

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING
July 24, 2008**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:14 p.m. on Thursday, July 24, 2008 in the Vernon Municipal Center, Church Street, Vernon, New Jersey. There were 20 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. Councilmember Valerie Seufert was on vacation.

PUBLIC COMMENTS

Robin Barron, 18 Up A Way Drive. Ms. Barron asked about the status of the redevelopment ordinance for the Legends Hotel, #08-03. Mayor Carew said negotiations are ongoing with regard to naming the redeveloper, but that these negotiations are not open to the public. Ms. Barron said that in August it will be three years that there has not been a timeshare-exchange company for timeshare owners at Legends. She expressed frustration with this and asked the council for its help. The township attorney, Mike Witt, said the township has met with the team of attorneys and consultants for Legends, and that they are in possession of a draft of the redevelopment agreement, for their comments. He added that the township is not a party to the dispute with Legends, but that language in the ordinance does make the owners of Legends aware of the fact that the township is concerned about the timeshare issue.

Tom McClachrie, Vernon Taxpayers Association. Mr. McClachrie asked when redevelopment of the Legends property was going to start. Mayor Carew said the redevelopment ordinance can't "compel" the owners to construct or refurbish anything immediately, although the township can impose penalties and sanctions if there are unusually long delays. Mr. McClachrie asked about tax abatements and Mayor Carew said they are indeed permitted under redevelopment, but at this point, the township is not anywhere near that stage of negotiations. Mr. McClachrie stated that the township could have negotiated a more favorable arrangement. Councilmember Desmond challenged him on this. Discussion followed to eminent domain and condemning the property. When asked his opinion, Mr. McClachrie stated he would impose municipal land use law, to compel private property owners to do certain things. Councilmember Desmond reminded him that nothing has been finalized yet. He advised Mr. McClachrie to allow the negotiations to take place ("let the fruit ripen") and the council will inform the public of the progress as it moves along.

Mr. McClachrie asked about a line in the budget for monies for economic development, which has been increased. Mayor Carew said it was important to spend this money to generate business in the township, to increase its tax revenues. A discussion followed to the amounts spent in the past for these efforts. Melinda Carlton reiterated to Mr. McClachrie that she would prefer for him to present his questions to her in advance, especially with regard to specific figures in the budget, so that she can be better prepared to answer them. Mr. McClachrie acknowledged this, but then went on to cite more specific figures from the budget and related percentage increases. There then followed a debate

between Mr. McClachrie and Ms. Carlton over figures and tax rates. Mayor Carew added that many of the costs for fuel, electric, health care, etc. have risen for the township just as they have for the residents. "We're not going out and spending money in a frivolous fashion," he said, adding that a major successful tax appeal cost the town about \$400,000 in revenue. The council and Mr. McClachrie further debated monies in the municipal budget, how they are allocated, and to whom (PAL, Chamber of Commerce, etc.). Councilmember McLaughlin and Mayor Carew defended Ms. Carlton's work on the budget and said she did an excellent job under very difficult circumstances. Mr. McClachrie did acknowledge, however, that this year's budget was much easier to understand than last year's.

Mr. McClachrie also voiced his organization's opposition to two resolutions (No. 135 and 140) on this evening's agenda, for rescue tools and a fire pumper. He is of the opinion that redevelopers, not the township, should pay for this equipment—now and in the future—through the creation of a fire-tax district. Councilmember Desmond said this district wasn't going to be created right away and that the fire department absolutely must have the equipment it needs to get the job done. "If push comes to shove and I have to spend money to give our volunteers the tools they need to protect the public, then crucify me—I'm going to spend the money," Mr. Desmond said. Mayor Carew said professional emergency responders would cost the township much more than volunteers would. Moreover, the professionals might not be satisfied with the equipment the township provides them with.

