

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

February 26, 2009

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:00 p.m. on Thursday, February 26, 2009 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Austin Carew presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided to the public and the press on December 30, 2008 by delivering to the press and posting same at the Municipal Building.

ROLL CALL OF MEMBERS

Present were Council Members Richard Carson, Gary Grey, Glenn McLaughlin, Valerie Seufert, and Mayor Austin Carew. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 6:07 p.m. Council Member Richard Carson made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Valerie Seufert 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 – Mountain Creek Sewer Agreement/United Water Sewer Purchase. Anticipated time of release of Executive Session minutes would be at the time the contract is fully executed.
 - b. Contract Negotiations, PBA Collective Bargaining Agreement. Anticipated time of release of Executive Session minutes would be at the time the contract is fully executed.
 - c. Personnel – Retiree Healthcare Benefits. No anticipated time of release of Executive Session minutes.
 - d. Litigation – Obchenitz v. Maple Shade Township {Class Action lawsuit}. Executive Session minutes to be released at the conclusion of the litigation.
 - e. Litigation – Thompson v. Township of Vernon. Executive Session minutes to be released at the conclusion of the litigation.
 - f. Litigation – Wolosky v. Township of Vernon. Executive Session minutes to be released at the conclusion of the litigation.
 - g. Litigation – Desmond v. Beebe. Executive Session minutes to be released at the conclusion of the litigation.
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 Township Council entered into Executive Session at 6:10 p.m.

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

SALUTE TO THE FLAG

Mayor Austin Carew welcomed Boy Scout Troop #912 in presenting the colors and leading the assemblage in the salute to the flag.

Mayor Carew presented a Proclamation to Boy Scout Troop #912 and Scout Leader David DiPietro. Mr. DiPietro and the Boy Scouts informed the public of the types of scouting activities they have engaged in and encouraged others to join the Boy Scouts. Mayor Carew thanked the scouts for attending tonight's meeting and for continuing to perform great services to the Vernon Township community.

CHANGES TO THE AGENDA

Resolutions #09-38, #09-39, #09-40, and #09-41 were removed from the agenda.

PRESENTATIONS

HRH/Willis

Mr. John Moore, Risk Manager for the Statewide Insurance Fund, a 73-member joint insurance fund for public agencies, presented the Township Council with a 2008 Special Recognition Award for Vernon Township's efforts in improving employee safety and reducing the number of personal injury claims in the year 2008.

Appalachian Trail Parking Lot

Mr. Louis Kneip, Director of Planning and Development, introduced Mr. Charles Bates, Chairman, Historical Preservation Commission, to discuss the historical significance of the property adjacent to the Appalachian Trail boardwalk, which is being considered as the site for the proposed parking lot. Mr. Bates reported the site has some historic significance and encouraged the Township not to disturb the site. He also informed the Township Council that there is the presence of wetlands on the site. Mr. Kneip agreed and also noted that both sites currently under consideration for the parking lot would require wetland encroachment permits and Highlands exemption. Mr. Kneip recommended the site across Route 517 from the boardwalk trail would be preferred and crosswalk and traffic calming measures would be incorporated into the design of the site. The Township Council agreed to proceed with this site as long as traffic and pedestrian safety measures are incorporated.

Community Building

Ms. Pat Seger, Director of Recreation and Leisure, and Mr. Louis Kneip, presented building plans and information regarding the proposed community building/concession stand planned for Maple Grange Park. Mr. Kneip reported the structure would be purchased under a state contract and the construction of the project would be awarded by public bid. Ms. Seger distributed information showing the building's elevation and layout. The building would contain restrooms, a concession stand, storage, and a pavilion-style eating area. Ms. Seger stated the state contract price is approximately \$78,000 plus the cost for the installation of the septic system and site preparation. Water and electric are available on the site. Ms. Seger reported the \$250,000 DCA grant would be used for the project and the Board of Recreation has unanimously approved the project.

Louis Kneip informed the Township Council that bid specifications would go out to public bid this spring with expected construction to begin before August 2009.

PUBLIC COMMENTS

Mayor Carew opened the meeting for Public Comment.

Mary Ellen Vischiconti, Highland Lakes, thanked the Township Manager and Mayor for attending the Vernon Taxpayers Association meeting on Wednesday. Ms. Vischiconti questioned whether a representative from the Lake Wanda community attended the recent Office of Emergency Management briefing held by Sussex County and Police Chief Roy Wherry. Ms. Vischiconti then commented that the gate to Wawayanda State Park is kept locked during the off-season and suggested that all of the Township's first responders should have access to the gate keys in the event of an emergency. This would greatly aid access to and from the Highland Lakes area of the Township. Ms. Vischiconti suggested that access to the Waywaywanda State Park gate should be incorporated into the Township's Emergency Management Plan and Manual.

Debra Carasella, Vernon Township, stated she was not informed of the proposed Dog Park being planned in her residential area and questioned the proposed location and hours of operation for the proposed new Dog Park.

Thomas McClachrie, Vernon Taxpayers Association, thanked the Township Manager and Mayor for their attendance at Wednesday's Vernon Taxpayers Association meeting. Mr. McClachrie questioned the costs associated with the PBA #285 Collective Bargaining Agreement and costs to replace a police vehicle. Mr. McClachrie also questioned costs associated with Resolutions #09-34, #09-35, #09-37 and #09-43.

Bill Snyder, Barry Lakes Association, presented a Certificate of Appreciation from the Barry Lakes Homeowner's Association to the Vernon Township Department of Public Work for their extraordinary efforts during the December ice storm.

Sally Rinker, Vernon Resident and Business Owner, questioned the proposed site location for the Appalachian Trail parking lot since the fourteen foot high walls at that site would require a significant amount of fill material and site disturbance. Ms. Rinker also questioned the four-day work week and stated that it has reduced the availability and access to the municipal departments. She asked the Township Council to reconsider the costs and benefits to the public regarding the four-day work week.

Jessi Paladini, Sunset Ridge, questioned if the number of sick days municipal employees are allowed has changed since the Township implemented the four-day work week. Ms. Paladini also thanked the Township Manager and Mayor for attending the Vernon Taxpayers' Association meeting.

Gary Martinsen, Vernon Business Owner, reminded the Council and audience that wildlife, as well as people, use the Appalachian Trail and the design of road crossings should also recognize the safety of wildlife. Mr. Martinsen expressed his opposition to the proposed McAfee Redevelopment zone.

Ronald Muller, President, Vernon Chamber of Commerce, called upon the Township Council to continue to embrace and support resort businesses, which he stated attract visitors to the area and help support our smaller local-based businesses.

Marika Bezzone, Glenwood, questioned the state's extensive classification of Highlands Preservation Areas throughout Vernon Township, which restricts property owners rights to develop their property. Ms. Bezzone informed the Township Council and audience that urban areas out-vote rural areas by a margin of 3:1.

Seeing no one else from the public wishing to speak, Mayor Austin Carew closed the public portion of the meeting.

TOWNSHIP CLERK'S REPORT

Township Clerk Robin Kline reported the Clerk's Office has completed the indexing of all maintenance and performance bonds. Ms. Kline noted two substantial maintenance bonds are due to expire in June 2009 and she will be working with the Township

Engineer to ensure he has the opportunity to inspect those projects and make a recommendation whether the maintenance bonds can be released.

Ms. Kline reported thirty five (35) Open Public Records Act requests have been received so far this year, with three (3) pending completion. Ms. Kline informed the Township Council that changes to internal policies have greatly improved the manner in which the Township handles requests for government records from the public. The Township Clerk informed the Council that she is currently working with the Township Attorney to make further changes to the Township's Administrative Code regarding OPRA policies.

Ms. Kline informed the Council that Deputy Clerk, Angie Bates will be sitting for the state Registered Municipal Clerks exam in April and gave her best wishes.

Ms. Kline asked for the Council's endorsement on Resolution #09-33 listed on tonight's agenda, authorizing the Township to participate in the Public Archives and Records Infrastructure Support (PARIS) Grant Program. Ms. Kline reported she is working with Dan Freed from the Sussex County Clerk's Office in a record purging shared service and anticipates Vernon Township will take a lead roll in the grant project.

