

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

March 26, 2009

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:14 p.m. on Thursday, March 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 was provided to the public and the press on December 30, 2008 by delivering to the press such notice and posting same at the Municipal Building.

ROLL CALL OF MEMBERS

Present were Council Members Richard Carson, Valerie Seufert, and Mayor Austin Carew. Council Member Gary Grey arrived shortly after roll call. Council Member Glenn McLaughlin was absent. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 6:15 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.

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:
 - a. Contract – Professional Service Contract for the Council on Affordable Housing matters. Anticipated time of release of Executive Session minutes would be at the time a contract is fully executed.
 - b. Contract – Offer of Open Space Lands. Anticipated time of release of Executive Session minutes would be at the time a contract is fully executed.
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 6:15 p.m.

.

The meeting was reopened to the public at 7:06 p.m. Present were Council Members Richard Carson, Gary Grey, Valerie Seufert, and Mayor Austin Carew. Council Member Glenn McLaughlin was absent. Also present were Township Manager Melinda Carlton and Township Attorney Michael Witt.

SALUTE TO THE FLAG

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

PROCLAMATION

Honoring Vernon Township Schools Superintendant Anthony Macerino

Mayor Austin Carew recognized Vernon Township Schools Superintendant Anthony Macerino for being the sole recipient to receive the "2009 New Jersey Child Assault Prevention Award" and read the Township's Proclamation honoring Mr. Macerino. Mr. Macerino thanked the Vernon Township community and commented that Vernon Township remains the most student-centered community he has been associated with and further stated Vernon is a strong community which serves all its citizens exceptionally well.

In Sympathy

Before opening the meeting for Public Comment, Mayor Austin Carew announced the passing of a beloved and very active Vernon Township resident, Tonie Allen, and expressed deepest sympathies to Mrs. Allen's family on behalf of the Vernon Township community.

PUBLIC COMMENTS

Mayor Austin Carew opened the meeting for Public Comment.

Gary Martinsen, Vernon, questioned the hiring of a grant writer and opposed Resolution #09-36. Mr. Martinsen also commented that municipalities can hire local contractors for the construction of the Maple Grange Park community building as long as the bid specifications state 80% of the contracted work should be performed by local contractors.

Dennis Miranda, Den Leader Pack #183, commented that the Boy Scouts are interested in creating a butterfly garden as part of a community project to help the scouts earn merit badges and awards related to conservation. Mr. Miranda expressed that Vernon Township is a special place blessed with nature and open space and proposed creating the butterfly garden at the municipal park on the Vernon flats.

Mary Ellen Vischiconti, Highland Lakes, questioned if the Township's 1996 Charter Commission Study can be posted on the Township Website for public review.

Sally Rinker, Vernon Resident and Businesswoman, read a prepared comment opposing the Township's four-day work week, which she then distributed to the Township Council and Township Clerk. Ms. Rinker questioned the expected savings in electric and heating costs and requested the Township Council to return to the five-day work week in order to improve the delivery of services to the public.

Phyllis MacPeek, Vernon, commented that Saturday, March 28th the world cities will be celebrating Earth Hour by turning off lights between 8:30 p.m. and 9:30 p.m. and encouraged the Township and public to turn out lights in observance of Earth Hour. Ms. MacPeek then commented on the proposed grant writer service to be considered by the Township Council and suggested that the Township should remit installment payments for the grant writer as services are rendered and not pay in full at the commencement of a contract.

Marika Bezzone, Vernon, pointed out that the link to the February 26, 2009 Township Council Meeting minutes are not accessible on the Township's Website. The Township Clerk will make the necessary correction.

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

PRESENTATIONS

El Paso - Tennessee Gas Pipeline Company 300 Line Project

Susan King, Regional Director for the El Paso Pipeline Group, and Jessie Green, Land Specialist for the Tennessee Gas Pipeline Project, presented a project update to the Township Council. The environmental and cultural resource scoping report is nearing completion. Comments from the public hearing concerning steep slope erosion control and dredging operations of Lake Conway will be incorporated in the scoping report. Council Member Gary Grey commented that environmental best practices should be in place during all phases of the pipeline project and advised that traffic flow, especially during commuting hours and school hours, must be considered to reduce traffic impacts to motorists and school buses. Township Manager Melinda Carlton thanked the El Paso – Tennessee Gas Pipeline Company for being cooperative and responsive to the Township's concerns.

Mayor Austin Carew thanked Ms. King and Mr. Green for presenting an update to the Township Council on the Tennessee Gas Pipeline Project.

Bruno Associates, Grant Consultant, Clifton, NJ

John Bruno, President, and Melissa Casabuono, representative, of Bruno Associates introduced themselves and answered all questions posed by the Township Council concerning their grant writing and grant administration services. Mr. Bruno advised that his firm guarantees the full recovery of its consultant fee in the form of new grants to the municipality. Mr. Bruno stated there is no cap or limit on the number of grant applications his firm will file on behalf of the Township and stated the average return for their clients is \$15.00 for every \$1.00 spent. Bruno Associates will rely on the Township to furnish municipal statistics and information to facilitate the grant writing and administration process. The Township Manager pointed out that the Township has hired an Assistant Manager who will help facilitate the grant writing process with Bruno Associates.

