

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING
NOVEMBER 13, 2008

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:13 p.m. on Thursday, November 13, 2008 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Carew presiding.

STATEMENT OF COMPLIANCE

The Township Clerk advised that adequate notice of this meeting as required by the Open Public Meetings Act of 1975 was provided to the newspapers on September 30, 2008 and a copy was posted at the Municipal Building.

SALUTE TO THE FLAG

The Mayor moved the Salute to the Flag to when the meeting is reopened to the public at 7:00 p.m.

ROLL CALL OF MEMBERS

Present were Council Members Richard Carson, Valerie Seufert and Mayor Austin Carew. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt. Council Member Gary Grey informed the Clerk he would be arriving late. Council Member Glenn McLaughlin was absent.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 6:14 p.m., Council Member Valerie Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Richard Carson. Motion carried with all members voting in favor.

The Municipal Clerk 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 Negotiations – Metairie Redevelopment Agreement. Anticipated time of release of executive session minutes will be when the contract has been executed.
 - b. Contract Negotiations – Mountain Creek Redevelopment Agreement. Anticipated time of release of executive session minutes will be when the contract negotiations are completed.

- c. Attorney-Client Privilege – Waywayanda Road Notice of Violation. There is no anticipated time of release of executive session minutes.
- d. Contract Negotiations – McDermott Parking Lot. Anticipated time of release of executive session minutes will be when the contract negotiations are complete.
- e. Contract Negotiations – Main Street Associates Agreement. Anticipated time of release of executive session minutes will be when the contract negotiations are completed.
- f. Personnel Matter – Administrative Group. There is no anticipated time of release of executive session minutes.
- g. Attorney-Client Privilege – Audio Recording of Executive Session minutes. There is no anticipated time of release of executive session minutes.
- h. Attorney-Client Privilege – Desmond vs. Beebe. There is no anticipated time of release for executive session minutes.

3. This resolution shall take effect immediately.

The meeting was reopened to the public at 7:09 p.m. Present were Council Members Richard Carson, Gary Grey, Valerie Seufert and Mayor Austin Carew. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt. Council member Gary Grey arrived during Executive Session. Council Member Glenn McLaughlin was absent.

SALUTE TO THE FLAG

The Mayor led the assemblage in the salute to the flag.

PRESENTATIONS AND SPECIAL ITEMS

Commendation

Mayor Carew presented Detective Brian Jernick with a commendation recognizing him for receiving the Sussex Elks' Enrique Camarena Award for his efforts in youth drug prevention programs. Police Chief Roy Wherry also acknowledged Det. Jernick's achievement with words of praise and gratification.

Friends of Vernon Awards

Mayor Carew presented the "Friend of Vernon Award" to Township resident Coster Gerard and to former Township resident, James Kilby, posthumously, and thanked them for their many years of volunteer service to the Vernon Township community.

Classification & Compensation Study

A Classification and Compensation Study proposal was presented by Dan Mason and Jim Roberts of Jersey Professional Management, Inc. Mr. Mason explained the purpose of a classification and compensation study is to improve efficiency in municipal operations in the delivery of services to the public. The study would include a salary survey, job title classification review, and an organizational assessment. The anticipated cost of this study would be \$50,000 to be paid over a two year period. The Township Manager informed the governing body Resolution #08-199 is on tonight's agenda for Council consideration.

Plan Endorsement

Louis Kneip, Director of Planning and Development, introduced Ms. Jessica Caldwell, a planner with the firm Harold Pellow & Associates. Mr. Kneip recommended the firm of Harold Pellow & Associates be retained to assist the Township in obtaining Plan Endorsement from the State. Ms. Caldwell gave an overview of the complex Plan Endorsement components, which include conformance to the Highlands Regional Master Plan, as well as, Council on Affordable Housing mandates. Mr. Kneip informed the governing body Resolution #08-213 is on tonight's agenda for Council consideration. The resolution would approve retaining Ms. Caldwell's services for completing the Plan Endorsement process up to the step of the Municipal Self Assessment Report. Mr. Kneip noted subsequent fees cannot be estimated until the Township receives feed back from the Office of Smart Growth.

PUBLIC COMMENT

Mayor Carew opened the meeting for Public Comment.

Phyllis MacPeek, Vernon resident, questioned the status of the Township's Green Acres grant funding for Open Space. Township Manager Melinda Carlton responded that preliminary research has been completed on potential open space parcels for acquisition. That information has been forwarded to both the Township Council and the Environmental Commission for further review and consideration.

Thomas McClachrie, Vernon Taxpayers Association, questioned the costs associated with proposed Resolution numbers #08-199, #08-208, #08-209, #08-210, #08-213 and #08-214. The Township Manager proceeded to answer his questions with the assistance of the Township Attorney. Mr. McClachrie's asked for clarification on Resolution #08-197 passed at the last Council meeting, asking if the VALIC program for the Township Manager was a mandatory or a statutory requirement. Ms. Carlton clarified that participation in the VALIC program was a contractual requirement. In the interest of time, Ms. Carlton invited Mr. McClachrie to contact her directly to discuss any concerns or questions his group may have.

