

**VERNON TOWNSHIP COUNCIL
REGULAR MEETING
August 28, 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. There were 25 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, Valerie Seufert, 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 Neil Desmond notified the office that he would not be able to attend this evening's meeting.

PUBLIC COMMENTS

Tom McClachrie, Vernon Taxpayers Association. Mr. McClachrie asked for clarification concerning Resolution #08-169. Mayor Carew responded that the Township Council relies on Stuart Koenig's expertise on matters concerning COAH. Mr. McClachrie then read into the record a 2006 statement regarding property taxes and stated the Vernon Taxpayers Association is concerned with the increase in municipal debt over the last five years. He presented two petitions to the Township Council. The first petition seeks to establish an Ordinance requiring that all bond issues exceeding an annual cap of \$500,000 be put before the voters of Vernon Township for approval by binding referendum. The second petition seeks to establish an Ordinance requiring any annual budget increases of more than 2.5% over the previous year's budget also be put before the voters for approval.

Jessie Paladini, Highland Lakes. Ms. Paladini encouraged the Township Council to review the petitions presented by the Vernon Taxpayers Association and consider the adoption of the proposed Ordinances. Ms. Paladini stated she submitted several OPRA requests and is waiting to receive the records. She expressed concern that financial records are often not readily available and questioned the completeness of the records identified and compiled regarding several of her OPRA requests. Ms. Paladini noted many of the Township's boards and commissions are behind in their minutes and asked that this be corrected. Lastly, Ms. Paladini questioned the type of retaining walls installed in the Town Center.

Bill Costabile, 120 Wawayanda Road. Mr. Constabile brought to the Township Council's attention an unresolved problem regarding the catch basin and storm pipe situated on his property. Mr. Constabile agreed to allow the Township some time to investigate this matter so that a complete assessment can be made by the Engineering Department. Mr. Constabile presented his engineering drawings to the Township for review.

Gary Martinsen, Vernon. Mr. Martinsen questioned why the public is asked to keep their comments to five minutes especially in light of the fact the Council's executive sessions have been running longer than 1 hour. Mr. Martinsen commented on the New Jersey Herald article concerning state law

requiring the counties to employ all staff members and said the statement is correct; however, only 3 out of the 9 staff members are going to the county. Mr. Martinsen recited a passage from N.J.S.A. 26:3A-16 regarding the transferring of civil service employees, and alleged the township is in violation of the state statute. Township Attorney Michael Witt reported that the layoff plan was challenged by members of the UAW and on August 26, 2008 the merit system ruled in favor of the township.

Debbie Collins, Highland Lakes. Ms. Collins stated August 29, 2008 will be her last day of work at the Vernon Animal Control after eight years of service. Ms. Collins commented that fellow employees Phyllis MacPeek, Bonnie Johnson, Jack Stout and Tom Maellaro worked together as a team at the shelter and stated it is difficult to accept this layoff for economic reasons when questions go unanswered. She urged the Township Council to reconsider the decision concerning the Vernon Township Animal Control layoffs stating the Animal Shelter in 34 years operating never had volunteers.

Mary Ellen Vichiconti, 17 Nutley Avenue. Ms. Vichiconti asked for explanation of resolution #08-145 "Authorizing payment to the City of Passaic on the regional contribution agreements" which was approved at the last meeting. Ms. Vichiconti also asked for explanation of resolution #08-147 "Authorizing the Transfer of the Vernon Township Health Department Services to Sussex County." She noted an article in The Record reported on proposed shared services between two towns in Bergen County will be put on a referendum on the November ballot giving the voters of the town the opportunity to choose. Ms. Vichiconti asked why Vernon Township did not follow this same procedure.

Eva Ferrato, Highland Lakes. Ms. Ferrato asked if the township will continue with the flu and pneumonia vaccines to those who are at high risk. Mayor Carew answered that all Health Department related services will continue to be provided by the County to Vernon Township. Ms. Ferrato then questioned why the W.I.C. program was turned away. Township Manager Melinda Carlton stated those services will once again be available as of October 1, 2008 through the County. Mayor Carew noted the Township does not anticipate any loss of services.