Lastly, The Township Clerk reported on the 2010 U.S. Census project currently underway and requested permission to post a U.S. Census Bureau recruitment flyer in the Municipal Building seeking part-time canvassers. Ms. Kline informed the Council she has been in contact with the New Jersey Office of the U.S. Census Bureau and is working with our hotels to possibly locate a local U.S. Census Bureau training and testing facility here in Vernon Township.

At the conclusion of the Township Clerk's report, Mayor Austin Carew called for a short recess at 9:09 p.m.

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Mayor Austin Carew reconvened the meeting at 9:20 p.m. with all present.

TOWNSHIP MANAGER'S REPORT

Ms. Carlton informed the Township Council she will have a report on Retiree Health Benefits at the next Township Council meeting scheduled for March 12, 2009.

The Township Manager stated her office has received a proposal from Sussex County regarding finance shared services. Ms. Carlton stated after approximately eight months of negotiations with the county, the attorneys will draft a shared services agreement with a target date of April 1st. Ms. Carlton stated the previous Township Council directed her office to look into shared services in a variety of areas. Ms. Carlton said the agreement will most likely be for a period longer than one year.

Ms. Carlton reported job audits by the Department of Personnel were requested for six employees whose prior applications for a desk audit were either lost or misplaced. Ms. Carlton will keep the Council apprised of the desk audit findings.

Ms. Carlton reported she met with the Township Engineer, Louis Kneip, and Department of Public Works Director, Dave Pullis, to develop a project list for funding under the U.S. Stimulus Bill and asked Mr. Kneip to further report on this. Mr. Kneip stated the State has not provided enough information regarding the application procedures and informed the Township Council that it appears funding will be given for larger road and bridge rehabilitation and construction projects in the State. Mr. Kneip reported he contacted the Environmental Infrastructure Trust Fund regarding a potential sewer and water improvement project for the Town Center. The response, however, was not positive.

Mr. Kneip questioned whether the Township Council would be interested in applying for an ANJEC Open Space Planning Grant. He estimated the cost for the 50% matching

grant would be approximately \$12,000. The Township Council referred this matter to the Environmental Commission for review and recommendation.

Ms. Carlton requested Mr. Kneip to briefly update the Council on several New Jersey Department of Transportation matters in the Township. A "No turn on Red" sign at the Sandhill Road and Route 94 intersection was denied, as was a flashing yellow traffic signal during off hours. Mr. Kneip informed the Council he sent another letter to the New Jersey Department of Transportation regarding the increasing the timing of the yellow light at the Sandhill Road and Route 94 intersection, which is still under review. Mr. Kneip also reported he requested the New Jersey Department of Transportation to install left turn green arrows at the Route 94 and Main Street intersection.

The Township Engineer distributed a draft revision of the storage of recreational vehicles and equipment Ordinance for the Township Council's review and discussion at the March 12, 2009 meeting.

The Township Manager read a letter from Mr. James Oroho recommending the creation of a Finance Advisory Committee. The Township Manager did not recommend Council Members participation on the Finance Advisory Committee, to which the Township Council concurred. Mayor Carew asked that an advertisement be circulated for public members and requested a resolution to be presented at the March 12, 2009 Township Council meeting to create the Finance Advisory Committee.

Ms. Carlton stated she is working with Council Member Richard Carson on the Telecommunications 9-1-1 Regionalization Project for Sussex County municipalities.

Ms. Carlton reported the Forensic Audit interviews have been completed and a Resolution will be presented at the March 12, 2009 Township Council meeting.

Ms. Carlton distributed copies of a memo from Tom Van Gorder, the Township's Fire Official, concerning waiving of fees for non-profit organizations.

The Township Manager reminded the Township Council that the revised Property Maintenance Ordinance is still pending.

Lastly, Ms. Carlton reported last year's annual bulk trash collection cost the Township \$38,000.00 for 348 tons of materials and informed the Township Council that Mr. Dave Pullis, Director of the Department of Public Works, recommended implementing a drop-off fee for bulk waste. After much discussion, the Township Council agreed to a twenty dollar {\$20.00} bulk waste collection drop-off fee. The Township's Fee Ordinance will be revised to reflect the new bulk waste collection fee.

The Township Clerk noted for the record that Council Member Richard Carson left the meeting at 10:04 p.m.

APPROVAL OF MINUTES

Council Member Valerie Seufert made a motion to approve the following minutes presented for approval. Seconded by Council Member Gary Grey.

- January 22, 2009 Regular Meeting & Executive Session
- February 5, 2009 Regular Meeting & Executive Session
- February 7, 2009 Special Meeting & Executive Session

A roll call vote was taken.

- AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew
- NAYES: None
- ABSTAIN: None

CONSENT AGENDA

RESOLUTION #09-28

AUTHORIZING THE APPROVAL OF BILLS LIST

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

Current	ck#	30930	to	ck# 30941
Current	ck#	30942	to	ck# 30971
Current	ck#	30972	to	ck# 30975
Current	ck#	30976	to	ck# 31033
Capital	ck#	2629	to	ck#
Capital	ck#	2630	to	ck# 2634
Capital	ck#	2635	to	ck# 2636
Grant	ck#		to	ck#
Planning & Zoning	ck#	3831	to	ck# 3839
Recreation Trust	ck#	865	to	ck#
Dog Trust	ck#		to	ck#
Other Trust	ck#	791	to	ck# 794
Other Trust	ck#	795	to	ck#
Senior Citizen Trust	ck#		to	ck#
Outside Services	ck#	1508	to	ck# 1512
Outside Services	ck#	1513	to	ck# 1515
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#	222	to	ck#
Sewer operating	ck#		to	ck#
Sewer Capital	ck#		to	ck#
Developer's Bonds	ck#	105	to	ck#
Road Assessment	ck#	1009	to	ck# 1010
Payroll Deduction	ck#		to	ck#
Payroll Checks	ck#	5123 to ck# 5175 (1st pay in February)		
Payroll Deduction	ck#	3086 to ck#3087		
Total Payroll		\$320,270.27		
Payroll Checks	ck#	5176 to ck# 5217 (2 nd pay in February)		
Payroll Deduction	ck#	3088 to ck#3096		
Total Payroll		\$306,837.27		

RESOLUTION #09-31

TAX OVERPAYMENT - BLOCK 190.08 LOT 5

WHEREAS, Duplicate payments were made on the Fourth quarter 2008 taxes

WHEREAS, such payments created an OVERPAYMENT

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Vernon, County of Sussex, State of New Jersey, hereby authorize the Township Treasurer to issue check for said overpayment and the Tax Collector refund said overpayment of taxes on the following accounts:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>QUARTER</u>	<u>LOCATION</u>
190.08	5	INDYMAC	\$1,703.98	4 th	24 Mott Dr. Federal Bank First American Real Estate Tax Service Re: Kilby, James A Estate #26826004

RESOLUTION #09-32

TAX OVERPAYMENT - BLOCK 44.01 LOT 2

WHEREAS, County Board Judgment has been favorably awarded for the year 2008; and

WHEREAS, such judgment has resulted in an overpayment of 2008 taxes on the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>LOCATION</u>
44.01	2	Michiemo, Evans N & Roswitha	\$258.79	3 Hummingbird Trail

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

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

RESOLUTIONS REQUIRING SEPARATE ACTION

RESOLUTION #09-26

AUTHORIZING A MUTUAL AID AND ASSISTANCE AGREEMENT WITH THE COUNTY OF SUSSEX, NEW JERSEY FROM OCTOBER 2008- SEPTEMBER 2009

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the County of Sussex has adopted the NMIS as the standard for incident management and directed its use for all emergency incidents; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Act”, N.J.S.A., App. A: 9-30, *et seq.*, (the “Disaster Control Act”) provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency in the Governor, who shall have the authority over the resources if each and every political subdivision of the State to cope with any condition that shall arise out of such emergency; and

WHEREAS, in addition to the Disaster Control Act, the “Fire Service Resource Emergency Deployment Act”, N.J.S.A. 52:14E-11, *et seq.*, establishes a mechanism for the coordination of fire service resources throughout the State to facilitate a quick and efficient response to any emergency incident or situation that requires the immediate deployment of those resources in order to protect life and property from the danger of destruction of fire, explosion of other disaster; and

WHEREAS, the director of the Division of Fire Safety in the Department of Community Affairs promulgated rules commonly referred to as the “Fire Service Resource Emergency Deployment Regulations”, N.J.A.C. 5:75A-2.2, specifically requires municipalities to adopt a local fire mutual aid plan; and

WHEREAS, in accordance with the above-stated statutes and regulations, the County of Sussex has entered into a Mutual Aid and Assistance Agreement with several

municipalities located in Sussex County to protect against loss, damage or destruction by "Emergency Situations" as defined in that agreement, and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property in each individual jurisdiction; and

WHEREAS, as a matter of health, safety and public welfare, it is in the best interests of the residents of Vernon Township for the Township to become a signatory to the Sussex County Mutual Aid and Assistance Agreement to similarly protect against loss, damage or destruction by emergency situations and to address those situations when additional aid and assistance is needed to protect the Township's residents and their property.

THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute on behalf of the Township of Vernon a Mutual Aid Agreement between the Township of Vernon and the County of Sussex, a copy of said agreement shall be placed on file in the office of the Township Clerk upon execution thereof.

Council Member Valerie Seufert moved to approve Resolution #09-26, seconded by Council Member Gary Grey.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-26 was approved.

RESOLUTION #09-29

AUTHORIZING THE TOWNSHIP TO PARTICIPATE IN THE GYPSY MOTH AERIAL SUPPRESSION PROGRAM

WHEREAS, the gypsy moth *Lymantria dispar* has been found defoliating tree and plant growth in the Township of Vernon; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Township Committee of the Township of Vernon has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal or State Funds available be authorized.

WHEREAS, the Chief Financial Officer has certified that the value of the agreement will not exceed \$25,000.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Vernon that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life there from is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

Council Member Valerie Seufert moved to approve Resolution #09-29, seconded by Council Member Glenn McLaughlin.

The Township Manager informed the Council that the State Forest Fire Service completed the gypsy moth larvae nest inventory this past autumn and will reimburse the Township for 50% of the aerial spraying costs. Approximately 611 acres will be sprayed.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-29 was approved.

RESOLUTION #09-30

AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT WITH NEW JERSEY STATE POLICEMAN'S BENEVOLENT ASSOCIATION LOCAL #285, VERNON TOWNSHIP

WHEREAS, the Township of Vernon has agreed to enter into a Collective Bargaining Agreement with the Policeman's Benevolent Association, Local 285 ("PBA 285"), which shall govern the terms of employment and compensation for police officers for the calendar years 2008 through 2011; and

WHEREAS, PBA 285, has agreed to enter into a Collective Bargaining Agreement with the Township of Vernon and shall be adopting a resolution voted upon by its members adopting said Agreement.

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

1. The Township Council authorizes a Collective Bargaining Agreement between the Township and PBA Local 285.
2. The Mayor and Township Manager are authorized to sign the Collective Bargaining Agreement on behalf of the Township.
3. This resolution shall take effect immediately.

A copy of this resolution as well as the referenced Collective Bargaining Agreement shall be placed on file with the Clerk of the Township.

Council Member Valerie Seufert made a motion to postpone action on Resolution #09-30 to the March 12, 2009 meeting. Motion seconded by Council Member Gary Grey.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-30 was postponed to the March 12, 2009 agenda.

RESOLUTION #09-33

AUTHORIZING VERNON TOWNSHIP TO PARTICIPATE IN THE PARIS GRANT RECORDS PURGING PROJECT TO BE SPONSORED BY THE COUNTY OF SUSSEX.

WHEREAS, Vernon Township has completed a Needs Assessment and Records Management Strategic Plan that has been approved by the New Jersey State Records Committee; and

WHEREAS, Vernon Township is now eligible to apply for PARIS Grant funding; and

WHEREAS, the County of Sussex is applying for a 2009 PARIS Grant from the State Division of Archives and Records Management to conduct a Records Purging Project as a Shared Service for participating Municipalities; and

WHEREAS, the State of New Jersey has made PARIS Grant funds available to assist county and municipal governments in their records management, preservation and storage efforts.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that Vernon Township shall participate in the PARIS Grant Records Purging Project to be sponsored by the County of Sussex.

Council Member Valerie Seufert moved to approve Resolution #09-33, seconded by Council Member Glenn McLaughlin.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-33 was approved.

RESOLUTION #09-34

AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH WIRED UP, LLC, FOR THE YEAR 2009

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

WHEREAS, the Township Manager has determined that Wired Up, LLC, the Township's current contractor providing Computer Technician services, is qualified to continue providing the Township with such services; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose subject to the adoption of the 2009 Municipal Budget; 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, Vernon desires to appoint Wired Up, 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 Chief Financial Officer has certified that the value of the contract will exceed \$17,500.00; and

WHEREAS, the term of the contract will be from January 1, 2009 to December 31, 2009, with a total contract price not to exceed \$26,000; and

WHEREAS, Wired Up, LLC has submitted a Business Entity Disclosure Certification in compliance with applicable law.

NOW THEREFORE BE IT RESOLVED, this 26th day of February, 2009, 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 Wired Up, LLC, for the purpose of Computer Technician Services; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with the Wired Up, 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.

Council Member Valerie Seufert moved to approve Resolution #09-34, seconded by Council Member Glenn McLaughlin.

The Township Council requested that staff be trained to assist in the trouble-shooting of the IT networks, PC's and printers.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-34 was approved.

RESOLUTION #09-35

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
THE MUSIAL GROUP, P.A. FOR PROFESSIONAL ARCHITECTURAL SERVICES**

WHEREAS, Vernon Township has solicited qualifications and fee proposals from Architectural firms for professional Architectural and Heating, Air Conditioning and Ventilation (HVAC) services for preliminary conceptual design work on the Municipal Building; and

WHEREAS, Vernon Township received eighteen (18) responses; and

WHEREAS, a Review Committee was formed consisting of the Township Manager, Engineer, Construction Official, Director of Public Works, and Purchasing Department Representative; and

WHEREAS, the Committee reviewed the qualifications and proposals, and interviewed several firms; and

WHEREAS, the Committee unanimously recommends that a contract be awarded to the Musial Group, P.A., based upon the experience of the firm, competitive fees, and clear understanding of the project and Township needs; and

WHEREAS, the total price of the contract will not exceed \$21,750.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose subject to the adoption of the 2009 Municipal Budget; 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 bidding must be publicly advertised; and

WHEREAS, the Musial Group P.A. is required to submit a Business Entity Disclosure Certification in compliance with applicable law.

NOW THEREFORE BE IT RESOLVED, this 26th day of February, 2009 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 the Musial Group, P.A., for the purpose of Conceptual Professional Architectural and HVAC Design Services, in an amount not to exceed \$21,750.00; and
2. The Manager and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with the Musial Group, P.A.

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.

Council Member Gary Grey moved to approve Resolution #09-35, seconded by Council Member Glenn McLaughlin.

Mayor Carew stated that the Municipal Building HVAC system has not been functioning properly for years. He noted that the Energy Audit grant will be used to perform the energy audit on the HVAC system and stated the importance of providing a both a healthy and safe work environment for the employees and public.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-35 was approved.

RESOLUTION #09-36

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH BRUNO ASSOCIATES, INC. FOR PROFESSIONAL GRANT CONSULTING SERVICES

WHEREAS, there exists in the Township of Vernon a need for the services of a firm specializing in the investigate, research, planning, preparation and pursuit of programs submitted to various County, State and Federal authorities and foundations for obtaining vital financial and other aid for municipal programs; and

WHEREAS, such services involve professional knowledge and public relations consultants as well as specialized knowledge or available County, State and Federal aid programs and the numerous applications, submissions and actions necessary to obtain and successfully pursue such programs and involve such qualified services and knowledge that specifications cannot reasonably be formulated and public bidding is not feasible; and

WHEREAS, the need for such services is great and immediate and the necessary funds are available; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law permits the award of professional service agreements without public bidding.

