increase traffic and sanitation concerns in the area, possibly bring strangers near the school, and could put the children at risk from a dangerous pet.

Valerie Seufert, Vernon Chamber of Commerce and Earthfest Committee: Ms. Seifert said the schedule of events for Earthfest was moving along smoothly, and she mentioned some of the activities on the schedule. She thanked the council for its support.

Nicola Ramella (age 4), Vernon: Supported the dog park for his dog "Chico."

ITEMS FOR DISCUSSION

Presentations and Special Items

Cerenzio & Panaro --- SCMUA Walkill Treatment Plant Expansion Project Update

Pete Cerenzio discussed the bids that were received for the project. He said the second-lowest bidder for the right to treat the waste water from the Vernon Town Center has filed a protest relative to the lowest bidder's qualifications. The low bidder will be given a hearing at the Authority's April 2nd board meeting, Mr. Cerenzio said, to clarify its experience and qualifications. He added that there is a \$900,000 difference between the bids of the companies in question, so the hearing will have special meaning in regard to fiscal responsibility.

Neil Desmond asked about bid bonds and performance bonds; Mr. Cerenzio said all of the bidders met all administrative requirements, one of which was that the low bidder has been involved with the construction of a new or upgraded waste water treatment plant of at least 1 million gallons per day. Mr. Cerenzio said his people were prepared to ask enough questions that would make them feel more comfortable one way or the other.

Mr. Cerenzio briefly summarized the factors that waste water companies consider when making a bid of this size and nature. Mr. Desmond asked if there was some mechanism in the Utility Authority's contract that protects the Authority if the costs of raw materials jump unexpectedly between when the contract is signed and when the project is completed and a discussion ensued. Mr. Cerenzio said that the bids were generally lump-sum, with some specific line-item dollar amounts (removal of rock, for instance). This is to prevent unbalanced bids, he explained.

Glenn McLaughlin asked what the chances were of the low bid being rejected and Mr. Cerenzio said he expected the bidder to present enough qualifications to prevent that from happening. Austin Carew asked if all bidders were from Sussex County, and Mr. Cerenzio said they were not. Mr. Cerenzio then handed out a "Schedule of Critical Tasks" to the council and concluded by discussing other aspects of the bid-award period, as well as the timetable for authorizing the Utility Authority to issue bonds.

D.O.G.S. --- Dog Owners Gathering Society

Bill Lang, Highland Lakes: Mr. Lang said a dog park gives the animals a place to exercise, which helps prevent them from becoming overly aggressive. He said Vernon has no off-lease facility for dogs; owners have to walk them on their own property or near busy streets. Mr. Lang added that dog parks have been enthusiastically received in other communities, and he went into the parks' many benefits. Mr. Lang said that the park could be built and maintained at no cost to the township and taxpayers. He mentioned that ultimately he would like the dog park to be a part of the Vernon Recreation Department, and to have it located on a 91-acre parcel of land on Sand Hill Rd. He added that, given the amount of land, the dog park would not be located next to a school, and would occupy approximately 10 acres of the site.

Mr. Lang announced the intention to place a temporary dog park on the Sand Hill site on the day of Earthfest—again, at no cost to Vernon or its taxpayers.

Mr. Lang then introduced several speakers, including Vernon veterinarian Robert Potter and his associate, who urged the council to approve of a dog park in the township. They pointed to the popularity of the Wantage Dog Park

(www.wantagedogpark.com) as justification for bringing one to Vernon. People come from all over to use the Wantage park, Dr. Potter said, and there has been only one complaint to date—a minor one about signage.

Mayor Carew asked about liability issues (i.e., dog bites) and was told that there is little information that insurers have about dog parks because the frequency of incidents is small. A discussion followed regarding the steps that D.O.G.S. has taken to have a safe, clean demonstration of the dog park during Earthfest. Glenn McLaughlin asked about fees that are charged at the Wantage dog park and was informed that donations are left in a locked box that's emptied regularly. Further discussion involved parking for the dog park during Earthfest and Neil Desmond suggested that the hours coincide with those for off-street parking in the township. Mr. Desmond also recommended that D.O.G.S. reach out to other property owners in the area, so that they have an understanding of the proposal and its implications.

The council also discussed the park as it relates to Green Acres regulations. It agreed to create a resolution based on the dog park proposal, for a one-day demonstration at Earthfest.

Let it also be noted for the record that Councilman James Oroho arrived at the meeting at 8:05 p.m.