Joe Edore, Highland Lakes. Mr. Edore commented that personnel lay-offs from central services, animal control and health department would likely save the Township money and questioned where the money saved would be used. Mayor Carew informed Mr. Edore the money would go into in the general budget. Lastly, Mr. Edore informed the governing body that Breakneck Road should be stripped as it is dangerous to travel.

Harold MacPeek, Vernon. Mr. MacPeek commented that the county roads are very well maintained and asked the Township to better address the maintenance of its roads and overgrowth along guardrails.

ITEMS FOR DISCUSSION ONLY

MANAGERS REPORT

Township Manager Melinda Carlton briefly reported on New Jersey Legislation Bill #8500 regarding the new statewide 2.5% nonresidential development fee. The Township Engineer will be required to collect this fee from developers on all nonresidential projects approved in the Township at the time a Certificate of Occupancy is issued. The Township Engineer indicated his office will be implementing the collection of this state mandated development fee immediately.

Ms. Carlton reported her office received several telephone calls regarding gypsy moth infestation. She explained if a jurisdiction is interested in having a gypsy moth program for their municipality they would petition the state for an "egg mass" investigation. While the state provides the investigation at no charge

to the Township, the program would require that the Township share the cost with the state. The Township Manager recommended a field investigation be conducted and an analysis of program costs be prepared for further consideration.

The Township Engineer forwarded his report concerning storm water runoff issues raised by Vernon Township resident Bill Constable. The Township Engineer's findings found no additional storm water runoff has been diverted onto Mr. Constable's property beyond what existed when the house was built. Mr. Constable will be sent a letter after the Council has reviewed the report.

The Township's Engineering Office met with Steve Weinberg, a professional who assisted the Township several years ago in administering the housing rehabilitation program, to discuss reactivating this popular program for Township property owners. The Township Engineer reported the Township has approximately \$225,000 in the housing rehabilitation fund, and estimated 10 or 11 units could be rehabilitated with those funds. He noted the Township's COAH obligation calls for the rehabilitation of 31 residential units. Seven housing units were 7 were completed with 24 remaining. Mr. McLaughlin asked if local builders could be notified about this program.

The Township Manager reported her office is still negotiating with the UAW on the proposed four-day workweek. Ms. Carlton also reported that the Personnel Policy team held it first meeting earlier in the day and will continue to review the Township's personnel policies and procedures.

The Sammis/Crystal Springs Development Company received preliminary site plan approval for their hotel and sports complex and recently contacted the Township concerning its redevelopment project. The Township Manager suggested the Council wait on this project until several other pending issues are addressed and resolved concerning redevelopment.

Ms. Carlton reported that a teleconference call was held with Bob Benecke, Louis Kneip, Michael Witt, and herself to discuss the water component for the Town Center. The two options were briefly discussed. The first option would hold the developers responsible for their own water supply; the second option would be for the Township to construct and operate community wells. Under the second option, the Township would be responsible for obtaining all DEP permits. The Council questioned if developers could do a shared well, to which the Township Engineer indicated could be a possibility.

The Township Manager informed the Council that under new COAH regulations all municipalities, including Vernon Township, must file their COAH Round 3 applications with the state before December 31, 2008. The Township Engineer will be revising maps to show all properties and parcels of land protected under the Highlands Act.

The Township's Recreation Director, Pat Seger, was able to secure a \$10,000 donation in form of a scoreboard from Lakeland Bank. Ms. Carlton thanked Ms. Seger for her successful efforts.

The Historical Society requested permission to erect signage by the A&P during the month of September. Ms. Carlton asked for Council consent which was given by a unanimous voice vote.

The Township Manager advised that the Excelsior Group is requesting a time extension until October 15 on the RFQ/SOI and asked for Council consent. The time extension was approved by roll call vote: Rich Carson, yes; Valerie Seufert, abstained; Glenn McLaughlin, yes; Austin Carew, yes.

Ms. Carlton stated Wawayanda State Park expressed interest in purchasing two parcels of land near the Appalachian Trail. The property is located within the west section of Glenwood known on the Tax Map as Block 90,

Lot 1 and Block 90.14, Lot 30. The Council unanimously consented to exploring this matter further with the state.