Robin Barron, Vernon resident, questioned the recent installation of two traffic yield signs on Sand Hill Road and suggested a stop sign should be erected for safety. Louis Kneip responded that the Township is waiting for approval from the Department of Transportation to install a stop sign at the intersection of MacPeek and Sand Hill Roads. Ms. Barron then asked about the status of the Metairie redevelopment project. The Mayor answered that if the Council approves the Metairie Redevelopment Agreement, Metairie Corporation would be able to proceed with their application before the Planning Board. Mayor Carew informed Ms. Barron and the public that the recent site visit and joint meeting of the Township Council and Planning Board at the Legends Hotel facility was very informative. Those who attended were impressed by the renovations completed to date and were able to gain a fuller understanding of the planned renovations and improvements at the resort.

Jessica Paladini, Sunset Ridge asked for clarification regarding the Township Manager's participation in the VALIC program. Ms. Carlton clarified that participation in the VALIC program is both a contractual requirement under her employment contract as well as a statutory requirement because there is a certain type of deferred compensation that is required when it is matched by a jurisdiction. Ms. Paladini also questioned why one of the three "Friends of Vernon Award" scheduled for presentation on the agenda was not presented tonight. Ms. Paladini further commented that the Township pays generously for professional development courses and suggested this may be an area the Council should look at in cutting costs. Ms. Paladini also questioned the

Township's policy allowing employees to take Township vehicles home. The Mayor concurred reporting the Township Council and Manager are currently reviewing this policy. It was noted that the Township Manager does not take home a Township vehicle. Ms. Paladini asked for an update on the videotaping and broadcasting of Council meetings on cable TV and asked if all past years Township Council Meeting Minutes could be posted on the web site. Jessi Paladini questioned at what time did the Township purchase the small parcel of land to the left of the D & S Mall. The Mayor asked the Township Manager to review this matter. Ms. Paladini then alleged the Township is in violation of the Open Public Records Act. She stated she has been waiting for records for four months regarding the Town Center properties and asserted the Engineering Office does not respond to her OPRA requests in a timely manner. Ms. Paladini asked if the Pact Construction burial of hazardous waste incident would be discussed tonight. Mayor Carew briefly commented on his understanding of the incident. The Township Attorney further stated he was satisfied that Township Health Department officials reported the matter to the Department of Environmental Protection and the DEP reported that no on-site contamination was noted. Ms. Paladini recited a list of materials buried by Pact Corporation and questioned why the Township did not file charges against Pact Corporation. Lastly, Ms. Paladini indicated she would be asking for Council Member McLaughlin's resignation at the next meeting since he was not present tonight.

There being no one else from the public wishing to speak, Mayor Carew closed the public comment period.

TOWNSHIP CLERK'S REPORT

The Township Clerk reported on the busy November 4th General Election and thanked Dave Pullis and his staff for their assistance in getting the 20 election district polling places ready for Election Day.

Ms. Kline reported that discussions and plans to televise the Township Council meetings have been finalized with WVT Communications. They will videotape and broadcast Township Council meetings on Channel 130 beginning December 1st. There is no charge for this service to the Township. The Township Council unanimously consented to this.

The Township Clerk reported she is working with the Township Manager and Township Attorney on preparations for the 2009 Reorganization Meeting and will be asking for the Council's input regarding the Township Council meeting dates in 2009.

Ms. Kline informed the Council and public that the Deputy Clerk has completed the Registrar courses and has taken the Certified Municipal Registrar exam. The Township is waiting to receive the results of that exam.

Lastly, the Township Clerk reported her office is waiting for the approval from the Division of Archives and Records Management for purging and destruction of courtesy copies of vital records. Purging these files will free up much needed secure and fireproof file cabinet space.

TOWNSHIP MANAGER'S REPORT

The Township Manager reported her office approved the positing of banners for two non-profit requests – one for a Hidden Valley ski event, and the second banner is for an animal spay and neuter program event.

The Township Manager reported the Historical Commission has inquired about soil mounted and stock piled on the land adjacent to the Maple Grange Park. Ms. Carlton stated the Historical Commission should obtain state approvals for soil removal. Once the approvals are secured, the Township

would assist in the removal or leveling of the dirt to make the area appealing. The Mayor further commented that the Historical Commission gave a presentation to the the Planning Board proposing a historic designation for the Board of Education Office building.

The Township Manager asked Lou Kneip to update the Council on the Appalachian Trail parking lot. Mr. Kneip reported he met with DEP representatives as well as other town, county and state officials approximately three weeks ago to discuss the environmental permits required from the DEP to construct a parking lot adjacent to the Appalachian Trail entrance on Route 517. An alternate site by Carol Drive was also discussed, which Mr. Kneip noted the Appalachian Trail Commission believes is worth looking into. Mr. Kneip asked the Council for their direction as to whether the Township was interested in pursuing the alternate location. Mayor Carew questioned the safety of people crossing Route 517. The Route 517 lot could accommodate 26 parking spaces and the Carol Drive site could accommodate approximately 19 parking spaces. Lou Kneip was asked to undertake a preliminary investigation to determine if there is any historic significance of the Carol Drive site.

