

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

September 11, 2008

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:05 p.m. on Thursday, September 11, 2008 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Austin Carew presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting was provided to the public and the press September 8, 2008 by delivering to the press and posting at the Municipal Building a copy of the "Annual Notice of Meetings" pursuant to 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 Neil Desmond, Valerie Seufert, Glenn McLaughlin, and Austin Carew answered the call. Also present were Township Attorney Melinda Carlton and Township Attorney Michael Witt. It was noted that Richard Carson notified the office that he would not be able to attend tonight's meeting.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 6:10 p.m., Neil Desmond made a motion to close the meeting to the public and enter into executive session. Motion seconded by Valerie Seufert.

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

Municipal Clerk Robin Kline read the following resolution to go into executive session:

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are:
 - a. Contract – Metairie Redevelopment Agreement
 - b. Contract – Laganello Land Swap
 - c. Attorney-Client – Property Maintenance Ordinance

- d. Two personnel matters not be released on public record
3. It is anticipated that the above-stated subject matter will be made available upon final decision.
4. This resolution shall take effect immediately.

The meeting was reopened to the public at 7:05 p.m.

Before opening the meeting for Public Comment, Mayor Carew recognized Councilmember Valerie Seufert who asked for a Moment of Silence in memory of those who perished during the terrorist attacks in New York, Pennsylvania, and Washington D.C. on September 11, 2001.

Moment of Silence.

Mayor Carew opened the meeting for Public Comment.

PUBLIC COMMENT

Roger Thomas, Esq., attorney representing local developer Sally Rinker before the Vernon Township Zoning Board.

Mr. Thomas reported in a preliminary major sub-division and variance application before the Vernon Township Planning Board. Mr. Thomas voiced concern over the Township Council's consideration of proposed Ordinance 08-18 on tonight's agenda. He requested should Ordinance 08-18 pass, any preliminary approvals granted by the Township's Zoning Board be exempt from the provisions provided in the Ordinance. Mr. Thomas presented documents to the Municipal Clerk for distribution to the governing body. He is seeking Township maintenance of the proposed retention basins and is proposing a donation of open space to the Township. In his closing comments, Mr. Thomas indicated his client is ready to move forward with final approvals. Mayor Carew thanked Mr. Thomas and stated the Township Council will review this matter further and take into consideration Mr. Thomas' comments. Mr. Thomas welcomed an opportunity to sit down with Township officials to discuss this matter further. Sally Rinker indicated her application is complete and ready for final approval by the Zoning Board and stated she would like to move forward on this project.

Thomas McClahrie, representing Vernon Taxpayers' Association, asked if the Township Council will be considering the two proposed ordinances presented in petitions given to the Council last month. Mayor Carew referred the petitions to the Township Attorney for review. Mr. Witt reported he has not completed his review of this matter and questioned whether future governing bodies could be bound by laws enacted under an public initiative. Mr. Witt stated he will be reviewing this matter further. Mr. McClahrie noted the state constitution limits bonding to 1% otherwise the issue must go to referendum for public approval.

Mr. McClahrie then asked about the status of the Township's property revaluation and ongoing employee contracts. The Township Manager responded the Tax Assessor's Office anticipates the revaluation will be completed before the end of the year and reported that contract negotiations are continuing. In his closing comments, Mr. McClahrie stated the Vernon Taxpayers' Association opposes the adoption of proposed Ordinances 08-17 and 08-19 and encouraged the governing body to consider reviewing and returning the personnel structure and staffing levels to what it was in the year 2000 in order to save money. The

Vernon Taxpayers' Association supports the elimination of the Engineering Department and Personnel Department and encouraged the Township to hire the part-time Animal Control Officers back.

Jessi Paladini, Highland Lakes, welcomed the Township's new Municipal Clerk. Ms. Paladini announced that the Vernon Township Historical Society was awarded a \$10,000 grant by the Save Our History organization. The grant funding will be used to produce a History Channel program on the Lenape Indians at the Black Creek site. Mayor Carew invited the Historical Society to make a presentation at a Township Council meeting to help promote their programs.

