

VERNON TOWNSHIP COUNCIL
Town Center Presentation
June 5, 2008

A special meeting of the Township Council of the Township of Vernon was convened on June 5, 2008 at 7:12 p.m. in the Vernon Municipal Center, Church Street, Vernon, New Jersey, with Mayor Austin Carew presiding. There were 35 interested persons in attendance.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on May 21, 2008 by delivering to the press and posting at the Municipal Building pursuant to the provisions of the Open Public Meetings Act. The purpose of this meeting is a Town Center Presentation.

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 Glenn McLaughlin, Valerie Seufert, and Austin Carew answered the call. Councilmember Rich Carson was unable to attend due to a family emergency. Also present were Melinda Carlton, Township Manager, and Michael Witt, Township Attorney. Let it be noted that Councilmember Neil Desmond arrived at 7:20 p.m.

CHANGES TO THE AGENDA

Mayor Carew announced that the public comment session would follow the presentation, rather than precede it.

PRESENTATION

TOWN CENTER --- Lou Kneip, Director of Planning and Development

Mr. Kneip said the Town Center project has been in the making for approximately 13 years (since 1995). His research for this presentation included an examination of existing documents, interviews with previous township officials and professionals affiliated with the project, and his own first-hand knowledge. For the benefit of the council and the public, Mr. Kneip gave a detailed, comprehensive Power Point presentation that included a historical overview of the project, including initial concepts, names of contractors and consultants, and sewer allocations and agreements; the goals and objectives of the Town Center designation; the township's obligations under this designation, including the need to pursue Plan Endorsement, to maintain the Town Center designation; a review of policy issues and other outstanding matters that need to be addressed by the township council, township manager, and municipal staff; and a summary of the costs spent to date on the project (for easements, title searches, permits, consultant fees, etc.). Mr. Kneip also provided answers to several commonly asked questions about the Town Center project (i.e., "Why is there no development on the new Main Street?") and prepared an action plan for the council's consideration. Councilmember Glenn McLaughlin suggested putting the commonly asked questions—and possibly the slides of the entire presentation—on the township website.

At various points throughout the presentation, the mayor and members of the council asked Mr. Kneip for clarification, expansion, or both on several issues related to the project, including, but not limited to, impact fees, underground and open detention basins, the rationale behind the removal of the McAfee area from the Town Center designation, grandfathering of existing properties in terms of minimum lot size, communication of site limitations to prospective developers, the option of a community well or private wells in and around the Town Center, the status of water line construction on Main Street and Church Street, the need for a shared-parking ordinance, and the appointment of an Economic Development Director.

Some of the more lengthy topics of discussion that came as a result of Mr. Kneip's presentation included the timeline for getting a developer's agreement in place between the township and United Water; who will be responsible—the

township or developers—for the funding of improvements in the Town Center (sidewalks, street lamps, electric and cable hookups, etc.); the need for specific, definable goals and deadlines that will hold people accountable for the project's progress; the benefits to the township of asking developers for “request for proposals” (RFPs), for some or all of the Town Center properties; and the “branding” of Vernon, to properly get the message out about the Town Center and proceed with economic development.

Discussion also centered on the total expenses incurred to date for Main Street and for the sewer system (\$9.1 million), and the revenues that have served to offset these expenses, including payments from Mountain Creek as well as the value of land and properties owned by the township. The council and mayor again stressed the need for critical paths, timelines, and progress reports, to keep the Town Center project moving forward.

OPEN TO THE PUBLIC

At the conclusion of Mr. Kneip's presentation, at 9:32 p.m., Mayor Carew called for a recess. The meeting was reopened at 9:52 p.m.

Tom McClachrie, Vernon Taxpayers Association. Mr. McClachrie asked what the total cost of the Town Center project would be, and Mayor Carew said it depends on what still has to be paid for and who the council will decide should pay for it. There is no definitive answer, he explained. Mr. McClachrie says residential taxes have continued to rise in the township while the number of ratables has gone down slightly. He expressed concern that township officials do not know exactly when they will get a return on the taxpayers' investment. Mr. McClachrie asked what the council defines as “finished.” Mayor Carew said that's a question that each council member has to ask himself or herself in deciding whether to authorize more money to be spent on the project.

Jessi Paladini, Highland Lakes. Ms. Paladini said she asked the question about the projected total cost of the Town Center back in 2002 and 2003, and was told, “We don't know.” She questioned why the town would undertake something without knowing the cost. Ms. Paladini further asked about the possibility of losing the Town Center designation, and Mayor Carew said he didn't expect that to happen. The township has been proactive in this regard, Mr. Kneip added, through the Plan Endorsement process.

The council confirmed for Ms. Paladini that Mountain Creek would pay for—and is currently paying for—all of the sewer costs. She also asked when Mr. Kneip's presentation would be available on the township website; Mr. Kneip said he hoped it would be on the site on or about June 13. Ms. Paladini also inquired about the timeline and logistics for getting water to the Town Center area.

Ms. Paladini asked who the investors are behind “Main Street Associates” and Melinda Carlton said she would research that for her. Township attorney Michael Witt said he would provide Ms. Paladini with the name of a website that could give her more information on Main Street Associates.

Bruce Zaretsky, 7 Brandywine Drive, Vernon. Mr. Zaretsky revealed himself as a principal of Main Street Associates. He spoke to the difficulties Vernon residents have in getting variances for decks, porches, and small additions. Mr. Zaretsky said it's “a horrible thing to have to go through” and the township should take that burden away. Mayor Carew said the council will get reports from the planning and zoning boards, as well as the health department and environmental commission, to help guide them on correcting this situation.