The Township Manager reminded the Council that Vernon Township has approximately \$1.5 million in Green Acres Grant funding, which can be appropriated. The Council asked that this matter be placed on the September 11, 2008 agenda for further discussion.

The National Ovarian Cancer Coalition asked if their organization could tie teal color ribbons around trees and lampposts and be placed in public areas throughout the Township to help raise public awareness on this disease. The Coalition would remove all ribbons at the end of the month. The Township Council unanimously gave its consent.

Lastly, the Township Manager presented a revised timeline for construction of the New Town Center.

Mayor Carew questioned the Township Engineer on whether the Township is required to obtain a general agreement with SCUMA for the 40,000 gpm affluent water. Mr. Kneip, the Township Engineer, informed the Council that he met with SCUMA Representatives to discuss the requirements to obtain the advanced allocation. A draft primary sewer service area map was sent to SCUMA for review. Mr. Kneip stated United Water agreed to work along with the township to complete the DEP application. Mayor Carew asked that this matter be placed on the September 11, 2008 agenda for discussion.

Mayor Carew asked about the status of the Herold Square property. The Township Engineer reported the property is approximately 40 acres less 10 acres that was subdivided and transferred to SCUMA. SCUMA also recommended a 150 foot buffer be maintained to further protect the disposal beds from damage.

Lastly, Mayor Carew questioned the Township's progress concerning Plan Endorsement. The Township Manager reported the Township is working toward executing a shared service agreement with the County for planning services in the completion and filing of the Township's Plan Endorsement renewal application. The Township Engineer reported he forwarded the required reports and plans to the state for review in anticipation of the pre-petition meeting.

ATTORNEYS REPORT

Mr. Witt stated he has nothing to report outside of executive session.

DISCUSSION OF NEW ORDINANCES - FIRST READING:

ORDINANCE #08-16: AN ORDINANCE APPROVING THE TRAFFIC SIGNAL AT THE INTERSECTION OF COUNTY ROUTE 515 AND MAIN STREET, VERNON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY

A motion to introduce Ordinance #08-16 was made by Councilmember Richard Carson, seconded by Councilmember Valerie Seufert.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

ORDINANCE # 08-17: ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,329,683.69 THEREFOR, CONSTITUTING PROCEEDS OF BOND ANTICIPATION NOTES OF THE TOWNSHIP HERETOFORE ISSUED, AND REPEALING ORDINANCE NO. 08-12 OF THE TOWNSHIP

A motion to introduce Ordinance #08-16 was made by Councilmember Glenn McLaughlin, seconded by Councilmember Richard Carson.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

ORDINANCE #08-19: AN ORDINANCE CREATING THE TOWNSHIP OF VERNON MUNICIPAL LAND USE BOARD

A motion to introduce Ordinance #08-16 was made by Councilmember Glenn McLaughlin, seconded by Councilmember Valerie Seufert.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

APPROVAL OF MINUTES

The following minutes were presented for approval:

August 9, 2008 Special Meeting and Executive Session
August 14, 2008 Regular Meeting and Executive Session.

A motion to accept the presented minutes was made by Councilmember Valerie Seufert, seconded by Councilmember Glenn McLaughlin.

A roll call vote was taken: Rich Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

CONSENT AGENDA (ALL ITEMS VOTED CONCURRENTLY)

Resolution #R08-170: Authorizing the Approval of Bills List

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

Current	ck# 29703	to ck#
Current	ck# 29704	to ck# 29774
Capital	ck# 2535	to ck# 2536
Grant	ck#	to ck#
Planning & Zoning	ck#	to ck#
Recreation Trust	ck# 824	to ck# 825
Dog Trust	ck#	to ck#
Other Trust	ck# 757	to ck# 758
Senior Citizen Trust	ck#	to ck#
Outside Services	ck# 1467	to ck#1469
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# 121	to ck#
Sewer Capital	ck#	to ck#
Developer's Bonds	ck#	to ck#
Road Assessment	ck#	to ck#
Payroll Deduction	ck#	to ck#

Payroll Checks	ck# 32651 thru ck# 32704 (2nd pay in August)
Payroll Deduction	ck# 2996 thru ck# 3004
Total Payroll	\$321,153.14

A motion to approve the Consent Agenda made by Councilmember Glenn McLaughlin, seconded by Councilmember Valerie Seufert.