Lisa Morris, 6 Steamboat. Ms. Morris asked about COAH issues in the township: "If we're fighting it (COAH), why are we fighting it and what do we stand to gain?" Mayor Carew gave a brief recap of how COAH came to be and discussed money the township spent on RCAs to the city of Passaic. This, in essence, allowed Vernon to "sell" its COAH obligation, he explained. Mayor Carew said the township has entered into a lawsuit with other municipalities in hopes that it will produce revised COAH regulations that will be more favorable to the township. Ms. Morris thanked the council for its time.

Gary Martinsen, Vernon resident. Mr. Martinsen spoke out on behalf of Mr. McClachrie, whom he says has offered many positive suggestions over the years.

Mr. Martinsen said he did not question Councilmember Carson's integrity at a previous Town Council meeting; it was a legal question, regarding whether or not, as a volunteer responder, Mr. Carson could vote on and approve a particular resolution for emergency equipment. Mr. Martinsen said it was his right as "a resident, as a citizen, as an *American*" to challenge the legality of the situation.

Mr. Martinsen praised Councilmember Desmond's attempt at the previous meeting to bring the budget back for reconsideration, prior to the vote on the budget amendment. Mayor Carew then discussed the rationale for having the position of assistant manager remain in the budget, given what happened in the township manager's office in 2007. Mr. Martinsen said he wasn't referring to any specific position within the township; he was referring to the overall process of considering and approving the budget.

Bill Costabile, 120 Wawayanda Road. Mr. Costabile presented a problem that he has had with the township since 2004 over what he described as a deficient storm basin (a catch basin and a storm pipe) on his property. He said he was not given an opportunity to meet with Melinda Carlton to discuss this issue and present the documents in his possession. He then went into details of how the water flows on his property and the erosion it is causing. "Nothing has been done," he said, adding that this damage may cause him to lose "a third to almost half" of his property to wetlands. Mr. Costabile said the job was never done right to begin with and he is requesting township officials to come to his property and inspect the damage. "I want that pipe to pass my garage," he said. "I don't want any more problems." He then provided the council with more details of the situation and further expressed his frustration. Mr. Costabile said he is in

possession of a wetlands map that is much more current than the one the township has in its files. Councilmember McLaughlin asked for more details on how the storm basin system is set up and how far it extends into Mr. Costabile's property.

Councilmember Desmond said the council should authorize the township manager to allow municipal staff to do an onsite investigation of the property, to help this resident get some relief. Mayor Carew agreed. Mr. Costabile said he would be happy to arrange a meeting at his home with township officials. Mayor Carew asked Mr. Costabile to provide township officials with copies of his documents. Mr. Costabile agreed to do so. "I'd rather have you do it (fix the problem) without the DEP telling you to do it," he said. Mayor Carew said the council would try to help him.

Jessi Paladini, 17 Hummingbird Trail. Ms. Paladini said she has seen the damage at Mr. Costabile's property and said no one should be allowed "to cause the ruination of his property, then say, 'Go get a lawyer.'" She said the township should have had better documentation on its efforts to remedy the problem, but she added that it apparently does not.

Ms. Paladini said she would have welcomed the opportunity to meet with township officials to show them the many places the budget could have been cut. She said the town isn't doing enough in this regard and she applauded Mr. McClachrie's efforts. There are a large number of residents who are unhappy with how their tax dollars are being spent, she added, because she receives anonymous letters specific to this almost every day. She said former township officials and council members have "recklessly squandered our money on the Town Center, to the tune of millions of dollars." Ms. Paladini attributes the budget problems to the "systematic increase" in the number of municipal employees over the last five or six years—not hikes in gas prices or other overhead costs. She said she is not opposed to laying off personnel to balance the budget, but the township has chosen the wrong personnel.

Ms. Paladini said her requests for information from the township have generally been fruitful, with the exception of requests from the engineering department, which she said has not been as forthcoming as she would like. She described it as a "serious problem." Moreover, Ms. Paladini said comments made in meetings often do not correspond with the information she finds in public documents. "That's fiction to me," she said. She then described the details of some of the information she has requested from the township in recent weeks and the trouble she has faced in receiving it promptly.