The Township Manager also asked Lou Kneip to update the Council on COAH developer fees. Mr. Kneip reported Vernon Township Ordinance #00-13 was amended by Ordinance #05-05, which established COAH fee guidelines for residential and non-residential development in Vernon. He stated the non-residential component has recently been changed by the Council on Affordable Housing and suggested the Township Ordinance should be consistent with state regulations. Lou Kneip said COAH developer fees will be posted on the Township's Website for the public's information.

Melinda Carlton thanked the Council Member Valerie Seufert and Mayor Austin Carew for volunteering additional time to participate on the Budget Sub-committee to review the proposed 2009 Budget line-by-line. Ms. Carlton commented she looks forward to having members of the community participate in next year's budget process.

The Council asked how Bond Council services are billed to the Township. Ms. Carlton reported the Township is charged for Bond Council services only when the Township bonds or engages in a bond anticipation note sale.

CHANGES TO THE AGENDA

The Township Manager reported Resolution #08-201 was added to the agenda.

TOWNSHIP ATTORNEY'S REPORT

Mr. Witt stated he covered his report during the public session.

APPROVAL OF MINUTES

Council Member Valerie Seufert made a motion to table the Executive Session minutes of the October 9, 2008 Township Council Regular Meeting minutes, seconded by Council Member Gary Grey. The Mayor stated a revision needed to be made to the minutes.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Council Member Valerie Seufert made a motion to accept and approve the October 9, 2008 Township Council Regular Meeting minutes, seconded by Council Member Richard Carson.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

The October 9, 2008 Township Council Regular Meeting minutes were approved.

CONSENT AGENDA

Resolution #08-205

AUTHORIZING THE APPROVAL OF BILLS LIST

BE IT RESOLVED that the following bills lists are hereby approved:

Current	ck# 30015	to ck#
Current	ck# 30016	to ck# 30112
Current	ck# 30114	to ck# 30182
Current	ck# 30183	to ck# 30267
Current	ck# 30268	to ck# 30324
Current	ck# 30326	to ck# 30327
Current	ck# 30328	to ck# 30359
Current	ck# 30362	to ck# 30404
Capital	ck# 2559	to ck# 2568
Capital	ck# 2569	to ck# 2573
Capital	ck# 2574	to ck#
Capital	ck# 2575	to ck# 2577
Grant	ck# 30113	to ck#
Grant	ck# 30360	to ck# 30361
Planning & Zoning	ck# 3787	to ck# 3798
Recreation Trust	ck# 840	to ck# 845
Recreation Trust	ck# 846	to ck#
Recreation Trust	ck# 847	to ck# 848
Dog Trust	ck#	to ck#
Other Trust	ck# 775	to ck#
Other Trust	ck# 776	to ck#
Other Trust	ck# 777	to ck#
Other Trust	ck# 778	to ck#
Senior Citizen Trust	ck#	to ck#
Outside Services	ck# 1484	to ck# 1488
Outside Services	ck# 1489	to ck# 1490
Outside Services	ck# 1491	to ck#
Outside Services	ck# 1492	to ck# 1495
Unemployment Trust	ck#	to ck#
Open Space Trust	ck# 219	to ck#
PVL Dam Rehab Asmck#		to ck#
PVL Dam Rehab Exp	ck#	to ck#
COAH	ck#	to ck#
Sewer Operating	ck# 125	to ck#
Sewer Operating	ck# 126	to ck#
Sewer Capital	ck# 1030	to ck#
Developer's Bonds	ck#	to ck#
Road Assessment	ck#	to ck#
Payroll Deduction	ck#	to ck#
Payroll Deduction	ck# 3022 thru ck# 3023	(1 st pay in Oct)
Payroll Checks	ck# 32857	to ck# 32901 (2 nd pay in Oct)
Payroll Deduction	ck# 3024 thru ck# 3031	
Total Payroll	\$328,357.15	
Payroll Checks	ck#32902	to ck#32945 (3rd pay in Oct)
Payroll Deduction	ck# 3032 thru ck# 3033 and ck# 3038 thru ck#3039	
Total Payroll	\$298,902.33	

Council Member Valerie Seufert moved to approve the Consent Agenda, seconded by Council Member Richard Carson

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

RESOLUTIONS REQUIRING SEPARATE ACTION

Resolution #08-202

LIMOUSINE LICENSE

BE IT RESOLVED by the Township Council of the Township of Vernon that all documentation and insurance information is in order and the necessary inspection of the vehicle has been performed by the Police Department.

BE IT FURTHER RESOLVED that approval is hereby granted for the issuance of a Limousine License to Goldwater S. Moon, 2 Washington St., Vernon, New Jersey 07462.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Richard Carson.