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

1. The Mayor and Township Manager are hereby authorized to enter into a contract for the performance of all necessary professional consultation and work involved in the study of County, State and Federal aid funds needs of the Township of Vernon, New Jersey, and the related research, planning, preparation, submission and proceeding with all applications and programs for such fund-finding and related aid programs with Bruno Associates, Inc., 1373 Broad Street, Suite 301, Clifton, NJ 07013, without competitive or public bidding.
2. Bruno Associates, Inc. shall be paid for such services the sum of \$4,466.67 per month, commencing on March 1, 2009 and terminating on March 1, 2010, for a total not to exceed \$50,000.00.
3. No programs shall be applied for without Council approval.
4. A copy of this Resolution will be published in the New Jersey Herald within ten (10) days, according to law.
5. A copy of the contract shall be kept on file with the Township Clerk.

Council Member Valerie Seufert moved to approve Resolution #09-36, seconded by Council Member Gary Grey.

Council Member Richard Carson stated his objections to awarding a contract for a grant writer at this time. He noted some municipal employees have taken grant writing courses and should be better used in that capacity.

Mayor Carew distributed information detailing grant funding amounts received by other Sussex County municipalities. The Township Council requested the Township Manager obtain information as to what other municipalities are doing to obtain grant funding.

Council Member Valerie Seufert moved to postpone Resolution #09-36, seconded by Council Member Glenn McLaughlin.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-36 was postponed to the March 12, 2009 agenda.

RESOLUTION #09-37

AWARD OF BID "RECYCLING DEPOT"

WHEREAS, the Municipal Clerk and the Director of Public Works accepted bids for "Municipal Recycling Depot" on December 8, 2008 at 1:30 p.m.; and

WHEREAS, two bids was received; and

WHEREAS, the Director of Public Works, in a memo dated December 8, 2008, has reviewed the bids submitted and has recommended the bid be awarded to Get A Can Inc. (Gaeta Recycling), 278-282 West Railway Avenue, Paterson, New Jersey 07503; and

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon hereby awards the bid for "Municipal Recycling Depot" to Get A Can, Inc. for a total amount not to exceed \$107,800; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds subject to the adoption of the 2009 Municipal Budget; and

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

Council Member Valerie Seufert moved to approve Resolution #09-37, seconded by Council Member Glenn McLaughlin.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-37 was approved.

Resolution #09-38 was removed from the agenda.

Resolution #09-39 was removed from the agenda.

Resolution #09-40 was removed from the agenda.

Resolution #09-41 was removed from the agenda.

RESOLUTION #09-42

APPOINTMENT OF MUNICIPAL COURT JUDGE

WHEREAS, pursuant to N.J.S.A. 2B:12-4 and Chapter 5, §Section 37-4 of the Vernon Township Administrative Code, a municipal judge shall be appointed by the Township Council and serve for a term of three years from the date of appointment and until a successor is appointed or qualified; and

WHEREAS, the Hon. James G. Devine, J.M.C., has been temporarily serving as Municipal Court Judge for the Township since January 1, 2009, until a successor could be appointed; and

WHEREAS, after reviewing candidates for the position of Municipal Court Judge, the Township Council has determined that Judge Devine is qualified to be appointed to the position of Municipal Court Judge for the Township of Vernon.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, New Jersey, that the Hon. James G. Devine, J.M.C., is hereby appointed to serve as Municipal Court Judge for the Township of Vernon, New

Jersey, for a term of three (3) years commencing on January 1, 2009, and ending on December 31, 2011, to be compensated at an annual salary of \$25,000.00.
 Council Member Valerie Seufert moved to approve Resolution #09-42, seconded by Council Member Glenn McLaughlin.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-42 was approved.

RESOLUTION #09-43

TRANSER RESOLUTION – 2008 RESERVE BUDGET

WHEREAS, the Township of Vernon experienced a severe ice storm during the period of December 11 – 13, 2008, necessitating over \$300,000.00 in additional expenses to ensure the public health and safety; and

WHEREAS, the Township of Vernon Municipal Budget requires certain modifications to cover potential expenses that may occur in excess of the reserve budget for the year 2008 including the aforesaid ice storm expenses; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Vernon that the following Transfer of Reserve Appropriations (2008 Municipal Budget) in accordance with N.J.S.A. 40A:4-58 and are hereby approved.

FROM:		TO:	
Executive - S&W	50,831.00	Fire Prevention - S&W	680.00
Clerk - S&W	10,485.00	Personnel - S&W	5,000.00
Clerk - O/E	13,411.00	Assessment of Taxes - S&W	4,700.00
Engineering - S&W	55,091.00	Zoning Board - S&W	1,500.00
Recycling - O/E	4,313.00	Building Department - S&W	10,110.00
Personnel - O/E	4,000.00	Police Department - S&W	4,700.00
Zoning Board - O/E	6,491.00	Radio Communication - S&W	6,800.00
Road Repairs & Maintenance - S&W	28,417.00	Fleet Management - S&W	1,515.00
Group Insurance	62,000.00	Animal Control - S&W	120.00
Other Insurance	17,600.00	Fleet Maintenance - O/E	7,000.00
Recreation - S&W	18,260.00	Road Repairs & Maintenance - O/E	275,000.00
Maintenance of Parks - S&W	900.00	Administrative Adjustments - S&W	10,969.00
Planning Board - S&W	7,500.00		
Township Prosecutor	10,500.00		
Recreation - O/E	16,500.00		
Planning Board - O/E	21,795.00		
TOTAL:	\$328,094.00		\$328,094.00

Council Member Glenn McLaughlin moved to approve Resolution #09-43, seconded by Council Member Gary Grey.

Robert Benecke, Interim Chief Finance Officer, stated the Transfer Resolution is a continuation of expenditures that were needed for the December 2008 ice storm clean up.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-43 was approved.

RESOLUTION #09-44

AUTHORIZING THE RELEASE OF EXECUTIVE SESSION MINUTES FROM TOWNSHIP OF VERNON PUBLIC COUNCIL MEETINGS

BE IT RESOLVED by the Township Council of the Township of Vernon that minutes from Executive Sessions of public Township Council Meetings from August 28, 2008 through January 8, 2009, are approved for release to the public, subject to redaction where appropriate.

BE IT FURTHER RESOLVED, that the release of any minutes shall not constitute any waiver of confidentiality where such release was made in error.

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

Council Member Valerie Seufert moved to approve Resolution #09-44, seconded by Council Member Glenn McLaughlin.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-44 was approved.

INTRODUCTION OF ORDINANCES AND FIRST READING

ORDINANCE #09-07

ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR A PORTION OF THE MCAFEE VILLAGE REDEVELOPMENT AREA AND DESIGNATING THE COUNCIL OF THE TOWNSHIP OF VERNON TO ACT AS THE REDEVELOPMENT AGENCY FOR THE MCAFEE VILLAGE HIGHWAY HOTEL REDEVELOPMENT AREA AND ESTABLISHING THE MCAFEE VILLAGE HIGHWAY HOTEL ZONING DISTRICT FOR BLOCK 233, LOT 9.