Mr. Zaretsky addressed the issue of sidewalks. He said there are “pieces” of sidewalks everywhere on Church Street. He suggested assessing all of the property owners in the Town Center area, then contracting to put in all of the sidewalks at once. Mr. Zaretsky also said the township should consider the use of individual wells, because he believes it may take more than a year and a half to get approvals for the water line.

Mr. Zaretsky also spoke to the types of businesses that may be attracted to the Town Center, and the effect of impact fees on these businesses, especially the mom-and-pop stores. In addition, he asked the council to look at the COAH program more closely and PILOTS (payments in lieu of taxes).

Ted Warnet, Highland Lakes. An 18-year resident of Highland Lakes, Mr. Warnet spoke as a concerned taxpayer as it relates to Town Center expenses, as well as the possible shutdown of the health department. He says his taxes have gone from \$1,100 to \$6,000, and he hasn't seen "one additional service" in the township. In reference to the potential layoffs of municipal employees, Mr. Warnet said the township should be adding resources instead of getting rid of them. He said that he and his neighbors do not have a lot of faith in the decisions that have been made by the council in recent years. "Our taxes are going up and services are going down," he said. "We're going backwards." Mayor Carew addressed Mr. Warnet's concerns. Mr. Warnet said we should step back from some of these projects in town until we have some hard commitments and redirect the money to where it really has to go.

Al Klump, Cedar Ridge, Vernon. Mr. Klump suggested that it would help to have another Town Center meeting in a couple of months, to update the public as to how much more money will be spent on the project. He said the original plan was to finance the Town Center entirely from grants and impact fees, but that that hasn't happened. Mr. Klump also talked about the value of the gallonage allocations for the sewer lines, which he described as a valuable commodity. Mayor Carew said this would be addressed in the redeveloper's agreement. A lengthy discussion followed to the relationship between sewer allocation and property values in the Town Center. Mr. Klump asked about tax breaks for businesses in the Town Center, but Mayor Carew said there has been no official discussion on this.

Vincent Zinno, 10 Jenny Lane, Vernon. Mr. Zinno thanked the council for reviewing his request to create an ordinance addressing the township's setbacks. In reference to the Town Center, he says he believes that it will be comprised mostly of mom-and-pop stores. He says that is in contrast to two years ago when the focus was on attracting large franchise stores. Mr. Zinno challenged the council and municipal staff to maintain accountability on the project with, as Councilmember Desmond suggested, a clear-cut timeline of tasks to be completed and deadlines to be met. Mr. Zinno said the time is now to re-examine the whole master plan for the Town Center to see if it is something that works for Vernon, and possibly revamp it. Moreover, on a personal note, Mr. Zinno said he has been getting the "run around" for the past two years with regard to establishing sewer service for a 10,000-square-foot building he owns on Theta Drive. He wanted the council to be aware of this. Ms. Carlton requested to meet with Mr. Zinno, who said he would be happy to set up a time.

George Farrand, 13 Bucky Lane, Vernon. Mr. Farrand congratulated the council for doing "a phenomenal job with a humongous project." He said it was a good idea to put Mr. Kneip's presentation on the township website, but to do so in a condensed form. Mayor Carew said that while that may be smart from a marketing and communications point of view, the public may perceive editing as censorship.

Mr. Farrand said Vernon is a resort community and it wouldn't be realistic to expect manufacturing companies to come in. He said marketing and communications would be the key to get the ball rolling on the Town Center. It would be wise, he emphasized, for the township to hire a consultant to evaluate which types of companies would be most interested in putting businesses in the Town Center. Mr. Farrand said the township might be able to barter for these services using its existing assets (land or services), so that it doesn't cost the taxpayers anything. The bartering concept could also extend to working with developers too, he added.

Harold MacPeek, 3 Alberta Drive, Vernon. Mr. MacPeek said he has lived here a long time and has heard the promise of lower taxes with the coming of Great Gorge, Vernon Valley, the Playboy Club, and, now, the Town Center. "I don't think I'm going to live long enough to see our taxes go down," he said.

Gary Martinsen, Vernon resident and small-business owner. Mr. Martinsen suggested that any Town Center cost information that is placed on the website should be updated in a timely manner. He also said the township should

communicate a “holistic view” of the Town Center, by including feedback from the existing businesses, in order to tie everything together.

Mr. Martinsen mentioned potential wells in the Town Center area, saying they could yield very different amounts of water even if they’re in close proximity to one another. This could be a problem when it comes to fire-suppression systems. The wells may not be able to support the systems if there’s a large fire, Mr. Martinsen said. The township should be careful in assessing this before beginning any construction, he added.

Mr. Martinsen said he is willing to share the results of his survey regarding the Town Center, which included the types of businesses people would like to see.

EXECUTIVE SESSION

At 11:07 p.m., Councilmember Valerie Seufert made a motion to close the meeting to the public and enter Executive Session for reason of attorney-client privilege. The motion was seconded by Councilmember Glenn McLaughlin, with all in favor.

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting 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, County of Sussex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows: attorney-client privilege.
3. It is anticipated at this time that the above-stated subject matter will be made public when deemed appropriate.
4. This resolution shall take effect immediately.

The meeting was reopened to the public at 11:38 p.m. Mayor Carew stated that the Council went into Executive Session for the reason of attorney-client privilege.

ADJOURNMENT

There being no further items of business on the agenda, a motion was made by Councilmember Neil Desmond to adjourn the meeting. All in favor.

The Special Meeting of the Township Council of the Township of Vernon was adjourned at 11:38 p.m.

Respectfully submitted,

Dennis G. Murray
Acting Municipal Clerk

Presiding Officer