Ms. Paladini asked about her refund of \$369.80 for overpayment of township records, and was told by Mike Witt that she would get it "very soon."

Discussion followed to traffic speed limits in the Town Center area, which Ms. Paladini heard cannot be enforced. Mr. Witt said he would look into it. Also, in reference to the Town Center, Ms. Paladini stated that \$2.9 million was spent to buy all of the Town Center properties, covering roughly 77 acres. She asked if this money was included in the \$9.1 million amount that was stated at a recent Town Council meeting regarding the Town Center. Mayor Carew said he wasn't sure, but he expressed a desire on behalf of the council to consider launching a "forensic-type of investigation" specific to the Town Center. Ms. Paladini said this would be a "very good idea." Mayor Carew also promised to get an answer for her on whether the cost of the Town Center properties was included in the figure of \$9.1 million.

Ms. Paladini also questioned the township's purchase of property in McAfee from Catfish Holdings, LLC. She gave details of prices and transaction dates. Mayor Carew said this was the sort of thing that could fall under a forensic investigation of the Town Center. Ms. Paladini further questioned the purchase of land that she stated was sold back to developers, and stressed that it was incumbent upon the council to find answers to her inquiries.

Ms. Paladini asked about new bonding, and Mayor Carew reiterated that there has been no *new* bonding—only monies from previously issued bonds that was discovered to be still on the books. Furthermore, he stated that there is no new bonding planned.

Mary Ellen Vichiconti, 17 Nutley Avenue. Ms. Vichiconti asked if the council has further considered the suggestion to videotape the Town Council meetings, and Melinda Carlton stated, "We're working on it." Ms. Vichiconti said she has been in touch with a representative from Warwick Valley Telephone, which has expressed interest.

Ms. Vichiconti also commented on what she perceives as a lack of respect on the part of the council for members of the public who take their time to come to the meetings. "If you want respect, you need to give respect too," she said.

Lynne Schweighardt, Vernon Township Tax Assessor. Ms. Schweighardt answered a previous question from Ms. Paladini regarding a purchase by Catfish Holdings, LLC, and gave further details of this transaction. The council thanked Ms. Schweighardt for the clarification.

EXECUTIVE SESSION

At 9:01 p.m., Councilmember McLaughlin made a motion to suspend the regular order of business and close the meeting to the public, to enter Executive Session for reasons of attorney-client privilege, contract negotiations, and personnel matters. The motion was seconded by Councilmember Carson, 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, contract negotiations, and personnel matters.
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 11:14 p.m. Mayor Carew stated that the Council went into Executive Session for reasons of attorney-client privilege, contract negotiations, and personnel matters.

MANAGER'S REPORT

Melinda Carlton distributed to the council a list of its goals, drafted after the goal-setting meeting of March 10, 2008. She said she will work with municipal staff, and occasionally with the governing body, on a development-and-implementation plan. There will be monitoring afterward, to see if the goals are being met. Councilmember Desmond commented that the number of goals seems too high, given everything that is going on in the township; he thought four to six goals would be more definable and manageable than the 13 stated on the list—especially if a measurable critical path is attached to each goal, as it should be. He recommended posting the goals in the municipal building and having Ms. Carlton update the progress during her Manager's Report. Ms. Carlton then read the council's goals aloud for the benefit of the public.

Ann Izzo has been appointed as the interim tax collector, Ms. Carlton said, adding that the position is currently being advertised in several publications.

Ms. Carlton announced that the last of the sewer contracts have been finalized and they came in \$268,000 *under* budget. In addition, Township Engineer Lou Kneip confirmed for Ms. Carlton that the NJDOT grant, for the closeout of the Town Center Road, was received for \$301,000, from the original \$1.5 million.

ATTORNEY'S REPORT

There was no attorney's report this evening.

ITEMS FOR ACTION

Approval of Minutes by Vote

The following minutes were presented for approval: Regular Meeting of July 10, 2008, and Executive Session of July 10, 2008.