WHEREAS, by resolution adopted on July 25, 2005, the Council of the Township of Vernon authorized and directed the Planning Board of the Township of Vernon to undertake a preliminary investigation to determine whether a portion of the McAfee Village area of the Township of Vernon should be declared an area in need of redevelopment pursuant to the Local Redevelopment Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, following the publication of notices of a public hearing before the Planning Board and the filing in the office of the Township Clerk of a map showing the boundaries of the proposed area in need of redevelopment and the location of the various properties included therein, together with the resolution setting forth the basis for such investigation, two public hearings thereon were held by the Vernon Planning Board; and

WHEREAS, at said hearings the Planning Board heard and considered the testimony and redevelopment investigation report of Fred Suljic, P.P., planning consultant and Robert L. Benecke, economic development consultant; and

WHEREAS, following such hearing, the Planning Board voted on May 31, 2006 to recommend the designation of those properties included in said planning report located in the Township of Vernon to be an area in need of redevelopment; and

WHEREAS, following the aforesaid referral to and a public hearing before the Vernon Planning Board and favorable recommendations thereon, the Council of the Township of Vernon, on June 12, 2006, has declared a portion of the McAfee Village area as an area in need of redevelopment in accordance with the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A- 12A-1 et seq.); and

WHEREAS, in furtherance of the continuing efforts to enhance the quality of life and tax base of the Township of Vernon and to stimulate the proper growth of jobs, retail, and other economic opportunities in Vernon the Council finds that it would promote the public health, safety, morals and welfare to facilitate the redevelopment of a certain critical property in McAfee Village, consisting of Block 233, Lot 9, hereinafter specified, which parcel of property has heretofore been declared to be part of an area in need of redevelopment for the purpose of providing additional resort, commercial, retail and residential land uses in furtherance of the overall redevelopment efforts of the Township of Vernon.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Vernon, Sussex County, New Jersey pursuant to the authority granted by N.J.S.A. 40A:12A-4c the Township Council of the Township of Vernon is hereby designated to serve and act as the redevelopment entity and to exercise the powers thereof to accomplish the goals and objectives of the McAfee Village Highway Hotel Redevelopment Plan and Project; and

BE IT FURTHER ORDAINED by the Township Council of the Township of Vernon, Sussex County, New Jersey, in accordance with the provisions of N.J.S.A. 40A:12A-1, et seq. that the following plan shall serve as the McAfee Village Highway Hotel Redevelopment Plan, and said Redevelopment Plan is hereby established and adopted.

The Redevelopment Plan

The Township Council had previously directed the Township Planner, Fred Suljic and the Township Redevelopment Consultant, Robert Benecke to prepare the McAfee Village Redevelopment Plan. A draft Redevelopment Plan was transmitted to the Planning Board for its feedback and deliberation. On July 18, August 15, and October 10, 2007 the Planning Board conducted meetings to receive further input of property owners and the general public respecting the Plan. A representative of the owner of Block 233, Lot 9 appeared at the Vernon Planning Board meeting for the purpose of including the proposed use of the vacant St. Frances De Sales Church property in a related Redevelopment Plan. The property owner submitted a concept site plan to the Township Planner, dated December 1, 2007. The result of this work is this McAfee Village Highway Hotel Redevelopment Plan for Block 233, Lot 9. On November 12 and December 10, 2008 the Vernon Planning Board, upon referral from the Township Council, reviewed the Redevelopment Plan and made certain recommendations which have been incorporated into this Plan.

Section 1. Designation of the McAfee Village Highway Hotel Redevelopment Area.

The McAfee Village Highway Hotel Redevelopment Area is located within the geographic center of Vernon Township and has frontage along both County Route 517 and State Highway Route 94. The Redevelopment Area is Block 233, Lot 9. Exhibit 1, attached to this Ordinance, includes the property location map taken from an abstract of the official tax map of the Township of Vernon. The total area of the property is approximately 2.05 acres. The property is the vacant St. Frances De Sales Church. The property is not generating annual property taxes and is currently underutilized. The parking area, exterior and other aspects of the property are dilapidated and in need of repair.

This Redevelopment Plan includes the outline for the planning, development, redevelopment, or rehabilitation of the project area pursuant to N.J.S.A. 40A:12A-1 et seq.

Establishing the McAfee Village Highway Hotel Redevelopment Area will provide both social and economic benefits to the community while maintaining the community's character. Although there may be some topographical, environmental, and aesthetic site constraints within the Redevelopment Area, these may be dealt with by redeveloping the property in a comprehensive manner, providing development that is coordinated in theme, architecture, engineering, and scheduling. Accordingly, the Township Council finds that the health, safety, and welfare of the public will be best served by designating and declaring this area, the aforementioned property, as a Redevelopment Area, in accordance with the provisions of N.J.S.A. 40A:12A-3; further that this Redevelopment Plan will help achieve the stated objectives of the Township of Vernon as stated later in this Plan.

Section 2. The McAfee Village Highway Hotel Redevelopment Plan including the Zoning Element.

- a. The Land Development Code of the Township of Vernon, Chapter 330, Section 157, and entitled "Zoning Districts" is hereby amended to add thereto the McAfee Village Highway Hotel zoning district in the McAfee Village Redevelopment Area, and incorporating the land use standards and guidelines in this Redevelopment Plan. It is the policy of the Township Council of the Township of Vernon to make this Redevelopment Plan consistent with the Township's Master Plan and the two other McAfee Village Redevelopment Plans. Specifically, Ordinance Number 08-03, adopted by the Township Council on May 8, 2008 establishing the McAfee Village Commercial Resort Redevelopment Area and Ordinance Number 08-04 establishing the McAfee Village Mixed Use Redevelopment Area.
- b. The McAfee Village Highway Hotel Redevelopment Area is located within the State of New Jersey Highlands Planning Area. However, this is a pre-existing intense use and may be eligible for re-adaptive use, or redevelopment, notwithstanding its location.

Section 3. The McAfee Village Highway Hotel Redevelopment Plan Definite Objectives, pursuant to N.J.S.A. 40A:12A-7a. (1); Including Land Uses.

- a. Redevelopment Plan Objectives. The McAfee Village Highway Hotel Redevelopment Plan is intended to transform the property also known as the St. Frances De Sales Church into a hotel, as opposed to a full-scale Resort, such as those located on the adjacent Mountain Creek property. However, to serve the members of the public, guests, the Highway Hotel Zone may have a conference center, small retail shop(s), restaurant(s), and related uses are incorporated within the zoning district standards. Said uses shall not exceed 15,000 square feet, excluding the lobby and front desk area. The redeveloped property will be an important part of a larger resort destination, together with Legends, McAfee Water Park, and Mountain Creek, and will also be linked by Route 94 to the Vernon Town Center. A clear objective of the Plan is to create employment opportunities and increase property values by attracting the necessary capital investment to the property. Accordingly, a goal of this Plan is to bring about long-term property tax stability for all of the Township's taxpayers. The Plan envisions leveraging market potential to bring about the redevelopment of the property in a manner that is sensitive to its natural aesthetics.
- B. The McAfee Village Highway Hotel Redevelopment Plan works toward the following objectives:
 - Create land use and building requirements specific to the Redevelopment Area consistent with the resort nature of the region and are sensitive to the region's natural aesthetics. Block 233, Lot 9 is a parcel of property sufficient in size and dimension to enable a hotel property so that visitors may take advantage of a variety of recreational opportunities in the Township of Vernon.
 - Eliminate potential blighting influences through the rehabilitation of the St. Frances De Sales Church.
 - Provide infrastructure improvements involving streets, curbs, sidewalks, and parking area(s).
- c. Relationship of this Redevelopment Plan to the Township Master Plan. The Vernon Township Master Plan was originally adopted in December 1995. Within the 1995 document, one of the primary land use goals was to establish a two core center for the McAfee areas as a primary commercial area for the immediate region and a regional commercial recreation center extending to the Mountain Creek Ski area. As stated in the 1995 report, Vernon Township had the vision to establish a center within the general location of the McAfee Redevelopment Area over a decade ago.

The Master Plan illustrates that ski areas in Vernon Township were established in the 1960s. The Great Gorge and Vernon Valley Ski Resort (now Mountain Creek) and the Playboy Hotel (now the Legends Resort) and related facilities were constructed during the 1970s. During the 1980's, it was Vernon Township's original heyday as a ski destination with condominium housing, spas, golf courses and other recreational facilities. More recently, Vernon Township applied to the State Planning Commission to

establish three centers within the Township: Vernon Center, Mountain Creek and McAfee Village. The 1995 Master Plan indicates that a conglomerate of the Mountain Creek and McAfee Village areas were envisioned as a multi-use area with "theme" community shopping much as what is proposed for the area in the Redevelopment Plan. A review of the master plans of the contiguous municipalities and the county master plan, as required by N.J.S.A. 40A:12A-7a. (5), indicates that there are no inconsistencies. The October 2003 reexamination of the Land Use Element indicated that pursuing the center designation with the State Planning Commission was still a goal of Vernon Township. Within the last year, Vernon Township has identified the McAfee Village as an area in need of redevelopment and has pursued the center designation with the State Planning Commission, realigning with the goals of the 1995 Master Plan with the SDRP-the "State Plan".