Ms. Paladini questioned the status of the videotaping of Council meetings and inquired why a Director of Engineering position was posted on the state's Department of Personnel Website. Township Manager Melinda Carlton responded her office is currently evaluating vendors regarding the videotaping of Council meetings and she also indicated she will investigate why the job posting appeared on the DOP Website. Ms. Paladini did not support solidifying a Director of Engineering position and read into the record the following comments: "No potable water in the Vernon Town Center. Violations of DEP regulations because the Township did not apply for permits for water. There was no stormwater system designed into the Town Center. There was an \$800,000 retention basin error. The storm water retention system that was finally built was mysteriously overbilled by 25% according to former Manager Fehrenbach's memo. We lost a \$350,000 DEP watershed grant that the Department of Environmental Protection rescinded from us due to non-compliance. There is not enough parking designed into the Town Center. The Town Center road was built over wetlands and a peat pit. We have a situation where we don't even have clear title to property that the Town Center road was built on. We have \$1.1 million in cost overruns for the Town Center project. We had a recent \$57,000 cost overrun error. We had retaining walls that went up, came down, went back up again and somehow disappeared. Those retaining walls cost Vernon taxpayers four times the amount of money that the original retaining walls were supposed to cost. We have Department of Transportation violations because we have traffic lights up and we have traffic signs up throughout the Town Center but we did not have Department of Transportation approval. When the Town Center road was first going in the Engineering Department or the construction crew or whatever plowed right into Tapestry's septic system causing more delays, causing more costs for Vernon Township taxpayers. We have the Bill Costabile fiasco where if any of you have not gotten up to his house, it's the last house on Waywayanda Road on the right before you get into Waywayanda State Park, it's an absolute engineering disaster." Ms. Paladini also commented she will be asking for the resignation of Councilman Carson at the next meeting in his presence.

In closing, Jessi Paladini stated she believed a binding referendum would be valid for a certain number of years and upon expiration, the governing body could elect to make those laws permanent or the taxpayers could again seek a referendum through petition. She stated the taxpayers could also seek to eliminate the Department of Engineering through petition.

Eloise Ruskin, Pleasant Valley Lake, questioned what property Resolution 08-176 references. Mayor Carew informed Mrs. Ruskin the property is situated near Mountain Creek adjacent to the Urgent Care facility on Route 94. Mrs. Ruskin reported the Vernon Taxpayers' Association considers redevelopment a flawed concept in that a redevelopment area should not go against the character and natural aspect of a community.

She voiced concern that continued residential development will put a greater tax burden on all Vernon Township taxpayers and objected that a Township Council could make redevelopment decisions without the input from the taxpayers.

Michelle Danzis, Highland Lakes, questioned the delay of completed Planning Board minutes and questioned why the Township continues to hire administrative personnel at high wages. Ms. Danzis supports a residency requirement. Ms. Danzis offered revisions to the language on Ordinance 08-19 specifically stating there shall be no financial interests of an individual, including his or her immediate family, on a municipal land use board. Mayor Carew thanked Ms. Danzis for her comments.

Mary Ellen Vichiconti, Highland Lakes, reported she continues to petition for the election of a Mayor by the voters and voiced concern that Mayor Carew commented at a public meeting that some areas in Vernon Township are not beautiful. Mayor Carew clarified his prior comment that after touring Vernon Township with the Beautification Committee he noticed some properties were not aesthetically pleasing and perhaps could be improved. Ms. Vichiconti expressed disagreement with the Mr. Carew's perception and commented that Vernon is a beautiful town. Mary Ellen Vichiconti also asked for confirmation on whether the new Main Street was built over a peat bog, and if so, she alleged it could potentially create a dangerous road condition for motorists. She encouraged the Township to contact the DEP to investigate. Ms. Vichiconti inquired if the air conditioning system for the commercial space at the Appalachian Hotel complex is adequate for that space. Mayor Carew indicated he did not believe that was a Township matter and referred Ms. Vichiconti to contact Mountain Creek representatives.