A motion was made by Councilmember Desmond to approve the above minutes, which was seconded by Councilmember McLaughlin.

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

Consent Agenda (all items voted on concurrently)

Resolution#R08-136

Resolution -Authorizing the Approval of Bills List

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

| | | | |
|----------------------|--------------|------|---|
| Current | ck# 29437 | to | ck# 29477 |
| Current | ck# 29478 | to | ck# 29519 |
| Capital | ck# 2527 | to | ck# 2529 |
| Grant | ck# 29520 | to | ck# 29522 |
| Planning & Zoning | ck# 3741 | to | ck# 3755 |
| Recreation Trust | ck# 773 | to | ck# 783 |
| Recreation Trust | ck# 784 | to | ck# 788 |
| Dog Trust | ck# | to | ck# |
| Other Trust | ck# 752 | to | ck# 753 |
| Senior Citizen Trust | ck# | to | ck# |
| Outside Services | ck# 1459 | to | ck# 1460 |
| Outside Services | ck# 1461 | to | ck# 1462 |
| Unemployment Trust | ck# | to | ck# |
| Open Space Trust | ck# | to | ck# |
| PVL Dam Rehab Asm | ck# 237 | to | ck# |
| PVL Dam Rehab Exp | ck# | to | ck# |
| COAH | ck# | to | ck# |
| Sewer Operating | ck# 999 | to | ck# (wire transfer) |
| Sewer Capital | ck# 1025 | to | ck# |
| Developer's Bonds | ck# | to | ck# |
| Road Assessment | ck# | to | ck# |
| Payroll Deduction | ck# | to | ck# |
| Payroll Checks | ck# 32487 | thru | ck# 32542 (1 st pay in July) |
| Payroll Deduction | ck# 2964 | thru | ck# 2971 |
| Total Payroll | \$336,468.42 | | |

Resolution#08-139

**AUTHORIZING TAX SALE PREMIUMS TO ESCHEAT
TO THE TOWNSHIP PURSUANT TO N.J.S.A.54:5-33**

WHEREAS, the 2003 Tax Sale took place on March 31, 2003; and

WHEREAS, the Tax Sale Law requires that after five years if a redemption has not occurred, that the Premium be escheated to the Treasurer of the municipality.

Tax Sale Certificate #03/022, issued 3/31/03 on Block 150.20 Lot 2 Premium in the amount of \$1,400.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, that all premiums remaining on Tax Title Liens sold at or prior to the 2003 Tax Sale be hereby Escheated to the Township of Vernon Treasurer, in accordance with N.J.S.A. 54:5-33.

Resolution # 08-141

RENEWAL OF LIQUOR LICENSE FOR VERNON TOWNSHIP 2008-2009

WHEREAS, all licenses to dispose alcoholic beverages must be renewed and reissued no later than July 1, 2008 and

WHEREAS, pursuant to R.S. 33:1, the Police Chief has made the necessary inspections and reported same to the Township Council; and

WHEREAS, the tax clearance certificate for the following license was not issued by the New Jersey Division of Taxation, nor a copy received by the Township of Vernon prior to July 1.

WHEREAS, the applicant for the following license has now secured a tax clearance certificate and a copy has been transmitted to the township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the following license shall be reissued effective as of July 24, 2008:

PLENARY RETAIL CONSUMPTION

Stonehill Recreation Corporation

1922-36-011-001

The township clerk, Dennis Murray, announced that the above resolution, 08-141, needs to be carried to the August 14th Town Council meeting because Stonehill Recreation Corp. has not yet received its tax-clearance certificate. A motion was made by Councilmember Desmond to carry Resolution 08-141 to the August 14th meeting, which was seconded by Councilmember Carson.

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

A motion was made by Councilmember Desmond to approve the remainder of the consent agenda (Resolutions 08-136 and 08-139), which was seconded by Councilmember Carson.