Roll call vote was taken: Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

RESOLUTIONS FOR DISCUSSION AND ACTION

Resolution #R08-169: AUTHORIZING AND DIRECTING THE MAYOR AND MUNICIPAL CLERK TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH STICKLE, KOENIG & SULLIVAN FOR SPECIAL COUNSEL

WHEREAS, there exists a need for legal services regarding Affordable Housing Issues pursuant to the Ordinances of the Township of Vernon; and

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

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

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

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

WHEREAS, the term of the contract will be for the Year 2008; and

WHEREAS, Stickel, Koenig & Sullivan has submitted a proposed contract for the Professional Services of Special Counsel regarding Affordable Housing Issues, the total consideration of which will not exceed \$25,000.00; and

WHEREAS, Stickel, Koenig & Sullivan has submitted a Business Entity Disclosure Certification in compliance with the law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AS FOLLOWS:

1. A contract shall be awarded by the Township of Vernon, New Jersey for a period commencing January 1, 2008 and terminating December 31, 2008 to, for services herein specified.
2. The cost of said agreement shall not exceed \$25,000.00.
3. That payment for said services pursuant to the contract shall be paid to the law firm of Stickel, Koenig & Sullivan, Attorneys at Law.
4. That Stuart Koenig, Esq., is a member of the law firm of Stickel, Koenig & Sullivan et al and it is authorized that other attorneys of the firm perform services for the Township of Vernon under the terms of this Resolution and the Contract.
5. This contract is awarded without competitive bid as a Professional Services Contract under the provisions of NJSA 40A:11-5 (1) (a).

6. That a notice of this action shall be published once in the official newspaper in accordance with law, and said notice to provide that the contract awarded and the Resolution authorizing same are available for public inspection in the office of the Township Clerk.
7. That a copy of the Business Disclosure Entity Certification and the Certification of Value be filed with this Resolution.

A motion was made by Councilmember Glenn McLaughlin, seconded by Councilmember Richard Carson.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes.

Resolution #08-171: AUTHORIZING APPOINTMENT OF THE MUNICIPAL CLERK

WHEREAS, the Vernon Township Acting Municipal Clerk, Dennis G. Murray, has resigned effective September 1, 2008; and

WHEREAS, the position of Acting Municipal Clerk will need to be temporarily filled by Deputy Clerk Andrea Bates until the position of Municipal Clerk is filled; and

WHEREAS, after an open search process, the Township Council desires to appoint Robin Kline to the position of Municipal Clerk commencing on September 8, 2008; and

WHEREAS, the Township Council has offered the position of Municipal Clerk for a term not to exceed three (3) years and a starting annual salary of \$70,000.00 to Robin Kline and she 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 Deputy Municipal Clerk Andrea Bates is appointed to the position of Acting Municipal Clerk from September 2, 2008 through September 7, 2008, after which date she shall return to the title and duties of Deputy Municipal Clerk on September 8, 2008, compensation to be commensurate with each title during actual service in that title; and

BE IT FURTHER RESOLVED that, in accordance with N.J.S.A. 40A:9-133(c), the Vernon Township Council hereby appoints Robin Kline as Municipal Clerk for a term of three (3) year commencing on September 8, 2008 at a starting annual salary of \$70,000.00, which funds have been certified by the Chief Financial Officer.

A motion was made by Councilmember Valerie Seufert, seconded by Councilmember Glenn McLaughlin. The Township Council wished Dennis Murray, Acting Township Clerk, best wishes in his new position. Ms. Carlton stated Dennis Murray has been a joy to work with, professional, and is sorry to see him go.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes.

Ms. Carlton stated Robin Kline will start on Monday, September 8th, as the new Township Clerk. She is experienced in this position and has the “can do” attitude. The consensus is that she was awarded the position.