There was no Council discussion.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-199

AUTHORIZING AND DIRECTING THE MAYOR AND MUNICIPAL CLERK TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT FOR A CLASSIFICATION AND COMPENSATION STUDY

WHEREAS, there is a need by Vernon Township to retain a Management Consultant to perform a Classification and Compensation Study for Municipal Employees, and

WHEREAS, the study will examine Vernon Township's Municipal operations, specifically focusing on setting job titles for each position in each department and a valid and usable schedule of salary ranges as well as a pay plan for represented, non-represented, classified and non-classified employees of the Township which would be based on market competitiveness and internal organizational consistency; and

WHEREAS, in response to a Request for Qualifications dated August 8, 2008, Jersey Professional Management has submitted a proposal dated August 26, 2008 with an addendum dated September 18, 2008 for this study; and

WHEREAS, Vernon has determined that Jersey Professional Management is the best qualified entity to provide the services requested and desires to contract with Jersey Professional Management, Cranford, NJ 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 will exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has certified funds in the amount of \$25,000 are available for this purpose in the 2008 budget and funds in the amount of \$25,000 in the 2009 Budget are available subject to the final adoption of the 2009 temporary Budget; and

WHEREAS, the term of the contract is anticipated to be completed within 90 days from the date the contract is awarded; and

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

WHEREAS, Jersey Professional Management, has submitted a Business Entity Disclosure Certification and Employee Information Report 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, NJ for services herein specified to Jersey Professional Management, Cranford, NJ.
2. The cost of said agreement shall not exceed a total of \$50,000.00.
3. That payment for said services pursuant to the schedule located in the contract, shall be paid to Jersey Professional Management.
4. This contract is awarded without competitive bid as a Professional Services Contract under the provisions of N.J.S.A. 40A:11-5 (1) (a).
5. 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.
6. That a copy of the Business Disclosure Entity Certification and the Employee Information Report be filed with this Resolution.

Council Member Gary Grey moved to approve this Resolution, seconded by Council Member Richard Carson.

Council Member Richard Carson stated in light of current budget constraints and recent layoffs, he cannot support the Township spending \$50,000 for this study. Council Member Valerie Seufert concurred with Council Member Carson. Mayor Carew agreed and asked the Township Manager to revisit this matter again next year.

A roll call vote was taken:

AYES: None

NAYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew.

Resolution #08-199 was not approved.

Resolution #08-206

CORRECTIVE ACTION PLAN - 2007 AUDIT

WHEREAS, the 2007 Audit was delivered in September, 2008 and regulations promulgated by the Single Audit Act and the Division of Local Government Services requires that a corrective action plan to be prepared within 60 days; and

WHEREAS, these regulations further require approval of that plan within 60 days of audit receipt by the Township Council;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the corrective action plan for the 2007 audit prepared by the Township Chief Financial Officer be approved.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Richard Carson.

There was no Council discussion.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-207

NOTICE OF INTENT TO PETITION THE HIGHLANDS COUNCIL FOR PLAN CONFORMANCE

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008 each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area ;

WHEREAS, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, the Highland's Council Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than December 8, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

WHEREAS, the Township of Vernon lies within the Highlands Region as defined by the Highlands Act; and

WHEREAS, the Township Council of the Township of Vernon believes that it is in the best interest of the Township of Vernon to conform to the Regional Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, hereby provides the Highlands Council with the Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area.

BE IT FURTHER RESOLVED, this Notice of Intent specifies that the Township Council of the Township of Vernon intends to include all lands lying within the Planning Area in the petition. In accordance with the Highlands Council's Plan Conformance Guidelines, this Notice of Intent is not binding with respect to lands within the Planning Area.

BE IT FURTHER RESOLVED, this Notice of Intent provides notice to the Highlands Council that the Township Council of the Township of Vernon will file submission of a Petition for Plan Conformance no later than December 8, 2009.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Richard Carson.

At this time, Louis Kneip, Township Engineer, stated the date on the second page should be revised to read December 8, 2009.

Council Member Valerie Seufert made a motion to amend the date on the second page of this resolution to read December 8, 2009, seconded by Council Member Gary Grey.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Council Member Valerie Seufert made a motion to pass this Resolution as amended, seconded by Council Member Richard Carson.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-208

RESOLUTION TO JOIN THE STATEWIDE INSURANCE JOINT FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“Fund”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, Vernon Township, (“LOCAL UNIT”) has determined that membership in the FUND is in the best interest of the LOCAL UNIT; and

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three(3) years, effective from January 1, 2009 terminating on January 1, 2012 at 12:01a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

	<u>YES</u>	<u>NO</u>
Workers’ Compensation & Employer’s Liability	X	

Liability, Property, Crime-Faithful Performance and Fidelity, Inland Marine, Boiler and Machinery, Comprehensive General Liability, Auto Liability, Auto Physical Damages and Professional Liability	X	

Pollution Liability		X

BE IT FURTHER RESOLVED that John Moore is hereby appointed as the LOCAL UNIT’S Fund Commissioner and is authorized to execute the

application and the accompanying certification on behalf of the LOCAL UNIT;
and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the attached Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the Fund's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Richard Carson.