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

Resolutions for Discussion and Action

Resolution #R08-135

AWARD OF BID POCHUCK FIRE DEPARTMENT RESCUE TOOLS

WHEREAS, the Acting Municipal Clerk and the Director of Public Works accepted bids, pursuant to the New Jersey Local Public Contracts Law, for Pochuck Fire Department Rescue Tools on June 19, 2008 at 2:15 p.m.; and

WHEREAS, one bid was received; and

WHEREAS, the Director of Public Works has reviewed the bid submitted and has recommended the bid be awarded to State Line Fire & Safety, Inc., 50 Park Avenue, Park Ridge, NJ; and

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon hereby awards the bid for Pochuck Fire Department Rescue Tools to State Line Fire & Safety for a total amount not to exceed \$36,174.50.; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the bidder along with the bid bond.

This Resolution shall take effect immediately.

Prior to the vote, Councilmember Carson stated that he has no association "at all" with either the Pochuck Fire Department or the McAfee Fire Department, with particular concern to the above resolution and another on this evening's agenda, #08-140.

A motion was made by Councilmember Desmond to approve the above resolution, which was seconded by Councilmember Carson.

Councilmember Carson provided details of the emergency-rescue tools, which he described as "state of the art" equipment.

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

Resolution # 08-137

EXTENDING THE INTERLOCAL SERVICES 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 the 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 has been providing the services of a licensed Health Officer to the Township of Vernon under an Interlocal Services Agreement whereby the County Health Officer provides services for a maximum of four (4) hours per week at the Vernon Township Municipal site and for telephone support, as necessary, at a rate of Three Hundred (\$300.00) Dollars per week; and

WHEREAS, the term of that Agreement expires on July 9, 2008, and the Township of Vernon and the County of Sussex wish to continue in this arrangement under the same

terms through the end of 2008, for an amount not to exceed Six Thousand Three Hundred (\$6,300.00) Dollars; 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 that the Freeholder Director and Clerk of the Board are hereby authorized to execute this Resolution, which shall act as the Interlocal Services Agreement between the County of Sussex and the Township of Vernon for the provision of Health Officer services as described herein; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the Township Clerk, Township of Vernon Municipal Building, 21 Church Street, Vernon, NJ 07461; Melinda Carlton, Vernon Township Manager, 21 Church Street, Vernon, NJ 07461; Sussex County Administrator; and the Administrator, Department of Environmental and Public Health Services.

Mayor Carew said this resolution is to approve the payment of services from a County Health Officer.

A motion was made by Councilmember McLaughlin to approve the above resolution, which was seconded by Councilmember Carson.

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

Resolution #R08-138

AWARD OF BID DEPARTMENT OF PUBLIC WORKS PARKS TRACTOR with BUCKET and BACK HOE ATTACHMENT

WHEREAS, the Acting Municipal Clerk and the Director of Public Works accepted bids, pursuant to the New Jersey Local Public Contracts Law, for a Parks Tractor with Bucket and Back Hoe Attachment on May 6, 2008 at 2:00 p.m.; and

WHEREAS, four bids were received; and

WHEREAS, the Director of Public Works has reviewed the bids submitted and has recommended the bid be awarded to Bassani Power Equipment, LLC., 103 RT 23N Hamburg, NJ; and

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon hereby awards the bid for a Parks Tractor with Bucket and Back Hoe Attachment to Bassani Power Equipment, LLC., for a total amount not to exceed \$23,300.00; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the bidder along with the bid bond. This Resolution shall take effect immediately.

Mayor Carew suggested that the above resolution be tabled in light of the fact that the township may consider outsourcing certain road department services. This is an expense the township may therefore not need to incur, he said.

A motion was made by Councilmember McLaughlin to table the above resolution, which was seconded by Councilmember Carson.

Mr. Witt said that under New Jersey Local Public Contracts Law, the township can reject the bids if it is going to scrap the project. Or, the vendors could be contacted to see if they are willing to extend their bids beyond the original bid period.