Resolution #08-172: AUTHORIZING A CONTRACT FOR THE ACQUISITION OF GOODS OR SERVICES PURSUANT TO NJSA 19:44A-20.4 AND/OR NJSA 19:44A-20.5 FROM HAROLD E. PELLOW & ASSOC. FOR DESIGN OF IMPROVEMENTS TO INTERSECTION OF SC RT 517 & MAPLE GRANGE/LOUNSBERRY HOLLOW ROAD IN VERNON TOWNSHIP

WHEREAS, the Township of Vernon, has a need to acquire a proposal for Professional engineering Services for the Design of Improvements to the Intersection of SC RT 517 and Maple Grange/Lounsberry Hollow Road, Vernon Township pursuant to the provisions of N.J. S.A. 19:44A 20.4 and/or N.J.S.A. 19:44A 20.5; and

WHEREAS, four (4) proposals were received for engineering services as described in Schedule A; and

WHEREAS, the Township Engineer has reviewed the proposals submitted and has recommended the contract for the Design of Improvements to the Intersection of SC RT 517 and Maple Grange/Lounsberry Hollow Road,, Vernon Township be awarded to Harold Pellow Associates, Augusta, NJ for a fee of \$35,000.00; and

WHEREAS, the Chief Financial Officer of the Township of Vernon, has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, Harold E. Pellow & Assoc. has completed and submitted a Business Entity Disclosure Certification which certifies that Harold E. Pellow & Assoc. has not made any reportable contributions to a political or candidate committee to Vernon Township in the previous one year, and that the contract will prohibit Harold E. Pellow & Assoc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds; and

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

1. The Township of Vernon is authorized to engage Harold E. Pellow & Assoc. for the purpose of providing consulting services as herein described.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract with Harold E. Pellow & Assoc.
3. Said Harold E. Pellow & Assoc. shall be engaged pursuant to contract to be entered by and between Harold E. Pellow & Assoc. and the Township and for such periods of time as permitted by law or as set forth in the contract, if not contrary to law, and for such compensation as agreed.
4. A copy of the Business Entity Disclosure Certification previously provided by Harold E. Pellow & Assoc. and the Certification of Value shall be filed with this Resolution.
5. This contract is awarded without competitive bid as a Professional Services Contract under the provisions of NJSA 40A:11-5 (1) (a).

6. That a notice of this action shall be published once in the official newspaper in accordance with law, and said notice to provide that the contract awarded and the Resolution authorizing same are available for public inspection in the office of the Township Clerk.
7. This Resolution shall take effect immediately upon adoption according to law.

A motion was made by Councilmember Richard Carson, seconded by Valerie Seufert. Mr. Carson inquired whether the terms of the contract will assure the Township will not have to pay cost overruns. Melinda Carlton stated there are no guarantees cost overruns will not occur, but the project will be closely monitored to prevent cost overruns. The Township Engineer reported the design work commenced in 2006 and project completion is expected late 2009, early 2010.

A roll call vote was taken: Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes.

INTRODUCTION OF PROPOSED ORDINANCES - FIRST READING

ORDINANCE #08-16: AN ORDINANCE APPROVING THE TRAFFIC SIGNAL AT THE INTERSECTION OF COUNTY ROUTE 515 AND MAIN STREET, VERNON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY

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

WHEREAS, the Mayor and Township Council of the Township of Vernon, Sussex County, finds it in the interest of public safety to install a Traffic Control Signal at the intersection of County Route 515 and Main Street;

WHEREAS, the Designated Traffic Engineer has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8, N.J.A.C. 16:27-4, and the criteria as set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering & Investigations has been met;

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

Section 1. The intersection of County Route 515 and Main Street shall be controlled by a Traffic Control Signal in accordance with the as-built traffic signal plan revision dated August 22, 2008.

Section 2. The Traffic Control Signal shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes and the New Jersey Administrative Code, and shall be operated in conformance with the designated plan.

Section 3. All prior ordinances or resolutions or portions thereof the Township Council of the Township of Vernon inconsistent herewith be and are hereby repealed.

Section 4. This ordinance shall become effective upon adoption and publication as required by law and upon approval of the Commissioner of the Department of Transportation.

Section 5. If any clause, section or provision of this ordinance is declared invalid by a Court of competent jurisdiction, such provision shall be deemed separate, distinct and independent provision and shall not affect the validity of the remaining portion hereof.