Council Member Richard Carson clarified and confirmed there is no cost to the Township to join this particular fund.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-209

RESOLUTION APPOINTING JOINT INSURANCE FUND COMMISSIONER

WHEREAS, Vernon Township, (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the governing body of the Township of Vernon that Melinda Carlton, Township Manager, is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Council Member Valerie Seufert commented that the date on the agreement should be corrected to read 2008, which was duly noted.

Council Member Richard Carson made a motion to amend this Resolution to read 2008, seconded by Council Member Valerie Seufert.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Council Member Valerie Seufert moved to approve this Resolution as amended, seconded by Council Member Richard Carson.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-210

APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Township of Vernon (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A: 10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the Fund; and

WHEREAS, the Fund has requested its members to appoint individuals or entities to that position; and

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

1. Vernon Township hereby appoints John Moore, its local Risk Management Consultant.
2. The Mayor and Township Clerk are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2009 in the form attached hereto.

Council Member Richard Carson moved to approve this Resolution, seconded by Council Member Valerie Seufert.

Council Member Valerie Seufert asked who John Moore is as is referenced in the resolution. The Township Manager responded Mr. Moore is a Principal with the brokerage firm of Willis HRH, the Township's insurance broker, and stated his appointment as Risk Management Consultant does not incur additional costs to the Township.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-211

RESOLUTION AUTHORIZING THE APPLICATION TO THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR AN "OVER THE LIMIT UNDER ARREST 2008 YEAR END CRACKDOWN" GRANT FROM DECEMBER 8, 2008 THROUGH JANUARY 2, 2009.

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 28% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout several counties to participate in the *Over the Limit Under Arrest 2008 Year End Crackdown*; and

WHEREAS, the Division of Highway Traffic Safety is prepared to offer our department \$5,000.00 in enforcement grant funding and no match funding is needed from the municipality. This is a Federal program which is dispersed by the State of New Jersey; and

WHEREAS, the grant monies are used to deploy additional officers whose sole duty is to enforce DWI violations in an attempt to reduce drinking and driving as well as alcohol related motor vehicle crashes from December 8, 2008 through January 2, 2009; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways; and

THEREFORE BE IT RESOLVED, that Vernon Township declares its support for the Over the Limit Under Arrest 2008 Year End Crackdown from December 8, 2008 through January 2, 2009 and pledges to increase awareness of the dangers of drinking and driving.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Gary Grey.

Council Member Richard Carson asked Police Chief Roy Wherry how many DWI arrests were made last year. Police Chief Wherry reported he would get that information to him. Council Member Carson stated that even if no DWI arrests were made under this program, the message is out there and it is well worth it.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-212

DESIGNATING METAIRIE CORPORATION AS REDEVELOPER FOR THE MCAFEE VILLAGE COMMERCIAL RESORT REDEVELOPMENT PROJECT

WHEREAS, on June 12, 2006 the Township Council of the Township of Vernon adopted resolution Number R06-106 establishing the McAfee Village area in need of redevelopment, which includes Block 231.01, Lot 1, the property commonly known as the Legends Resort, as part of an economic development plan as reviewed by the Township Council on March 26, 2006 and pursuant to the McAfee Village Redevelopment Plan Ordinance Number 08-03 adopted by the Township Council on May 8, 2008 so as to meet the public purpose of creating a McAfee Village Commercial Resort zoning district and to encourage employment and economic growth in the Township of Vernon, and

WHEREAS, the owner of the property lying in the Redevelopment Area, Metairie Corporation, desires to redevelop the Redevelopment Area consistent with the aforesaid Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon, Sussex County, New Jersey, pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq., that Metairie Corporation, or a successor corporation, including a renewal company organized for the purposes of carrying out the Redevelopment Project, is hereby designated as the Redeveloper of the McAfee Village Commercial Resort Redevelopment Project,

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:12A-8, that the Mayor is hereby authorized to execute on behalf of the Township of Vernon a Redevelopment Agreement between the Township of Vernon and the herein designated redeveloper, Metairie Corporation, or a successor corporation, a copy of said agreement shall be placed on file in the office of the Township Clerk upon execution thereof.

Council Member Richard Carson moved to approve this Resolution, seconded by Council Member Gary Grey.