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

Resolution #R08-140

AWARD OF BID McAFEE FIRE DEPARTMENT TOP MOUNT CLASS "A" PUMPER

WHEREAS, the Acting Municipal Clerk and the Director of Public Works accepted bids, pursuant to the New Jersey Local Public Contracts Law, for a Top Mount Class "A" Pumper on May 6, 2008 at 1:15 p.m.; and

WHEREAS, four bids were received; and

WHEREAS, the Director of Public Works has reviewed the bids submitted and has recommended the bid be awarded to Kovatch Mobile Equipment Corporation, One Industrial Complex Nesquehoning, PA 18240; and

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon hereby awards the bid for a Top Mount Class "A" Pumper to Kovatch Mobile Equipment Corporation, for a total amount not to exceed \$431,127; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the bidder along with the bid bond. This Resolution shall take effect immediately.

A motion was made by Councilmember Desmond to approve the above resolution, which was seconded by Councilmember Carson.

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

Resolution #08-142

RESOLUTION APPOINTING GARY GREY AND TOWNSHIP ENGINEER TO TOWN CENTER DESIGN REVIEW COMMITTEE

NOW THEREFORE, BE IT RESOLVED, by the Township of Vernon Council that Gary Grey is hereby appointed to the Town Center Design Review Committee;

BE IT FURTHER RESOLVED, that the Township Engineer is hereby appointed to the Town Center Design Review Committee.

Councilmember McLaughlin made a motion to amend the above resolution to add Monica McGuire to the Design Review Committee. Councilmember Desmond seconded the motion to amend the above resolution to include Ms. McGuire.

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

A motion was made by Councilmember Desmond to approve the amended resolution, which was seconded by Councilmember Carson.

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

Resolution # 08-143

ESTABLISH A VERNON TOWNSHIP GREEN ADVISORY COMMITTEE

WHEREAS, the Township Council of the Township of Vernon wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, the Council recently passed Resolution #08-97, which resolution called for the Township to continue to investigate the possible implementation of renewable energy resources for all Township buildings wherever possible and also investigate the use of alternative fuel sources for vehicles; and

WHEREAS, the Council wishes to establish a Vernon Township Green Advisory Committee ("VTGAC") to begin the process of focusing on "green" issues by investigating ways to environmentally improve municipal facilities and operations; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of Vernon Township that the Vernon Township Green Advisory Committee consisting of nine (9) members as follows: (1) Mayor (*ex officio*) or designee; (2) Township Engineer; (3) Director of Public Works; (4) Environmental Commission Member; (5) Environmental Commission Member; (6) Township Resident Member; (7) Township Resident Member; (8) Township Resident Member; and (9) Township Resident Member. Members shall be appointed annually, but whose initial term of appointment shall be through May 1, 2009.

BE IT FURTHER RESOLVED, that the Mission and Objectives for the VTGAC are established as follows:

Mission

The VTGAC will advise the Township Council on ways to improve municipal operations with "green" initiatives which are economically and environmentally sound through research and evaluation.

Objectives

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the VTGAC.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.

4. Develop strategies for sustainable green initiatives in municipal operations.

A motion was made by Councilmember McLaughlin to approve the above resolution, which was seconded by Councilmember Carson.

Mayor Carew said this was a resolution to establish an advisory group to examine a previously passed resolution, #08-97, which centers on "green" initiatives. The council briefly discussed other communities nationwide that are implementing various green initiatives.

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

Resolution # 08-144

ADOPTION OF 2008 MUNICIPAL BUDGET AS AMENDED

(ELECTRONIC VERSION OF BUDGET IS IN AN EXCEL SPREADSHEET FILE AND AVAILABLE FROM THE VERNON TOWNSHIP CLERK'S OFFICE)

A motion was made by Councilmember McLaughlin to approve the above resolution, which was seconded by Councilmember Carson.

At 11:33 p.m., the above resolution was then opened to the public for comment. There being no public comment, the mayor closed this portion of the meeting to the public.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, no; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

Second Reading, Public Hearing and Action on Proposed Ordinances

Ordinance # 08-14

DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

The above ordinance was read by title only. First reading was held on June 26, 2008.