This Smart Growth plan proposed for the McAfee Redevelopment Area is consistent with the long-range objectives of the Township detailed over the past decade. The Redevelopment Area designation takes into account that the Redevelopment Area properties have exhibited a growing lack of utilization and the redevelopment plan will 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 taxpayers.

Section 4. The McAfee Village Highway Hotel (MVHH) Redevelopment Area Zoning Element

The McAfee Village Highway Hotel Redevelopment Area and Redevelopment Plan require a revision to the Zoning Ordinance in order to specify the land uses envisioned for the property. Although the proposed project is consistent with the current Commercial Recreation zoning concept, establishment of the McAfee Village Highway Hotel ("MVHH") District will further protect, stabilize, and facilitate of the general welfare of the community. The purpose of zoning, as described in the Municipal Land Use Law (MLUL) N.J.S.A. 40:55D-1 is a multi-faceted definition. This Redevelopment Plan meets many of the purposes of land use planning including:

To encourage municipal action to guide the appropriate use or development of land, in a manner this will promote the public health, safety, and general welfare;

To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey residents;

To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

As previously stated the objective and stated purpose of this Redevelopment Plan is to provide for the economic development of the area while maintaining the rural and mountain character of the Township as well as protecting the more environmentally sensitive areas of the Township. Specifying the locations of significant new development in this redevelopment area will prevent the improper use of land and protect significant natural resources in Vernon Township.

The existing zoning for the site, property, is the Commercial Recreation (CR) District (C2) District which allows resort (hotel) uses and recreational uses as well as commercial uses. The MVHH Zoning District implemented and authorized in this Redevelopment Plan, allows a similar use (e. g. hotel) as the existing CR District.

a. Zoning Requirements-The MVHH Zoning District.

(1) The minimum tract area for establishment of the McAfee Village Highway Hotel zone shall be two (2) acres. The maximum building coverage shall be less than 50,001 square feet at ground level. Parking shall be provided on site. Notwithstanding this bulk limitation the McAfee Village Highway Hotel, MVHH, zone shall have sufficient open space, landscape elements-such as trees, grass pastures and the like, so as to incorporate a rural element into the property within the Redevelopment Area.

(2) The McAfee Village Highway Hotel Zoning District shall consist of no more

120 hotel units in one building. This Plan defines the term (and use) hotel as a building with rooms for overnight guest accommodations. Stays at any hotel in the MVHH district shall not exceed 30 consecutive nights. In no event shall any occupant be permitted to establish a principal residence in any hotel that may be constructed pursuant to this Plan. Boarding and rooming houses as defined by the State of New Jersey, Department of Community Affairs are prohibited in the MVHH zone.

- (3) There shall be no more than 75,000 square feet of hotel space, including the lobby and front desk area, plus the aforementioned 15,000 square feet of conference, retail and restaurant space. The total interior building space (interior floor space) shall not exceed 90,000 square feet. This space limitation includes all indoor amenity space, the physical plant (excluding any plant that may be located on the roof) and interior public space.
- (4) Portions of the Plan Area (or hotel) may be subdivided for purposes of financing and conveyance. All land and property elements shall be subject to common covenants, conditions and restrictions in order to make certain the various elements of the hotel will continue to operate uniformly. A portion of the retail, restaurant, or conference area(s) of the building may be conveyed (sold), rented or leased for a long term, without restrictions.
- (5) The MVHH Zoning District shall have a height restriction not exceeding four (4-1/2) stories, as measured from the highest point of the east or south property grade (in the rear of the property away from the highway) and shall in no instance exceed fifty-five feet measured to the highest point, from the highest property grade point in the rear of the property, exclusive of chimneys, HVAC plant, elevator equipment and similar features. Said features may not take up more than 25% of the surface of the roof. There shall be only one contiguous structure having this height. The building shall be set back a minimum distance of ten (10) feet from any public right-of-way. A front yard set back of a minimum of thirty (30) feet is required. However, the Vernon Planning Board may, in connection with its site plan review, allow a front yard set back of 25 feet, at the corners of the building, which said reduced set back shall not exceed fifty feet in building length.
- (6) Parking requirements shall be as follows:
 - (i) Including employee parking, the hotel units shall be provided with 1.25 parking spaces per unit, plus one space per 1,000 feet of conference or meeting room space.
 - (ii) In addition, there shall be provided parking at the rate of five (5) spaces for each 1,000 square feet of restaurant space.
 - (iii) All parking spaces shall be 9 feet wide by 18 feet long.
- (7) The maximum impervious coverage in connection with the development of the property shall be no greater than 50.5% of land area. The maximum site disturbance shall be no greater than 90%. The Vernon Planning Board may permit additional temporary site disturbance as part of their site plan deliberations.
- (8) The following specific uses shall be permitted in the McAfee Village Highway Hotel Zoning District:
 - (i) Hotel units and suites, subject to the 30 day length of stay restriction.
 - (ii) Barber and beauty shops;
 - (iii) Bookstore/newsstand/card shops;
 - (iv) Bicycle and sports related rentals, sales and service shops;
 - (v) Childcare facilities;
 - (vi) Cocktail lounges and bars;
 - (vii) Conference centers and support services, including stationery and supplies;
 - (viii) Delicatessens/coffee shops;
 - (ix) Drug stores and pharmacies;
 - (x) Convenience stores;
 - (xi) Health Clubs;
 - (xii) Restaurants;
 - (xiii) Spas and personal services;
 - (xiv) Temporary uses which are customary and incidental to a hotel, including but not limited to holiday/seasonal events, picnics, games and other temporary gatherings or events-provided that such

- temporary uses shall be limited by a Redevelopment Agreement;
- (9) Except as modified by this Redevelopment Plan, the bulk criteria of the respective pre existing zoning district, "CR", as currently in effect as of the date of adoption of this Ordinance shall apply.
 - (10) The property owner, developer, or redeveloper, submitting a site plan application, shall include an analysis of the impact of the plan on the Township of Vernon's affordable housing, obligation; if any such obligation arises as a result of a proposed development the developer shall satisfy the obligation.

b. Site Plan Required and Design Guidelines.

Prior to commencement of construction, site plans for the construction of improvements within the redevelopment area, prepared in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., shall be submitted by the applicant(s) for review and approval by the Planning Board so that compliance with this Redevelopment Plan can be determined. This pertains to revisions or additions prior to, during and after completion of the improvements. The following guidelines shall apply to the McAfee Village Highway Hotel Redevelopment Area and zoning district, and shall supplement and/or supersede any provisions of Article VII of the Township of Vernon Land Development Ordinance, entitled "Design and Development Principles and Standards," as applicable:

- (i) A developer, or redeveloper, shall submit a site plan for approval by the Vernon Planning Board for the Redevelopment of McAfee Village. A site plan may be submitted prior to and in anticipation of submission of applications for site plan approval, or be submitted simultaneously and in conjunction with any such site plan application.
- (ii) At the time of submission of the site plan a market study shall be submitted by the applicant to determine the potential marketability of the proposed project. The market study shall include an analysis of the impact of the proposed MVHH project on the other Redevelopment Areas within the Township of Vernon.
- (iii) An applicant for a McAfee Village Highway Hotel site plan shall submit a parking plan and traffic control plan as part of the application. The plans shall present a comprehensive means for providing efficient handling of all components of parking and traffic. For each phase of submission, there shall be required an updated parking and traffic management plan demonstrating how the traffic requirements of all guests, employees, visitors and staff will be satisfied.
- (iv) The redeveloper shall design an attractive streetscape and open space element in all portions of the development consistent with this Plan, which shall not be altered or changed in any way without approval of the Vernon Township Planning Board.
- (v) A landscape plan shall be designed to enhance the particular identity and character of the site, and create a pleasant entry experience for vehicles and pedestrians by means such as street trees, lighting, buffers, walkways, street furniture, signage and accessory structures designed to create and enhance the resort atmosphere. The rural aspects of the community shall be of paramount importance and greenery, trees and natural elements shall be made part of the landscape plan. All elements shall be approved by the Planning Board.
- (vi) The redeveloper shall design a lighting plan to be approved by the Planning Board that is coordinated with the landscape, signage, and pedestrian plans.
- (vii) The redeveloper shall create a system of signage in connection with the use, which shall be designed to create and enhance the hotel and is coordinated with the landscape, lighting, and pedestrian plans. In this regard, the redeveloper shall submit to the Planning Board a proposed plan for signs in connection with the various components of the plan, which plan for signs shall be complementary to the use, enhance the resort theme, and be subject to Planning Board approval.
- (viii) There shall be a system of storm water and sanitary sewerage disposal facilities, potable water supply, fire protection, solid waste disposal, and appropriate street lighting and traffic safety signage presented to and approved by the Planning Board. The site plan made pursuant to this Redevelopment Plan must include a positive finding as to the availability of

all utilities to adequately serve the proposed project. The storm water retention system shall be underground unless the Vernon Planning Board grants a deviation from this requirement. The Vernon Planning Board may grant such deviation for any reason in its sole discretion. The storm water system shall include methods to recycle the water, also known as "gray water" recycling. Nothing included in this Plan shall require the implementation of "gray water" recycling methods.