MANAGER'S COMMENTS

Melinda Carlton said there was a meeting held regarding the Appalachian Trail parking lot, but she didn't have much to update the council on at this time. She did meet with John Eskilson, who indicated that there was a lot of in-kind work that the county can provide. It is likely a project for 2009, Ms. Carlton said. She also mentioned Special Meetings that need to be scheduled: for the Town Center, an analysis of the Health Department, and, possibly, a sewer presentation.

Ms. Carlton proposed that the requested \$4,200 donation for Earthfest on behalf of the township come from the Recreation Department. Some members of the council expressed reluctance to approve the request given the current economic climate. As such, Councilman Oroho agreed to donate his salary of \$3,800, which was matched by \$100 from each of the councilman to cover the difference. A roll call was taken. Motion passed.

Ms. Carlton said she intends to present the council with a budget for their review and said she would be available to answer all of their questions in regard to it, either at a regular council meeting or a special meeting. Neil Desmond responded by saying the budget is an important issue to have its own meeting. Glenn McLaughlin agreed, but Austin Carew said the council wouldn't have to decide at this meeting whether to schedule the special meeting.

Ms. Carlton asked township engineer Lou Kneip to give up an update on the proposed crosswalk at Route 638 and Breakneck Rd. Mr. Kneip said he discussed this with the Highland Lakes club manager and a preliminary plan was agreed upon: to place a speed "hump" (flatter and wider than a speed bump) on the northwesterly approach to the existing crosswalk, near the club's recreation area. This would slow down the vehicles approaching this area. A discussion ensued between Mr. Kneip and Ms. Carlton regarding the capital budget and funding for this project, and if the DOT would have to get involved. Mr. Kneip said it was his desire to get this project done before the beginning of the summer season.

Mr. Kneip also gave the council an update of the ongoing work at Maple Grange Park. He said the contractor should be able to remobilize at the park early in April to get the area graded and seeded, but that it will likely be summer before the area is opened to the public. The grass needs adequate time to root, Mr. Kneip explained, and he advised against opening the park sooner. Austin Carew mentioned the need to plant trees and replace the flag at the park, which he said was tattered. Ms. Carlton said new flags have been ordered.

Glenn McLaughlin asked Mr. Kneip about the United Water project, but Mr. Kneip said that a report wouldn't be ready until a later council meeting.

ATTORNEY'S REPORT

Township attorney Mike Witt had no comments at this time.

DISCUSSION OF NEW ORDINANCES

ORDINANCE # 08-05; AMENDING ORDINANCE #00-33

Melinda Carlton explained that this ordinance does not change the bottom line. The monies in the original ordinance are dedicated partially to construction costs and partially to Section 20 fees (consulting fees, auditing, planning, etc.). We need more money in that Section 20 area and need to transfer \$300,000 from the construction portion of the bond to the Section 20 portion.

ORDINANCE #08-06; CALENDAR YEAR 2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Ms. Carlton said this ordinance increases the appropriation by 3.5 percent over the appropriation from the previous year.

ORDINANCE # 08-07; AN ORDINANCE PROHIBITING SEX OFFENDERS FROM RESIDING AND/OR LOITERING NEAR CERTAIN FACILITIES WHERE CHILDREN CONGREGATE.

Neil Desmond said this ordinance helps fill the gaps in Megan's Law. He feels it's the job of the township and the council to help those residents who can't protect themselves. Mr. Desmond said the ordinance was crafted using a lot of the same language in pending legislation currently on the NJ Senate and Assembly floor. Township attorney Mike Witt said other towns have passed ordinances similar to this one, several of which have been challenged successfully in court. Mr. Witt said no people who live in Vernon are currently on the state's registry of sex offenders, so this may be a good time to pass this resolution because someone would have to move to the township to challenge it.

APPROVAL OF MINUTES

The following minutes were presented for approval: Regular Meetings of Sept. 24, 2007 and Oct. 11, 2007; Executive Sessions for Sept. 10, 2007, Sept. 14, 2007, Sept. 15, 2007, Dec. 10, 2007, Jan. 5, 2008, and Jan. 24, 2008; and Special Meetings of Sept. 14, 2007, Sept. 15, 2007, and Jan. 5, 2008. A motion was made by Neil Desmond to approve the above minutes and the motion was seconded by Glenn McLaughlin. Rich Carson asked to excuse himself from the vote for the 2007 minutes because he was not a council member at that time. Melinda Carlton acknowledged the backlog of minutes and informed the council that they were being taken care of as quickly as possible.