Council Member Gary Grey stated that after participating in the special joint meeting site visit at Legends Hotel, he was impressed with the renovations completed to date. Council Member Richard Carson agreed.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-213

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH HAROLD E. PELLOW & ASSOCIATES, INC. FOR PLANNING SERVICES

WHEREAS, there exists a need for professional services for the Township of Vernon for the purpose of Planning services; and

WHEREAS, Vernon Township received five (5) Proposals for Professional Planning Services, and

WHEREAS, the Township Manager has determined that Harold E. Pellow & Associates, Inc, has submitted a Proposal for Planning Services dated October 17, 2008, and is qualified to provide the following services:

- Attendance at one (1) Township Council Meeting
- Plan Endorsement Pre-Petition Meeting and Municipal Self Assessment
- Initial Assessment of the Impacts of Plan Conformance; and

WHEREAS, the total price of the contract will not exceed \$30,860.00; and

WHEREAS, the Chief Financial Officer has certified that the contract will exceed \$17,500.00 and has certified that funds are available for this purpose; and

WHEREAS, Vernon desires to appoint Harold E. Pellow & Associates, LLC, pursuant to a contract under the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Harold E. Pellow & Associates, LLC has submitted a Business Entity Disclosure Certification in compliance with applicable law.

NOW THEREFORE BE IT RESOLVED, this 13th day of November, 2008, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

1. The Township of Vernon is authorized to engage Harold E. Pellow & Associates, LLC, for the purpose of Professional Planning Services; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with the Harold E. Pellow & Associates, LLC, as negotiated by the Township Manager.

This Professional Services Contract is awarded without competitive bidding (1) as a "Professional Service" under the provisions of the Local Public Contracts Law and/or (2) for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software.

A copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage and a true copy of same and the Professional Services Contract shall be available for inspection in the office of the Township Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

Council Member Valerie Seufert moved to approve this Resolution, seconded by Council Member Richard Carson.

There was no Council discussion.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Resolution #08-214

AUTHORIZING AN EXTENSION TO RECYCLING CONTRACT BETWEEN THE TOWNSHIP OF VERNON AND GAETA RECYCLING

WHEREAS, on July 9, 2007, the Township of Vernon and Gaeta Recycling entered into an agreement to provide recycling services to the Township of Vernon; and

WHEREAS, the parties wish to extend the term of the contract to December 31, 2008 with costs not to exceed \$55,000.00 and all other provisions of the contract remaining in effect.

THEREFORE BE IT RESOLVED, by the Township Council that the Mayor and Township Manager may enter into an addendum to extend the existing contract to December 31, 2008 for Recycling services for the Township of Vernon.

Council Member Valerie Seufert moved to approve this Resolution. At this time the Township Attorney interjected that he believes the resolution language should include “not to exceed \$55,000” and asked that a motion be made to amend this resolution.

Council Member Valerie Seufert moved to approve the amended Resolution to include the language “not to exceed \$55,000”, seconded by Council Member Gary Grey.

Council Member Valerie Seufert asked what the annual cost for recycling services is per year. The Township Manager reported recycling services cost \$115,000 per year. The Township will be going out to bid shortly.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

Council Member Valerie Seufert made a motion approve the amended Resolution, seconded by Council Member Gary Grey.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

INTRODUCTION OF ORDINANCES AND FIRST READING

ORDINANCE #08-22

ORDINANCE AMENDING A BOND ORDINANCE 07-36 OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, HERETOFORE ADOPTED ON AUGUST 13, 2007

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The bond ordinance of The Township of Vernon, in the County of Sussex, New Jersey, heretofore adopted by the governing body thereof on August 13, 2007 and entitled: “Bond ordinance appropriating \$1,864,579 and authorizing the issuance of \$1,632,900 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” (#07-36) (the “Prior Ordinance”), is hereby amended to the extent and with the effect that the improvement described in Section 3(b) thereof shall read as follows (changed text is underscored):

“(b) Acquisition by purchase of new and additional fire fighting apparatus for the preservation of life and property in the Township, including, without limitation, one (1) pumper truck for use by the McAfee Fire Department, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved \$450,000 \$428,660”

The Prior Ordinance is hereby further amended to the extent and with the effect that Section 3(j) shall be added thereto and shall read as follows:

“(j) Substantial reconditioning and refurbishing of fire fighting apparatus for use by the Highland Lakes Fire Department, including all attachments, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file in the office of the Township Clerk and hereby approved \$40,000 \$38,000”

The Prior Ordinance is hereby further amended to the extent and with the effect that Section 4(b) shall read as follows (revised text is underscored):

“(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 15.38 years.”

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.

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by the Local Bond Law of New Jersey.

Ordinance #08-22 was read by title only. A motion was made by Council Member Richard Carson to introduce Ordinance #08-22 on first reading and so advertise with second reading and final adoption on December 1, 2008. The motion was seconded by Council Member Valerie Seufert.

The Township Manager stated this Ordinance re-appropriates funds from a former bond issuance for the repair of the fire tanker truck.

A roll call vote was taken. Rich Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried. Ordinance passed first reading.