Lastly, Mary Ellen Vichiconti urged Township officials to move forward on videotaping Council meetings. She questioned why meeting minutes have not been completed or posted on the Township's Website yet a 61-page update on the Town Center was recently posted. Mrs. Vichiconti requested the record reflect that she believed this was a ridiculous use of employee time. Ms. Vichiconti asked the Township to dismiss the Economic Development consultant and hire back the Animal Control employees.

Martin Ruskin, Pleasant Valley Lake, inquired what the construction project currently underway at the corner of Route 94 and Route 517 is about. Mayor Carew informed the public the project is an effluent filtration and recharge area facility which is being constructed by the Sussex County Municipal Utility Authority. The project is contractually funded by Mountain Creek.

Unknown resident, Basswood Drive, asked when flu shots will be scheduled for Township residents. Councilmember Valerie Seufert stated she was concerned the County's Flu Clinic schedule did not include a scheduled date in Vernon Township and notified the Township Manager of this. Township Manager Melinda Carlton stated the transition of health services to the County occurred after the County's Flu Clinic schedule was established but confirmed that Vernon Township will be added to the Flu Clinic schedule and a press release will be issued notifying all residents.

Ira Weiner, 7 Curtis Drive, commented about recent public controversy concerning the Township's Engineering Department and reminded the public billables accrued for engineering services in past years cost the Township approximately \$700,000 annually. He reminded the public that engineering costs for Planning Board or Zoning Board matters are paid by the applicant as part of escrow fees collected. Mr. Weiner cautioned the public to be judicious in their assessments of the Township's Engineering Department and commented that cost savings can not be realized when state agencies are contacted to intervene with investigations.

Mr. Weiner appeared before the Township Council on behalf of his client who owns a 7-acre property adjacent to Mountain Creek, which may be subject to redevelopment. He urged the Township Council to consider all development opportunities that may be presented and may be appropriate for Vernon Township.

Gary Martinsen, Vernon resident, commented that the both Township's Professional Planner and Township Engineer were former employees of Mazar Engineering and asserted wetlands existed where Main Street was constructed. Mr. Martinsen also questioned why the public's referendum question will not appear on November's ballot to which the Township Attorney answered the August deadline passed for its inclusion on November's ballot. Lastly, Mr. Martinsen stated Voices of Vernon's "Vernon's Own" will be videotaping Council meetings and posting them on their Website. He extended an offer to publish any news articles of interest to Vernon residents in their publication.

Joey Edore, Highland Lakes, questioned why the Township hired former Mazar Engineering employees if it's true Mazar Engineering cost the Township lots of money for mistakes made in completing the Town Center project. Mr. Edore also expressed concern that Breakneck Road is very dangerous and in need of stripping.

Eva Furlota, Highland Lakes, stated not all residents have the income to keep their properties in top condition and encouraged everyone to appreciate the small things in life and not focus on the ugly things around us.

Seeing and hearing no one from the public wishing to speak, Mayor Carew closed the Public Comment portion of the meeting.

At 8:21 p.m., Mayor Carew adjourned the meeting for a brief recess.

* * * * *

Mayor Carew reconvened the meeting at 8:43 p.m.

CHANGES TO THE AGENDA

None

TOWNSHIP MANAGER'S REPORT

Township Manager Melinda Carlton asked the Township Council for approval to extend the deadline until October 15, 2008 for the RFQ/SOI for the development of Town Center properties to allow sufficient time for potential developers to submit their bids. The Township Council unanimously consented to the Township Manager's recommendation for an October 15th extension.

Ms. Carlton reported that a \$1.5 million in Green Acres grant is being held by the state for open space acquisition. Ms. Carlton confirmed the Township has approximately \$1 million reserved for open space acquisitions and will report back to the Council with further details as soon as her office hears back from the state.

Up to fifteen Township department heads and officials have expressed interest in attending the annual New Jersey State League of Municipalities convention in November and will receive professional development credits in their fields. The estimated cost is \$5,400.00 for Township employees who have expressed their interest in attending.

Ms. Carlton reported an employee who previously worked in the Animal Control Shelter has been retained on a contractual on-call basis and a second employee who was slated for lay-off has been retained as a part-time floater for clerical support to various departments.