A roll call vote was taken. Rich Carson, yes (for 2008 only); Neil Desmond, yes; Jim Oroho, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

CONSENT AGENDA

RESOLUTION # R08-71; REDEMPTION OVERPAYMENT

WHEREAS, there is a 1992 Municipally held Tax Title Lien; and

WHEREAS, James A Houlgrave has redeemed the 1992 Tax Title Lien Certificate #0091/92; and

WHEREAS, the redemption occurred prior to the date given; and

WHEREAS, there was a typo graphed error on the redemption calculation which caused the overpayment.

NOW, THEREFORE, BE RESOLVED by the Mayor and Council of the Township of Vernon, County of Sussex, State of New Jersey, hereby authorize

the Township Treasurer to issue a check for said overpayment and authorize the Tax Collector to refund said overpayment on the following:

<u>BLOCK</u> <u>LOCATION</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>YEAR</u>
150.03 303 Midway Drive	10	Houlgrave, James A & Margaret)	\$ 1,334.76	2008

and,

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

RESOLUTION # R08-74; TRANSFER OF 2007 BUDGET

Resolution #R08-74

TRANSFER RESOLUTION - 2007 BUDGET

BE IT RESOLVED by the Township Council of the Township of
Vernon

that the following transfer of Appropriations (2007 Municipal Budget) in accordance with N.J.S. 40A 4-58 be and is hereby approved.

Salaries & Wages

From:	TO:
Environmental Comm. 10519515	300.00
Historic Pres. 10519915	2,000.00
Fire Safety 10534015	500.00
Personnel 10570315	380.00
Finance 10570515	3,000.00
Tax Collection 10570815	3,000.00
Planning Board 10572015	900.00
Police 10574515	2,400.00
Court 10575515	300.00
Roads 10576515	4,000.00
Fleet Manage. 10576715	2,700.00
Buildings & Grounds 10577215	2,000.00
Health 10578515	1,300.00
Animal Control 10578815	350.00
Maint. Of Parks 10579415	500.00

OTHER EXPENSES

FROM:	TO:
Environmental Comm. 10519599	2,000.00
Clerk 10570499	20,000.00
Zoning Board 10572299	30,000.00
Building Dept. 10572599	4,000.00
Tax Collection 10570899	8,000.00

TOTAL

87,630.00

87,630.00

INSERT R08-75

RESOLUTION # R08-77; APPROVAL OF BILLS LIST

Resolution –Authorizing the Approval of Bills List

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

Current	ck# 28563	to	ck# 28631
Current	ck# 28633	to	ck#
Current	ck# 28634	to	ck# 28696
Current	ck# 28699	to	ck#
Capital	ck# 2474	to	ck#
Capital	ck# 2475	to	ck#
Capital	ck# 2476	to	ck#
Grant	ck# 28632	to	ck#
Grant	ck# 28697	to	ck# 28698
Planning & Zoning	ck# 3663	to	ck# 3680
Planning & Zoning	ck# 3681	to	ck# 3683
Recreation Trust	ck# 743	to	ck#
Dog Trust	ck#		
Other Trust	ck# 739	to	ck# 740
Senior Citizen Trust	ck#	to	ck#
Outside Services	ck# 1426	to	ck# 1427
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# 114	to	ck#
Sewer Capital	ck# 1009	to	ck# 1011
Sewer Capital	ck# 1012	to	ck# 1015
Developer's Bonds	ck#	to	ck#
Road Assessment	ck#	to	ck#
Payroll Deduction	ck#	to	ck#
Payroll Checks	ck# 32014 thru ck#32076 (2 nd pay in March)		
Payroll Deduction	ck# 2875 thru ck#2888		
Total Payroll	\$343,528.95		

A motion was made by Neil Desmond 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; Jim Oroho, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

RESOLUTIONS FOR SEPARATE ACTION

RESOLUTION #R08-27: AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT TO ACQUIRE REAL PROPERTY FROM GEORGE V. BARD

WHEREAS, the Township Council of the Township of Vernon, NJ desires to acquire open space from George V. Bard which is set forth in the contract

attached hereto and made a part hereof, and which constitutes Block 184.02 Lot 7 on the Tax Map of the Township of Vernon, NJ, pursuant to NJSA 40A:12-1 et seq; and

WHEREAS, the land is to be used for open space, a public purpose; and

WHEREAS, the purchase of said property settles a long standing dispute with the State of New Jersey Department of Environmental Protection; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds for the purposes set forth herein.