- (ix) The development shall be designed in order that prompt snow removal, within the MVHH zone, when and where appropriate can be undertaken. The redeveloper shall design a method for emergency medical response services.
- (x) Design and development of the building, which shall include all parking facilities and landscape features, shall be undertaken in a manner that accomplishes the purposes of this Redevelopment Plan. Where possible, the building shall incorporate the natural surroundings and features of the area into the final design. This building standard is commonly referred to as "green" or environmentally friendly standards.
- (xi) The Redeveloper shall submit to the Planning Board a set of design standards for the treatment of all buildings and structures, which shall be reviewed and approved by the Planning Board. Upon approval of the design standards, the standards shall not be altered or changed in any way without approval of the Vernon Township Planning Board, which in reviewing any requests for modifications or deviations shall have, as a paramount concern, the need to maintain a common theme throughout the entire property.
- (xii) Internally illuminated signs, in particular "light box" signs, are prohibited in the MVHH zone.

Section 5. Property Rights

It is the expressed intent of the Vernon Township Council to work with the property owner to improve their property. To this end the Township of Vernon will not seek to acquire Block 233, Lot 9 through eminent domain condemnation. Accordingly, no relocation issues, as contemplated in N.J.S.A. 40A:12A-7a. (3) are anticipated.

Section 6. Powers of Redevelopment Agency.

Subject to the approval of the Township Council, the Township of Vernon may proceed with the rehabilitation, planning, renewal, and redevelopment of the McAfee Village Highway Hotel Redevelopment Area and zoning district. To effectuate said purposes, the Township of Vernon may:

- (a) request the Vernon Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment; or rehabilitation of such areas;
- (b) publish and disseminate information;
- (c) prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects or licensed professional engineers, planners, and expert reports by its economic development consultant, financial analyst, or other consultants for the purpose of carrying out this redevelopment project;
- (d) contract with public agencies, including an urban renewal entity (URE), or redevelopers, including private companies, for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, to provide as part of any such arrangement or contract for, or with other public agencies, the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with the Redevelopment Area;
- (e) conduct examinations and investigations, hear testimony and make proof, under oath at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers, and issue commissions for the examination of witnesses who are out of State, unable to attend, or excused from attendance;
- (f) authorize a committee designated by it consisting of one or more members, or counsel, or its economic development consultant, or any officer or employee to conduct any such investigation or examination, in which case such committee,

- counsel, officer or employee shall have power to administer oaths; take affidavits and issue subpoenas;
- (g) perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically listed herein with the exception of the use of eminent domain condemnation, which shall not be used to acquire any property.

Section 7. Execution of Documents. The Mayor of the Township of Vernon is hereby designated to execute and the Township Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this Ordinance.

Section 8. Zoning Code. The Township of Vernon Land Development Ordinance, Chapter 330, Section 157, entitled "Zoning Districts", is hereby amended to include reference to "MVHH-McAfee Village Highway Hotel". The Township of Vernon Land Development Ordinance, Chapter 330, Section 184, entitled "Supplemental regulations for certain classifications and districts" is hereby amended to include the Permitted Uses and Bulk Requirements contained in Section 3.3 of this Redevelopment Plan. The standards contained within this Redevelopment Plan shall supersede any conflicting regulations in the Vernon Township Land Development Ordinance. Where a particular land use or site standard is not covered in this Redevelopment Plan, compliance with the Vernon Township Land Development Ordinance or other applicable code or Ordinance of the Township is required.

BE IT FURTHER ORDAINED as follows:

Section 9. The Township Clerk is hereby directed to give notice at least ten days prior to the adoption of this Ordinance to the Vernon Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

Section 10. All Ordinances or parts of Ordinances or Resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

Section 11. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

Section 12. This Ordinance shall take effect after publication and passage according to law.

Section 13. If any sentence, section, clause or other portion of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this Ordinance.

Section 14. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 15. This Ordinance shall take effect immediately upon final passage and publication as required by law and upon filing with the Sussex County Planning Board.

Mayor Austin Carew read Ordinance #09-07 by title only.

Robert Benecke, the Township's Redevelopment Consultant, stated Section 4 of the proposed Redevelopment Agreement has been amended to limit all hotel stays to no more than thirty (30) consecutive nights and further restricts that in no event shall any occupant be permitted to establish a principal residence. Boarding and rooming houses (as defined by the State of New Jersey, Department of Community Affairs) are prohibited as well.

Council Member Glenn McLaughlin made a motion to amend Ordinance #09-07 as

presented by Robert Benecke. Motion seconded by Valerie Seufert.

A roll call vote was taken:

AYES: Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Council Member Gary Grey ABSTAINED

Council Member Glenn McLaughlin then made a motion to introduce Ordinance #09-07 on first reading and so advertise. Second reading and public hearing will be held on March 26, 2009, pending approval by the Land Use Board. Motion was seconded by Council Member Valerie Seufert.

A roll call vote was taken:

AYES: Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Council Member Gary Grey ABSTAINED

Ordinance #09-07 passed first reading.

SECOND READING, PUBLIC HEARING ON PROPOSED ORDINANCES

ORDINANCE #09-02

AN ORDINANCE REPEALING VERNON TOWNSHIP CODE CHAPTER 110 PUBLIC ACCESS TO RECORDS

BE IT ORDAINED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, that Vernon Township Code Chapter 110 – Public Access to Records, is hereby repealed in its entirety.

Mayor Carew read Ordinance #09-02 by title only. First reading was held on January 22, 2009.

Council Member Glenn McLaughlin made a motion to approve Ordinance #09-02, seconded by Council Member Valerie Seufert.

Mayor Carew opened the meeting for Public Hearing on this ordinance.

There being no comments from the public, the Mayor closed the Public Hearing.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Ordinance #09-02 was approved.

ORDINANCE #09-03

AN ORDINANCE AMENDING SECTIONS 330-7(D) AND 330-8(A) OF THE VERNON TOWNSHIP MUNICIPAL CODE

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

Section 1.

Section 330-7(D) of the Vernon Township Municipal Code, as amended by Township Ordinance 08-19, shall be amended as follows:

D. The term of appointment of any class of member of the Board appointed pursuant to this section shall commence on January 1, 2009.

Section 2.

Section 330-8(A) of the Vernon Township Municipal Code, as amended by Township Ordinance 08-19, shall be amended as follows:

- A. There shall be four (4) alternate members of the Municipal Land Use Board, each of whom shall be municipal residents. Alternate members shall be appointed by the appointing authority for Class IV members and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3", and "Alternate No. 4", respectively. The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than two alternate members shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

Mayor Carew read Ordinance #09-03 by title only. First reading was held on January 22, 2009.

Council Member Glenn McLaughlin made a motion to approve Ordinance #09-03, and forward the Ordinance to the Land Use Board for review. Motion seconded by Council Member Valerie Seufert.

Mayor Carew opened the meeting for Public Hearing on this ordinance.

There being no comments from the public, the Mayor closed the Public Hearing.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Ordinance #09-03 was approved.