The Township Manager reported the Township's Open Space Report is progressing nicely and will be helpful in identifying and prioritizing properties to be acquired with Green Acres grant funding. The Open Space Report will be presented to the Council at the October 23rd meeting.

Ms. Carlton informed the Council that the CFO has tendered her resignation effective September 30th at which time an interim CFO will be retained. The Township Manager stated she will contact the county regarding the possibility to share financial services and will also examine the out-sourcing opportunities and costs. Ms. Carlton stated the Finance Department a top priority.

A close-out audit will be performed and an award for a professional service contract to Niscivoccia & Associates will be on the September 25th agenda for Council approval. Councilmember Neil Desmond inquired if the close-out audit is required by statute. Ms. Carlton indicated it is, however, she scheduled the audit because it is a good financial practice to do so.

Lastly, Township Manager Melinda Carlton briefly reported on the Township's monthly revenue and expenditure report, indicating the municipal budget is extremely tight. She is working closely with the Financial Analyst to ensure all municipal departments stay within their respective budget and line items.

Mayor Carew thanked Ms. Carlton for her report.

TOWNSHIP ATTORNEY'S REPORT

No report.

INTRODUCTION OF PROPOSED ORDINANCE & FIRST READING

Ordinance #08-18

AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE CODE SECTION 330-131 "STORMWATER DETENTION FACILITIES"

Mayor Carew read Ordinance 08-18 by title.

Motion made by Councilmember Neil Desmond to carry this Ordinance to the September 25, 2008 meeting in light of public comments made tonight and also to allow Councilmembers time to fully review this matter. Mayor Carew requested a sub-committee consisting of Planning Board, Zoning Board and Township Council members meet to review this matter and make a recommendation to the Township Council.

Neil Desmond revised his motion to carry this Ordinance until such time a sub-committee consisting of Planning Board, Zoning Board and Township Council members has had an opportunity to review this matter and forward its recommendation to the Township Council. Motion seconded by Glenn McLaughlin.

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

APPROVAL OF MINUTES

Approval of the August 28, 2008 Executive Session Minutes was carried to the September 11, 2008 meeting agenda.

CONSENT AGENDA

**Resolution # 08-174
AUTHORIZING THE APPROVAL OF BILLS LIST**

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

Current	ck# 29775	to	ck# 29776
Current	ck# 29777	to	ck# 29819
Current	ck# 29821	to	ck#
Current	ck# 29822	to	ck#
Current	ck# 29823	to	ck# 29870
Capital	ck# 2537	to	ck# 2539
Capital	ck# 2540	to	ck# 2542
Grant	ck# 29820	to	ck#
Planning & Zoning	ck# 3758	to	ck# 3777
Recreation Trust	ck# 826	to	ck# 832
Dog Trust	ck# 1006	to	ck#
Other Trust	ck# 759	to	ck# 760
Senior Citizen Trust	ck#	to	ck#
Outside Services	ck# 1470	to	ck# 1475
Unemployment Trust	ck#	to	ck#
Open Space Trust	ck#	to	ck#
PVL Dam Rehab Asm	ck# 238	to	ck#

PVL Dam Rehab Exp	ck#	to	ck#
COAH	ck#	to	ck#
Sewer Operating	ck#	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 (2nd pay August)	ck# 32705	thru	ck# 32757
Payroll Deduction	ck# 3005	thru	ck# 3008
Total Payroll	\$321,694.30		

Glenn McLaughlin moved to approve the Consent Agenda, seconded by Valerie Seufert.

There was no Council discussion.

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

RESOLUTIONS REQUIRING SEPARATE ACTION

**Resolution # 08-175
2009 MUNICIPAL ALLIANCE COMMITTEE GRANT APPLICATION**

WHEREAS, the County of Sussex is accepting applications from Municipal Alliance Committees to provide substance abuse prevention programs; and

WHEREAS, the Vernon Township Municipal Alliance Coalition, (VTMAC) is presently planning for such abuse programs; and

WHEREAS, the VTMAC received a similar grant for C.Y. 2008; and

WHEREAS, the VTMAC is currently conducting similar programs under this grant; and

WHEREAS, the VTMAC uses program fees collected, PAL grant funds and monies expended by the VT Bd. of Ed., not Township Tax Revenues for the cash match; and

WHEREAS, the VTMAC has proposed an application for grant funds for C.Y. 2009 in the amount of \$22,316.00.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon hereby authorizes the submittal of an application for such grant funds and authorizes the following persons to execute a grant agreement with the County: the Mayor, Municipal Alliance Chairperson and the Township Manager.