ORDINANCE #08-23

AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE ARTICLE II FEES AND ESCROWS ENUMERATED CODE SECTION 250-15 RELATING TO ANIMAL CONTROL

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

1. Section 250-15 shall be amended to read as follows:
 - A. Dog license, local \$6.80.
 - B. Dog license, state \$1.20.
 - C. Nonneutered or spayed, state fee: \$3.00.
 - D. After March 1 additional late fee required for issuance of dog license: \$5.00.
 - E. Dog adoption: \$30.00
 - F. Cat adoption: \$10.00
 - G. Euthanasia:
 - (1) Dog: \$25.00
 - (2) Cat: \$15.00
 - H. Disposal of remains:
 - (1) Dog: \$25.00
 - (2) Cat: \$15.00
 - I. Pickup/redemption:
 - (1) First offense: \$25.00
 - (2) Second offense: \$35.00
 - (3) Third offense: \$45.00
 - (4) Maintenance: \$4.00 per day
 - (5) Overnight Stays: \$4.00 per day
 - J. Kennel license, initial: \$25.00
 - K. Kennel license, annual renewal: \$40.00
 - L. Pet shop, initial: \$10.00
 - M. Pet shop, annual renewal: \$40.00
 - N. Kennel or pet shop construction plans review: \$150.00
 - O. Animal shelter or pound, annual license: no fee.
 - P. Surrender Fee:
 - (1) Dog: \$50.00
 - (2) Cat: \$20.00

Ordinance #08-23 was read by title only. A motion was made by Council Member Valerie Seufert to introduce Ordinance #08-23 on first reading and so advertise with second reading and final adoption on December 1, 2008, and the motion was seconded by Council Member Richard Carson.

Council Member Valerie Seufert asked why these fees are being increased. The Township Attorney said these fees have not been increased for quite some time. The state recently increased many fees and the Township should adjust its fees as well.

A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried. Ordinance passed first reading.

ORDINANCE #08-24

**AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE
CODE CHAPTER 281, FOOD ESTABLISHMENTS, RETAIL
§SECTION 281-4 LICENSE REQUIRED**

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

1. Section 281-4: C shall be amended to read as follows:

All licenses issued during the calendar year of 2008 that expire on November 30, 2008 will be extended until December 31, 2008. Thereafter all licenses issued January 1, of a year shall expire on December 31, of that same year.

Ordinance #08-24 was read by title only. A motion was made by Council Member Valerie Seufert to introduce Ordinance #08-24 on first reading and so advertise with second reading and final adoption on December 1, 2008, and the motion was seconded by Council Member Richard Carson.

Mike Witt gave a brief explanation of this Ordinance, stating the County requested the Township change the expiration date on its ordinance to be consistent with the County food license period of Jan.1 through Dec. 31st.

A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried. Ordinance passed first reading.

SECOND READING AND PUBLIC HEARING ON PROPOSED ORDINANCES

ORDINANCE # 08-20

**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 October 9, 2008.

Council Member Valerie Seufert made a motion to approve the above Ordinance, seconded by Council Member Richard Carson.

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

Joe Lisa, Vernon resident, questioned why the Township wishes to change from three tow operators back to two towers. Police Chief Wherry reported because of the amount of equipment the Township requires at this time, two tow operators are adequate and it would keep the towers on the list hustling

to get the job done quickly. If at any time there is a need for three towers, this ordinance allows the Chief of Police to add an additional tow operator.

There being no further comments from the public, the Mayor closed the meeting to the public.

A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried. Ordinance passed.

ORDINANCE #08-21

AN ORDINANCE CONTINUING THE VERNON TOWNSHIP BUREAU OF ANIMAL CONTROL AND REPEALING CHAPTER 5, ARTICLE XII, SECTION 5-60 THROUGH SECTION 5-64 OF THE VERNON TOWNSHIP CODE

The above Ordinance was read by title only. First reading was held on October 9, 2008.

Council Member Valerie Seufert made a motion to approve the above Ordinance, seconded by Council Member Richard Carson.

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

There being no comments from the public, the Mayor closed the meeting to the public.

A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried. Ordinance passed.

NEW BUSINESS

Council Member Valerie Seufert questioned if job postings have been placed for a full time Chief Financial Officer and Assistant Township Manager. The Township Manager stated she is working with Sussex County on a shared service agreement for finance services and expects to have a proposal soon. If that arrangement does not work out, the Manager will advertise for a CFO. Regarding the Assistant Manager's position, Melinda Carlton stated the Township received close to 100 applications when the position was posted seven months ago. She replied to each applicant that due to budget constraints, there has been a hold on hiring for the position. Council Member Valerie Seufert suggested advertising for the position again. The Township Manager agreed to re-advertise. Further, Council Member Valerie Seufert stated that in light of the economy and budget constraints, she recommended a hiring freeze with the exception of hiring an Assistant Township Manager and a full time Chief Financial Officer.

Council Member Valerie Seufert made a motion to initiate a hiring freeze of municipal employees in Vernon Township with the exception of the full time CFO and Assistant Manager positions until December 31, 2009. Seconded by Council Member Gary Grey.

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

Council Member Richard Carson asked if anyone has contacted Allison Petryk, who expressed an interest in serving on the Environmental Commission. Mayor Carew noted Ms. Petryk currently serves on the Green Advisory Commission.

ENVIRONMENTAL COMMISSION APPOINTMENT:

Council Member Richard Carson made a motion to appoint Allison Petryk on the Environmental Commission, seconded by Council Member Valerie Seufert.