ORDINANCE #09-04

AN ORDINANCE AMENDING ORDINANCE # 01-02, ESTABLISHING AN OFFICIAL ZONING MAP PURSUANT TO N.J.S.A. 40:55D-32

WHEREAS, the Township Council passed ordinance # 01-02 on May 12, 2001, establishing the Official Zoning Map for the Township of Vernon,; and

WHEREAS, the Official Map was prepared by Heyer, Gruel & Associates, last revised May 8, 2000;

WHEREAS, numerous zone changes have been approved by the Township Council since the map was adopted, and said map has not been officially revised; and

WHEREAS, the office of the Director of Planning and Development has reviewed all approved Zoning Amendments since the last plan adoption, and prepared a new digital zoning map to reflect all such amendments ; and

WHEREAS, said map is dated January 22, 2009, prepared by the Vernon Township Engineering Department; and

NOW THEREFORE BE IT RESOLVED, this 22nd day of January, 2009 by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

1. The zoning map, attached hereto, prepared by the Vernon Township Engineering Department, dated January 22, 2009, is hereby adopted as the Official Zoning Map of the Township of Vernon, New Jersey.

2. This ordinance shall be sent to the Vernon Land Use Board by the Township Clerk for review and approval prior to final passage.
3. The Township Clerk is hereby directed to give notice at least ten days prior to the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to NJSA 40:55D-15 and NJSA 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Sussex County Planning Board as required by NJSA 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by NJSA 40:49-2.1.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
6. This ordinance shall take effect after publication and final passage according to law.

Mayor Carew read Ordinance #09-04 by title only. First reading was held on January 22, 2009. The Land Use Board recommended the Township Council adopt the Zoning Map with two revisions to the Highland Lakes community area.

Valerie Seufert made a motion to amend the Zoning Map as revised by the Land Use Board, seconded by Council Member Gary Grey.

Council Member Glenn McLaughlin then made a motion to approve Ordinance #09-04 as amended, seconded by Council Member Valerie Seufert.

Mayor Carew opened the meeting for Public Hearing on this ordinance.

There being no comments from the public, the Mayor closed the Public Hearing.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Ordinance #09-04 was approved.

ORDINANCE #09-05

AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE CODE CHAPTER 250, FEES AND ESCROWS §SECTION 250-14 HEALTH & HUMAN SERVICES DEPARTMENT

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

1. Section 250-14 is hereby amended to read as follows:

A. Foods.

- (1) Annual fee for license due before February 1 of each year:
 - (a) 5,000 – 10,000 square feet: \$300
 - (b) 2,000 -5,000 square feet: \$150
 - (c) 0 – 2,000 square feet: \$100
- (2) Prepackaged foods: \$50
- (3) Mobile food and beverage license: \$30
- (4) Temporary (less than one week): \$20

- (5) School Cafeteria: \$30
- B. Sewage Disposal System
 - (1) New application: \$265
 - (2) Alteration application fee: \$120
 - (3) Repair application fee: \$100
 - (4) Issuance of permit: no fee.
 - (5) Renewals, new (per year): \$125
 - (6) Renewals, alteration and repairs (per year): \$60
 - (7) Revisions, new: \$60
 - (8) Revisions, alteration: \$35
 - (9) Revisions, repairs: \$10
 - (10) Re-inspection fee: no fee.
- C. Soil Logs, per lot.
 - (1) New: \$125
 - (2) Alteration: \$85
- D. Wells
 - (1) New: \$170
 - (2) Alteration: \$100
- E. Public non-community and nonpublic water systems.
 - (1) Monitoring well: \$25
 - (2) Geothermal well: \$75
 - (3) Issuance of permit: no fee.
 - (4) Permit renewal: \$25
- F. Campground annual fee
 - (1) Under 50 sites: \$100
 - (2) Fifty-one to 100 sites: \$200
 - (3) One hundred one sites and above: \$1.25 per site plus \$250
- G. Commercial pools, commercial hot tubs and bathing beaches, annual licensing due June 30th of each year.
 - (1) Pools: \$160
 - (2) Wading pools: \$35
 - (3) Hot tubs: \$110
 - (4) Private lake communities: no fee.
- H. Body art facility license: \$200

Mayor Carew read Ordinance #09-05 by title only. First reading was held on January 22, 2009.

Council Member Valerie Seufert made a motion to approve Ordinance #09-05, seconded by Council Member Glenn McLaughlin.

Mayor Carew opened the meeting for Public Hearing on this ordinance.

There being no comments from the public, the Mayor closed the Public Hearing.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Ordinance #09-05 was approved.

ORDINANCE #09-06

AN ORDINANCE REPEALING TOWNSHIP ORDINANCE # 08-07 PROHIBITING SEX OFFENDERS FROM RESIDING AND/OR LOITERING NEAR CERTAIN FACILITIES WHERE CHILDREN CONGREGATE

WHEREAS, Vernon Township Ordinance #08-07 prohibits convicted sex offenders who are required to register with the State of New Jersey pursuant to N.J.S.A. 2C:7-1, commonly known as “Megan’s Law”, from residing and/or loitering near certain facilities where children congregate; and

WHEREAS, the New Jersey Superior Court, Appellate Division, ruled in the matter of G.H. v. Township of Galloway, 401 N.J.Super. 392 (App. 2008), that municipal legislation, such as Ordinance #08-07, dealing with residency prohibitions and/or restrictions for convicted sex offenders who are required to register with the State of New Jersey pursuant to N.J.S.A. 2C:7-1, is preempted by Megan's Law and, therefore, invalid and unenforceable.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of Vernon Township, New Jersey, that Vernon Township Ordinance #08-07 is hereby repealed in its entirety.

Mayor Carew read Ordinance #09-03 by title only. First reading was held on January 22, 2009.

Council Member Glenn McLaughlin made a motion to approve Ordinance #09-03, seconded by Council Member Valerie Seufert.

Mayor Carew opened the meeting for Public Hearing on this ordinance.

There being no comments from the public, the Mayor closed the Public Hearing.

There was no Council discussion.

A roll call vote was taken:

AYES: Gary Grey, Glenn McLaughlin, Valerie Seufert, Austin Carew

NAYES: None

Ordinance #09-06 was approved.

COUNCIL BUSINESS

Council Member Gary Grey reported he attended the Tennessee Gas Pipe Line Open House meeting and commented that most residents did not oppose the project; however, concerns were voiced that the land must be properly restored before construction teams leave the site. Residents at the meeting also stated they would like to see the project plans before the construction gets started.

Council Member Gary Grey stated the Land Use Board discussed the need to update the Township's Master Plan and Zoning Ordinances. He further informed the Council that professional service charges used for Historic Designation property applications, such as the Board of Education building, are paid from the Land Use Board's budget, not escrow funds.

Council Member Valerie Seufert suggested the Council meet with the various Boards and Commissions on a quarterly-basis to share information and plan agendas.

Council Member Valerie Seufert recommended that the question whether the Township should purchase the water and sewer utility from United Water should be put forth to the voters as a referendum question on the 2009 General Election ballot. Township Manager Melinda Carlton advised that a special referendum election would cost the Township a lot of money.

Council Member Valerie Seufert asked for an update on the Township's Council on Affordable Housing (COAH) obligation. The Township Manager informed the Council a presentation will be scheduled with the Township's COAH consultant for an upcoming meeting. Mayor Carew reminded the Council that the COAH deadline is set for December 2009.

Council Member Valerie Seufert questioned if any Council Members have attended Council meetings of those municipalities who assisted the Township during the December ice storm to thank them for their participation.

Council Member Valerie Seufert questioned if the Township performs random drug testing of municipal employees and recommended the Township Manager research drug testing programs and requirements.

Mayor Austin Carew discussed the need for all Township first responders to have a key to the Wawayanda State Park for through access in the event of emergencies and suggested the Township Manager arrange a meeting with the Superintendent of the State Park. Additionally, Mayor Carew informed the Council and Township Manager that State Park Rangers do not have radio communication with our Police Department because of different radio frequencies and voiced concerns regarding its impact to public safety in the State Park lands.

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 Glenn McLaughlin. Motion seconded by Council Member Valerie Seufert with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 11:43 p.m.

Respectfully submitted,

Robin R. Kline, MAS, RMC
Municipal Clerk

Minutes approved: March 12, 2009