This resolution shall take effect immediately upon adoption according to law.

Valerie Seufert moved to approve Resolution 08-175, seconded by Neil Desmond.

Mayor Carew requested that the Vernon Township Municipal Alliance Coalition prepare and present an annual report on the activities conducted by the Coalition.

There was no further Council discussion.

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

Resolution # 08-176
AUTHORIZING AND DIRECTING THE VERNON TOWNSHIP
PLANNING BOARD TO DO A PRELIMINARY
INVESTIGATION DETERMINING IF BLOCK 190 LOT 10.02
IS A REDEVELOPMENT AREA IN ACCORDANCE WITH THE
CRITERIA SET FORTH IN N.J.S.A. 40A-12A-5

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WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain areas of the State of New Jersey shall be a public purpose and further that municipal, public or private corporations may be authorized by law to undertake such development and redevelopment, and

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WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), allowing for the substantial improvement to, and turnaround of, underutilized, unused, fragmented, deteriorated and generally blighted properties through the careful design, writing, and implementation of local redevelopment plans, and

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WHEREAS, the State of New Jersey Development and Redevelopment Plan encourages smart growth principles to be observed and applied in the State, specifically in those areas either previously developed or designated for development, and

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WHEREAS, among the purposes of such redevelopment plans authorizing the planning, zoning, acquisition, clearance, reconstruction, rehabilitation and redevelopment of such local areas is to promote the public health, safety, morals and welfare and to stimulate the proper growth of the Vernon Town Center and vicinity; and

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WHEREAS, the primary goals of the Township of Vernon redevelopment effort is to improve the quality of life of Township residents and improve the economic foundation of the Township so that long term property tax stability is achieved for all Vernon taxpayers, and

WHEREAS, in furtherance of the aforesaid purposes of redevelopment and to achieve the aforesaid goals, the Township Council finds that redevelopment is desirable in the vicinity of the Town Center area of the Township of Vernon, and

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WHEREAS, it appears that within this general area there exists property (land), buildings or other improvements which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout or other factors, have remained vacant, stagnant, unproductive, under-utilized and undervalued and may be detrimental to the safety, health, morals or welfare of the Township of Vernon.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, Sussex County, New Jersey, pursuant to N.J.S.A.40A:12A-1 et seq., that the Planning Board is hereby authorized and directed to undertake a preliminary investigation to determine whether the property in the proposed, potential redevelopment area, a portion of Block 190, as indicated on the official tax map of the Township of Vernon is a redevelopment area in accordance with the criteria set forth in N.J.S.A. 40A-12A-5, and

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing respecting the proposed redevelopment area that being specifically, Block 190 Lot 10.02; also known as the Northwoods Condominiums. Said public hearing shall be conducted after public notice is given in accordance with N.J.S.A. 40A:12A-6 and, after completing its hearing and deliberation, the Vernon Planning Board shall submit a recommendation to the Township Council whether the above stated area, or any part thereof, be or not be determined to be an area in need of redevelopment.

Glenn McLaughlin moved to approve Resolution 08-176, seconded by Neil Desmond.

Councilmember Seufert questioned the cost of the preliminary investigation. Township Manager Melinda Carlton recalled the cost mentioned was approximately \$8,500 but has not been confirmed. Mayor Carew recognized Ira Weiner to speak on this matter. Mr. Weiner agreed his client would pay for the preliminary investigation since his client requested such. The developer/applicant will post \$8,500 to an escrow account before proceeding with the study.

There was no further Council discussion.

A roll call vote was taken: Neil Desmond, yes; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, no. Motion carried.

INTRODUCTION OF ORDINANCES AND FIRST READING

Ordinance #08-18 - AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE CODE SECTION 330-131 STORMWATER DETENTION FACILITIES

Ordinance 08-18 was tabled.