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. The Mayor and Township Clerk are hereby authorized and directed to sign the contract to acquire real property located at Block 184.02 Lot 7 on the Tax Map of the Township of Vernon, NJ and as shown in the contract attached hereto and made a part hereof. The contract is contingent upon the Township Council approving, by Ordinance, the purchase of the property interest.
2. The Chief Financial Officer of the Township has certified the availability of funds for the purposes set forth herein.
3. This Resolution shall take effect immediately.

A motion was made by Neil Desmond to adopt the above resolution and the motion was seconded by Jim Oroho.

Rich Carson asked if the land was being paid for by Open Space funds, and Melinda Carlton said Yes. There was no additional discussion.

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

**RESOLUTION #08-70; AMENDING #07-132 (BUDGET AMOUNT)
AUTHORIZING THE APPLICATION FOR NJ DEPT. OF COMMUNITY
AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH
DISABILITIES GRANT**

WHEREAS, the Township of Vernon desires to apply for and obtain a grant from the New Jersey Department of Community Affairs, for approximately \$6,500.00 State share with \$1,300.00 local share for a total contract of \$7,800.00 for 2008 to provide therapeutic horse back riding recreational opportunities for people with disabilities.

BE IT THEREFORE RESOLVED, that the Township of Vernon does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer a lessor or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of such funds pursuant to the terms of said Agreement between the Township of Vernon and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, the agreement and any other documents necessary in connection therewith:

SIGNED: _____

SIGNED: _____

TITLE: Township Manager

TITLE: Township Mayor

A motion was made by Neil Desmond to adopt the above resolution and the motion was seconded by Jim Oroho.

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

RESOLUTION #R08-73; AUTHORIZING THE APPLICATION TO THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR A SEATBELT ENFORCEMENT PROGRAM

WHEREAS, the New Jersey Division of Highway Traffic Safety (“NJHTS”) reports that more than 2,000 unbuckled drivers and front seat passengers died on New Jersey's roadways in the past 10 years; and

WHEREAS, NJHTS reports that approximately 700 unbuckled drivers and front seat passengers were thrown out of their vehicles during crashes and killed in the past 10 years; and

WHEREAS, NJHTS reports that there were 716 motor vehicle fatalities in New Jersey in 2007; and

WHEREAS, NJHTS reports that a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, NJHTS reports that the use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the national *Click It or Ticket* safety belt mobilization from May 19 – June 1, 2008 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, NJHTS has set a state-wide goal of increasing the safety belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, in 2007, all 496 police department in New Jersey participated in the Click It or Ticket Program, including the Township of Vernon Police Department, which issued 186 seatbelt violations as part of the Program;

WHEREAS, funding is available under the Highway Safety Grant with the New Jersey Division of Highway Traffic Safety for the 2008 Seatbelt Enforcement Program for communities that wish to participate in the Program; and

WHEREAS, the Township Council finds that it is in the best interest of Vernon Township to participate in the 2008 Seatbelt Enforcement Program ; and

THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey that Vernon Township declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 19, 2008 through June 1, 2008 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

BE IT FURTHER RESOLVED 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 funds between the Township of Vernon and the New Jersey Division of Highway Traffic Safety for Seatbelt Enforcement in the amount of \$4,000.

The effective dates for this program will be from May 19, 2008 through June 1, 2008.

The council expressed concern about how this grant makes the township more efficient. Attorney Mike Witt said the funds in the grant were to be used to pay police officers overtime to look for seat belt violations, but Austin Carew asked if this program is something the state could afford in its current economic state. Rich Carson mentioned the healthcare aspects of the law, in terms of serious, long-term injuries to drivers, the cost of which can affect the state budget.

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, no; Jim Oroho, no; Glenn McLaughlin, yes; Austin Carew, no. Motion failed.

**RESOLUTION #R08-76; ENDORSING THE SUBMISSION OF THE 2007
RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987 c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Vernon Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the Township of Vernon hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Pullis, Director of Public Works, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Melinda Carlton said we need to be aware that even with grants there is a cost to the jurisdiction. The council, she added, should therefore give much greater scrutiny to grants that they're requested to authorize. Ms. Carlton said that this particular grant defrays the cost to the township, but the overall cost to the township is nevertheless quite high. She recommended that the council examine the recycling program in greater detail before the next budget year.

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, no; Jim Oroho, no; Glenn McLaughlin, yes; Austin Carew, no. Motion failed.