Section 6. Upon final adoption, the Municipal Clerk shall send a certified copy of this ordinance to Douglas R. Bartlett, Manager, Bureau of Traffic Engineering and Investigations, NJ Department of Transportation, PO Box 613, Trenton, NJ 08625-0613

Ordinance #08-16 was read by title only. A motion was made by Councilmember Richard Carson to introduce Ordinance #08-16 on first reading and so advertise with second reading and final adoption on September 11, 2008, and the motion was seconded by Councilmember Valerie Seufert.

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

ORDINANCE # 08-17: ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,329,683.69 THEREFOR, CONSTITUTING PROCEEDS OF BOND ANTICIPATION NOTES OF THE TOWNSHIP HERETOFORE ISSUED, AND REPEALING ORDINANCE NO. 08-12 OF THE TOWNSHIP.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS: The improvements described in Section 2 of this ordinance are hereby authorized to be made or acquired by The Township of Vernon, in the County of Sussex, New Jersey, as a general improvement, and there is hereby appropriated therefor the sum of \$1,329,683.69, said sum constituting proceeds of bond anticipation notes of the Township heretofore issued and not necessary for financing the purposes for which issued and now available for financing the said improvement or purpose.

The improvements or purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance and the amounts of the respective appropriations therefor are as follows: (a) \$94,000 for the improvement of facilities and property in and by the Township, including, without limitation, the Municipal Building by the renovation thereof, the canoe launch pads by the upgrade thereof, the McDermott site by the upgrade thereof, and the Appalachian Trail Parking Lot by the renovation thereof, (b) \$65,000 for the acquisition by purchase and installation, as necessary, of new and additional equipment including, without limitation, one (1) lawn mower, fencing for Veterans Park and an announcer booth for Maple Grange Park, (c) \$25,683.69 for the acquisition by purchase and installation, as necessary, of new and additional computer servers and software for use by various Departments of the Township, (d) \$260,000 for the acquisition by purchase of new and additional vehicular equipment, including, without limitation, two (2) dump trucks, two (2) trucks and one (1) brush chipper for use by the Department of Public Works of the Township, (e) \$820,000 for the improvement of various streets, locations and properties in and by the Township by the construction, reconstruction or resurfacing thereof including, without limitation, Meadowburn Road, Sandhill Road, Town Center Road, the intersection of Maple Grange Road and Route 517, Breakneck Road, Old Homestead Road and various other roads and locations in the Township, together with all guard rails, sidewalks, curbing, lighting, crosswalks, structures, crack sealing and drainage improvements and (f) \$65,000 for the improvement of the storm water drainage system in and by the Township by the rehabilitation and upgrade of pipes, catch basins and other structures in and along various roads and locations, including all structures, sidewalk and curb reconstruction and together with for all the aforesaid all structures, site work, accessories, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

It is the opinion of the Township Council of the Township, as the governing body thereof, that it is in the best interest of the Township that \$1,329,683.69,

constituting proceeds of bond anticipation notes of the Township heretofore issued under Ordinance Nos. 04-26 (\$375,536.64), 05-09 (\$244,874.94), 05-14 (\$360,055.95) and 06-19 (\$349,216.16) of the Township, shall be appropriated to and used to finance costs, including incidental expenses, of the improvements or purposes above described in Section 2 of this ordinance.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

The bond ordinance of the Township adopted on June 26, 2008 and entitled: "Bond ordinance appropriating \$1,329,683.69, and authorizing the issuance of \$1,266,500 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey" (#08-12) is hereby repealed. Any moneys expended and obligations incurred pursuant to appropriation made by said bond ordinance shall be accounted and deemed to have been expended or incurred pursuant to this ordinance.

This ordinance shall take effect after final passage as provided by law.

Ordinance #08-17 was read by title only. A motion was made by Glenn McLaughlin to introduce the Ordinance #08-17 on first reading and so advertise with second reading and final adoption on September 11, 2008, and the motion was seconded by Richard Carson.

A roll call vote was taken. Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

Mayor Carew stated for the record the Township is not financing new bond funding. Funds have been aggregated from old bond ordinances that were closed out from other capital projects.