SECOND READING AND PUBLIC HEARING ON PROPOSED ORDINANCES

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

The Ordinance #08-16 was read by title only. First reading was held on August 28, 2008.

Motion made by Valerie Seufert to adopt Ordinance #08-16, seconded by Neil Desmond.

Mayor Carew opened the meeting for public discussion on this Ordinance.

There being no discussion from the public, Mayor Carew closed the public hearing.

There was no Council discussion.

A roll call vote was taken: Neil Desmond, 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.

The above Ordinance was read by title only. First reading was held on August 28, 2008.

Mayor Carew opened the meeting for public discussion on this Ordinance.

Thomas McClahrie, Vernon Taxpayers' Association, stated the Vernon Taxpayers' Association opposes this Ordinance and questioned why the Township Council rescinded Ordinance 08-12. The Township Manager clarified the language contained in Ordinance 08-12 was not clear that unused monies from previous bond funding were used for projects listed in this Ordinance. Mr. McClahrie stated the Township must begin to pay off its debt and not continue the practice of bonding for additional funding. The Township Manager responded the Township is not bonding for capital projects as part of its 2008 Annual Municipal Budget.

There being no further discussion from the public, Mayor Carew closed the public hearing.

Motion made by Glenn McLaughlin to adopt Ordinance #08-16, seconded by Neil Desmond.

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

ORDINANCE #08-19

AN ORDINANCE CREATING THE TOWNSHIP OF VERNON MUNICIPAL LAND USE BOARD

The above Ordinance was read by title only. First reading was held on August 28, 2008.

Mayor Carew opened the meeting for public discussion on this Ordinance.

Michelle Danzis, Highland Lakes, reiterated her previous statement given during Public Comment that the proposed Ordinance should also include "immediate family members" should not have a direct or indirect interest.

Thomas McClahrie, Vernon Taxpayers' Association, stated the Vernon Taxpayers' Association said the concept is a good one, however, they disagree with the combined powers a Land Use Board is given under this Ordinance.

Township Attorney Michael Witt reminded the Council that passage of this Ordinance is required since it is a referendum question on November's ballot. The Ordinance therefore would not become effective until such time the referendum is passed by the voters. Mr. Witt noted the revised language contained in Section 3 and Article III, item c. will include *any immediate family member* of a Land Use Board member. Mr. Witt also recommended a third revision to item f. to read: "all members of the board shall be municipal residents."

There being no further discussion from the public, Mayor Carew closed the public hearing.

Mayor Carew offered there is some money savings the Township will realize by not having to retain professionals for two boards.

There was no further Council discussion.

Motion made by Valerie Seufert to amend Ordinance #08-16 as suggested by the Township Attorney, seconded by Neil Desmond.

A roll call vote was taken: Neil Desmond, no; Valerie Seufert, yes; Glenn McLaughlin, yes; Austin Carew, yes. Motion carried.

Mayor Carew opened the meeting for public discussion on this amended Ordinance only.

Thomas McClahrie, Vernon Taxpayers' Association, asked for clarification on the amended Ordinance.

Ira Weiner, 8 Curtis Drive, stated a Land Use Board may save the Township some money but as the Land Use Board takes on a busier agenda it may not be advantageous for a town of Vernon's size. Mr. Weiner further stated he is not in favor of this Ordinance.

Gary Martinsen, Vernon resident, conformed this Ordinance is on the November ballot as a referendum question to be voted on by the voters of Vernon Township.

Motion made by Neil Desmond to revise Ordinance #08-16 as amended, seconded by Valerie Seufert.

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

OLD BUSINESS

None

NEW BUSINESS

Mayor Carew reported the Green Task Force Committee will hold their first meeting on September 16, 2008. Anyone interested in attending is welcome.

ADJOURNMENT

There being no further items of business to be conducted on the Regular Meeting agenda, a motion for Adjournment was made by Neil Desmond, seconded by Valerie Seufert, with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:31p.m.

Respectfully submitted,

Robin R, Kline, MAS, RMC
Municipal Clerk

Minutes approved: ____ / ____ / ____