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

PLANNING BOARD APPOINTMENT:

Council Member Valerie Seufert made a motion to appoint Council Member Gary Grey to the Planning Board, seconded by Council Member Richard Carson. A roll call vote was taken. Richard Carson, yes; Gary Grey, recuse; Valerie Seufert, yes; Austin Carew, yes. Motion carried.

ECONOMIC DEVELOPMENT COMMISSION:

Mayor Carew stated there are two openings on the Economic Development Commission for a Council Member. Council Member Valerie Seufert has indicated she would like to do that.

Council Member Richard Carson made a motion to appoint Council Member Valerie Seufert to the Economic Development Commission, seconded by Council Member Gary Grey. A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, recuse; Austin Carew, yes. Motion carried.

Mayor Carew made a suggestion to expand the Economic Development Commission by one additional person, a letter was received by Jim Schriener, who the Mayor spoke with today.

Council Member Valerie Seufert made a motion to expand the Economic Development Commission by one member, seconded by Council Member Richard Carson. A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried.

Council Member Valerie Seufert made a motion to appoint Jim Schriener to the Economic Development Commission, seconded by Council Member Richard Carson. A roll call vote was taken. Richard Carson, yes; Gary Grey, yes; Valerie Seufert, yes; Austin Carew, yes. Motion carried.

Council Member Valerie Seufert stated she will coordinate the first meeting of the Economic Development Commission before the end of this year.

The Township Manager stated her office appropriated some additional funds into the 2009 budget for the Economic Development Commission.

Mayor Carew thanked Jim Oroho, former Council Member who headed the Economic Development Commission.

Mayor Carew reported the Sustainable Energy Task force would like an energy audit performed in the Municipal Center and suggested the Township draft a resolution to participate in a state grant program. Mayor Carew informed the Council 75% of the audit would be paid by the State. The other 25% would be paid for by the Township pending recommendations in the audit are implemented. Mayor Carew noted the energy audit would also measure air quality.

Mayor Carew requested that a letter be sent to the County Health Department inquiring how our former Health Department employees are faring and to also get a report from the County regarding how everything is progressing from their perspective.

Mayor Carew asked the Township Manager if the Township should have a Board of Health in place since all health services are handled by the county. Ms. Carlton stated she will speak with the Township Attorney regarding this.

The Township Attorney discussed a Class Action Suit filed against many New Jersey municipalities that have an ordinance in effect stating public

intoxication a disorderly persons offense. Mr. Witt mentioned he could not get into more specifics because of the attorney/client privilege but informed the Council this matter has been assigned by our insurance carrier to an attorney who will be defending several towns named in the law suit.

Council Member Richard Carson asked Lou Kneip if the stanchions installed on Breakneck Road in Highland Lakes can be replaced. Many are broken or missing. Mr. Kneip responded that many of the stanchions would be replaced after the winter months are over.

There being no further business to be discussed, Mayor Carew asked for a resolution to go into executive session.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 9:47 p.m., Council Member Valerie Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Richard Carson, with all members voting in favor. Motion carried.

The Municipal Clerk 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 Negotiations – Metairie Redevelopment Agreement. Anticipated time of release of executive session minutes will be when the contract has been executed.
 - b. Contract Negotiations – Mountain Creek Redevelopment Agreement. Anticipated time of release of executive session minutes will be when the contract negotiations are completed.
 - c. Attorney-Client Privilege – Waywayanda Road Notice of Violation. There is no anticipated time of release of executive session minutes.
 - d. Contract Negotiations – McDermott Parking Lot. Anticipated time of release of executive session minutes will be when the contract negotiations are complete.
 - e. Contract Negotiations – Main Street Associates Agreement. Anticipated time of release of executive session minutes will be when the contract negotiations are completed.
 - f. Personnel Matter – Administrative Group. There is no anticipated time of release of executive session minutes.
 - g. Attorney-Client Privilege – Audio Recording of Executive Session minutes. There is no anticipated time of release of executive session minutes.
 - h. Attorney-Client Privilege – Desmond vs. Beebe. There is no anticipated time of release for executive session minutes.
3. This resolution shall take effect immediately.

The meeting was reconvened in open session at 11:15 p.m. Present were Council Members Gary Grey, Valerie Seufert and Mayor Austin Carew. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt. Council Member Richard Carson left the meeting while in Executive Session. Council Member Glenn McLaughlin was absent.

Council Member Valerie Seufert made a motion to approve the amended executive session minutes from October 9, 2008, seconded by Council Member Gary Grey.

A roll call vote was taken:

AYES: Gary Grey, Valerie Seufert, Austin Carew

NAYES: None.

The amended October 9, 2008 Executive Session minutes were accepted.

ADJOURNMENT

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

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 11:15 p.m.

Respectfully submitted,

Robin R. Kline

Robin R, Kline, MAS, RMC
Municipal Clerk

Minutes approved: 01/08/2009