Resolution #08-78

AUTHORIZING APPOINTMENT OF ACTING MUNICIPAL CLERK

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

WHEREAS, the position of Acting Municipal Clerk is temporarily being held by Andrea Bates until the position of Municipal Clerk is filled; and

WHEREAS, after an open search process, the Township Council desires to appoint Dennis Murray to the position of Municipal Clerk; and

WHEREAS, Mr. Murray does not currently hold a registered municipal clerk certificate, but may, pursuant to N.J.S.A. 40A:9-133(c), be appointed to the position of Acting Municipal Clerk for a period not to exceed one (1) year, pending certification; and

WHEREAS, the Township Council has offered the position of Acting Municipal Clerk for a term not to exceed one (1) year and at an annual salary of \$70,000 to Dennis Murray and he has agreed to accept the same; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey, that Acting Municipal Clerk Andrea Bates is hereby returned to the title and duties of Deputy Municipal Clerk and shall be compensated accordingly; and

BE IT FURTHER RESOLVED that, in accordance with N.J.S.A. 40A:9-133(c), the Vernon Township Council hereby appoints Dennis Murray as Acting Municipal Clerk for a term of one (1) year commencing on the date of this Resolution at an annual salary of \$70,000.00, which funds have been certified by the Chief Financial Officer.

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; Jim Oroho, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

INTRODUCTION OF PROPOSED ORDINANCES

ORDINANCE # 08-05; AMENDING ORDINANCE #00-33

The above ordinance was read by title only. A motion was made by Neil Desmond to introduce the above ordinance on first reading and so advertise with second reading and final adoption on April 10, 2008. The motion was seconded by Rich Carson.

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

ORDINANCE #08-06; CALENDAR YEAR 2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

The above ordinance was read by title only. A motion was made by Neil Desmond to introduce the above ordinance on first reading and so advertise with second reading and final adoption on April 10, 2008. The motion was seconded by Jim Oroho.

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

ORDINANCE # 08-07; AN ORDINANCE PROHIBITING SEX OFFENDERS FROM RESIDING AND/OR LOITERING NEAR CERTAIN FACILITIES WHERE CHILDREN CONGREGATE.

The above ordinance was read by title only. A motion was made by Neil Desmond to introduce the above ordinance on first reading and so advertise with second reading and final adoption on April 10, 2008. The motion was seconded by Rich Carson.

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

Mayor Carew then introduced Dennis Murray as the new Acting Township Clerk. Mr. Murray said a few words about himself and his background. Mr. Carew then gave the oath of office to Mr. Murray.

OLD BUSINESS

Mayor Carew opened the meeting to old business and there was none.

NEW BUSINESS

Glenn McLaughlin asked about garbage collection in the township and if it would be possible to save the taxpayers money by contracting with a single vendor. Ms. Carlton said she would look into it.

Jim Oroho urged the council to continue to pursue economic development beyond the tourism trade. Austin Carew thanked Councilman Oroho for the research Mr. Oroho did in this regard. Neil Desmond, Rich Carson, and Glenn McLaughlin also expressed their appreciation and thanks to Mr. Oroho for his service to Vernon.

Mr. Carew discussed the non-profit Interfaith Hospitality Network that allows impoverished individuals and families to live in the churches temporarily. The Network has come under pressure to make sure that the churches are

compliant with the fire code before allowing people to live in them. Mr. Carew suggested approaching the Fire Prevention people to see what sort of compromise can be reached for this much-needed service. Ms. Carlton said she has been in touch with Fire Prevention for a citation of the code and expects a response soon.

Mr. Carew discussed a matching grant to create a bike path through the center of town, to see if it's something Vernon would want to pursue. Second, Mr. Carew said the council should further discuss COAH and meet with the appropriate people to get a handle on the particulars in terms of the township. Mr. McLaughlin agreed.

A brief discussion followed regarding the county's moratorium on adding township roads to the county system and Vernon engineer Lou Kneip said there are no plans to add any township roads to the county system. Other discussions involved the availability of ethics seminars/training for township employees, and recapturing wastewater for firefighting efforts.

Mr. Desmond updated the council on the agendas for the Planning Board meetings and related redevelopment ordinances.

EXECUTIVE SESSION

At this time, 9:34 p.m., Neil Desmond made a motion to close the meeting to the public and enter executive session for reasons of personnel issues and attorney-client privilege. The motion was seconded by Glenn McLaughlin, with all in favor.

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permit's 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 as follows: attorney-client privilege and personnel matters.
3. It is anticipated that the above-stated subject matter will be made available when deemed appropriate.
4. This resolution shall take effect immediately.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 10:13 p.m.

Respectfully submitted,

Dennis G. Murray
Acting Township Clerk