ORDINANCE #08-19: AN ORDINANCE CREATING THE TOWNSHIP OF VERNON MUNICIPAL LAND USE BOARD

WHEREAS, the Township of Vernon currently has a separate Planning Board and a separate Zoning Board of Adjustment, pursuant to Township Code Chapter 5, Article XXVI, § 5-111 and §5-112, respectively; and

WHEREAS, Article III, §330-7 provides that the Township of Vernon Planning Board shall have nine members; and

WHEREAS, pursuant to N.J.S.A. 40:55D-25(c)(2), any municipality which has a nine-member planning board may, subject to voter referendum, grant authority to such planning board to exercise, to the same extent and with the same restrictions, all the powers of a board of adjustment, provided that the Class I and Class III members of the planning board shall not participate in applications for development which involve relief pursuant to subsection d. of N.J.S.A. 40:55D-70; and

WHEREAS, in an effort to improve government efficiency and reduce costs to Vernon taxpayers, the Township Council desires that the Township of Vernon Planning Board shall exercise all those powers currently exercised by the Township of Vernon Zoning Board of Adjustment, subject to voter referendum as provided for pursuant to N.J.S.A. 40:55D-25(c)(2).

Ordinance #08-19 was read by title only. A motion was made by Councilmember Glenn McLaughlin to introduce Ordinance #08-19 on first reading and so

advertise with second reading and final adoption on September 11, 2008, seconded by Councilmember Valerie Seufert.

A roll call vote was taken. Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Registrar – effective September 1, 2008 – Robin Kline – Mayor Carew reminded the Council they had already voted on and approved this appointment.

Planning Board – Class IV – Vincent Zinno – A motion was made by Councilmember Richard Carson, seconded by Councilmember Glenn McLaughlin. A roll call vote was taken. Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes.

Green Initiative Committee – Allison Petryk, Dan Segal, and Dennis Downey. A motion was made by Councilmember Valerie Seufert, seconded by Councilmember Richard Carson. A roll call vote was taken. Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Mayor Carew invited anyone from the public who is interested in serving on the Green Initiative Committee to forward a letter of interest to the Township Manager or Township Clerk for consideration.

OLD BUSINESS

Councilmember Valerie Seufert questioned the status of forming an Economic Development Commission. Mayor Carew acknowledged that the Economic Development Commission will be established soon.

Mayor Carew mentioned that Vernon Township may consider adopting a Property Maintenance Ordinance and suggested the matter be explored further.

NEW BUSINESS

Councilmember Carson noted that the newspapers often mention worthwhile events through out the Township and stated his appreciation for their support of the Vernon Township community.

Mayor Carew reported Walnut Ridge School held a picnic last Sunday honoring the school's 50th anniversary and asked that a Proclamation be presented at the school's September 18 event.

Township Manager Melinda Carlton was appointed to Sussex County's 9-1-1 Council representing Municipal Managers for the 24 municipalities in Sussex County.

Mayor Carew reported Charter buses are idling for long periods of time in the town during ski season and requested this matter be enforced.

Ms. Carlton stated the township will be going with a new company for the website and each department will be responsible for updating information their respective page on the website. The Manager's Office will monitor the content to be sure it is up-to-date. Training is scheduled for September 16 and 18th.

Mayor Carew stated the Council unanimously and whole-heartedly agreed to name Coster Gerard and Andrea Cocula as this years "Friends of Vernon". A motion was made by Councilmember Valerie Seufert nominating and approving Coster Gerard and Andrea Cocula as "Friends of Vernon." Seconded by

Councilmember Glenn McLaughlin. A roll call vote was taken. Richard Carson, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes.

Austin Carew reported that the Vernon Township High School Principal sent a letter to Sussex County notifying of the dangerous condition at the intersection of Route 565 and Glenwood Mountain Road. The Council agreed to the installation of mirrors at the intersection and asked to explore the installation of rumble strips or grooved pavement to slow down the traffic. Restrictive site distances at this intersection will have to be improved as well.

EXECUTIVE SESSION

At 9:39 p.m., Councilmember Valerie Seufert made a motion to suspend the regular order of business and to close the meeting to the public in order to enter Executive Session for contract negotiations, reasons of attorney-client privilege, and personnel matters. The motion was seconded by Councilmember Richard 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 10:38 p.m.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 10:38 p.m.

Respectfully submitted,

Robin R. Kline, MAS, RMC
Municipal Clerk

Presiding Officer