A motion was made by Councilmember McLaughlin to approve the above ordinance, which was seconded by Councilmember Carson.

At 11:34 p.m., the above ordinance was then opened to the public for comment. There being no public comment, the mayor closed this portion of the meeting to the public.

Councilmember Carson stated that this ordinance was required by state law, and Mr. Witt confirmed this. Councilmember Desmond said that while this may be true, municipalities would be much better served "thinking outside the box and negotiating these types of things directly, as part of a compensation package, when an employee is hired." Further discussion centered on the salary thresholds in the ordinance. Councilmember Desmond said only that he wanted to preface his vote with his comments.

A roll call vote was taken. Rich Carson, yes; Neil Desmond, no; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

ORDINANCE # 08-15

ORDINANCE TO PROVIDE FOR THE REGULATING OF TOWING SERVICE OPERATORS TO BE USED BY THE VERNON TOWNSHIP POLICE DEPARTMENT FOR WRECKED, DISABLED AND ABANDONED VEHICLES

The above ordinance was read by title only. First reading was held on June 26, 2008.

Mayor Carew said this ordinance would be carried to the August 14th meeting, to allow for additional comment from the Chief of Police.

A motion was made by Councilmember McLaughlin to carry the above ordinance to the August 14th meeting, which was seconded by Councilmember Carson.

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

OLD BUSINESS

Mayor Carew mentioned the possibility of doing a forensic audit of the township, with an initial focus on the Town Center. There followed debate among the council with regard to how far back the audit should extend and how much of the township it should encompass. Councilmember Desmond would first like to see requests for proposal (RFPs) for the audit, to get some idea of what it would cost Vernon taxpayers. Mayor Carew thought it might be possible to find auditing services/financial experts from neighboring municipalities, Sussex County, or the Vernon Township Board of Education. Melinda Carlton suggested taking a phased approach to the audit: the Town Center first, then the redevelopment areas. Councilmember Desmond cautioned that it may be difficult for the council to pinpoint what exactly it would be auditing in the redevelopment areas, due to the relative lack of signed agreements and current progress in those areas. Mayor Carew agreed that sending RFPs for a phased approach to the audit, as suggested by Ms. Carlton, was a good idea. Councilmember Carson concurred, adding: "Let's finally clear the air and let the chips fall where they may." The council was unanimous in its support of Ms. Carlton's approach.

Mayor Carew talked about outsourcing and sharing services and said the council might want to create some sort of "metrics system" to help them measure the value of taking these steps to save the township money. Ms. Carlton said her office is working on the mission statement and goals and objectives of the various municipal departments, which she described as a "baseline" against which the council can measure future activities and outputs. Councilmember Desmond reminded the council that he would like to investigate opportunities for using Vernon as a "cost center" for certain services.

Councilmember Carson asked about the progress of the crosswalk on Breakneck Road and Lou Kneip said foldable stanchions will be placed in the center line of the roadway to get motorists to slow down. Permanent pedestrian crosswalk signs will also be placed on either side of the crosswalk, similar to what is in place outside of the municipal building. Further discussion and concerns focused on the design of the actual crosswalk. Mr. Kneip said his proposal to Highland Lakes will be the application of a high-density, high-glow paint that will give a slight rumble effect and is cost-effective. It will be in place in August, Mr. Kneip said, prior to the new school year.

NEW BUSINESS

Mayor Carew mentioned the possibility of exploring a four-day workweek for the township, which he says would lessen the use of gasoline and other resources. He asked Ms. Carlton to further look into this.

The Beautification Committee is planning to address the council at one of the August meetings, regarding various projects in the township and how it plans to approach local landscaping companies regarding the donation of services and supplies. "The key to it is maintenance," Ms. Carlton cautioned. "Anybody can plant, but to maintain is something else."

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 11:56 p.m.

Respectfully submitted,

Dennis G. Murray
Acting Municipal Clerk

Presiding Officer