Mayor Carew opened the meeting for Public Comment concerning grant consultant services.

Thomas McClachrie, Vernon Taxpayers Association, commented that the Township Council should proceed with caution before approving Township participation in grant programs that may require the municipality to continue the program without further benefit of continued grant funding.

Gary Martinsen, Vernon, commented that the on-going tracking and administration of grant projects is very important and has been troublesome to the Township in past years.

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

TOWNSHIP CLERK'S REPORT

The Township Clerk reported on the 2010 U.S. Census Project and commented that the Township is waiting for confirmation whether a U.S. Census training and exam facility will be located in Vernon Township during the decennial census project. Several locations have been offered. U.S. Census part-time employment flyers have been posted in the Municipal Building for our public's interest.

The Township Clerk informed the Township Council that the Township's 2008 Annual Financial Statement has been filed with the state.

Annual Financial Disclosure Statements for 2009 have been received from all elected and appointed municipal officials and will be filed with the New Jersey Finance Board well ahead of the April deadline.

The Township Clerk reported that the Office of Fire Prevention and the Clerk's Office have established a new shared network and database allowing both offices to share

state-mandated reportable registration and filing information regarding Landlord-Tenant Registrations, Alarms Registrations, Smoke Detector Certifications and Carbon Monoxide Certifications. Pursuant to state law the Municipal Clerk is charged with the filing of Landlord Tenant Registrations and Alarm Registrations. This information is now being shared with Fire Prevention for compliance with mandated state smoke detector and carbon monoxide certifications.

The Township Clerk further informed the Township Council that the Vernon Township Acting Tax Collector, Ann Izzo, and the Tax Collector's Office have completed their records purging project. Over 26 cubic feet of records have been purged freeing up much needed file cabinet space.

Lastly, the Township Clerk reported that 59 Open Public Records Act requests have been received to date. Of those requests, 57 OPRA requests have been completed and closed and 2 OPRA requests currently pending within the 7 day allowable period.

TOWNSHIP MANAGER'S REPORT

Township Manager Melinda Carlton informed the Township Council that a Retiree Health Insurance Policy Resolution will be on the April 13th or 23rd 2009 agenda for Council consideration and action.

The Township Manager reported that the bulky trash collection day is scheduled for April 26, 2009 to coincide with Vernon Township's EarthFest. Ms. Carlton commented that the proposed \$20.00 fee to be charged for each non-commercial vehicle will not be implemented on April 26; however, a second bulky trash collection day will be scheduled in the fall and the \$20.00 fee will be in place.

Ms. Carlton stated the hiring freeze that has been put into place by the Township Council is being adhered to by not allowing promotions or transfers within departments. She also informed the Township Council that the Township's Website will now list email addresses for all department heads for the public's convenience.

Ms. Carlton reminded the Township Council that a date needs to be set for the Council's Goal Setting meeting. Mayor Carew requested the meeting be arranged at night. Ms. Carlton then informed the Township Council that the Senior Citizens who meet in the Township's Senior Center submitted a petition expressing the need to address the heating and air conditioning system in the Senior Center.

The Township Manager asked Louis Kneip, Director of Planning and Development to provide updates on Whispering Woods, the Appalachian Trail Parking Lot and the Stop Sign at Mac Peek Road. Mr. Kneip reported the Whispering Woods Project is under construction after the winter break. Phase I is completed and stabilized. In Phase II, the roadway was installed and two homes are under construction. Silt fencing has been put in place. Mr. Kneip stated the roadways and basins within the Whispering Woods project will be owned and operated by a homeowner's association.

Mr. Kneip then commented about the Appalachian Trail Parking Lot project and reported the site adjacent to the Appalachian Trail boardwalk cannot be accommodated due to a restrictive wetlands permit process. Mr. Kneip asked the Township Council if his office should proceed with applying for permits to construct the parking lot on the westerly side of Route 517. After brief discussion, the Township Council consented, and requested that all traffic calming measures should also be explored. Council Member Richard Carson requested that the most effective traffic calming devices be required at the site.

Mayor Austin Carew allowed public comment on the Appalachian Trail Parking Lot project.

Mr. Ray Vander Bush, 40 Ivy Place, questioned why the Township would want to spend money constructing a parking lot at the Appalachian Trail at a time when funds are tight. Mr. Vander Bush stated he believes it is safer to keep the roadside parking than build a parking lot causing visitors to cross Route 517.

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

In closing, Mr. Kneip informed the Township Council that the stop sign on Mac Peek Road is to be installed next week; changing Sand Hill Road to a thoroughfare. Mr. Kneip reported that temporary warning signage has been put in place to advise motorists.

PRESENTATIONS

Highlands Plan Conformance

Jessica Caldwell, Professional Planning Consultant with Harold E. Pellow & Associates, presented an update of the *Initial Assessment of the Highlands Regional Plan Report* and Plan Endorsement. Of particular importance, Ms. Caldwell informed the Township Council that water deficient areas have been delineated throughout Vernon Township and as a result of the findings, the Township must adopt a state-approved Water Management and Conservation Plan before any new water allocation permits will be granted by the New Jersey Department of Environmental Protection. *The Initial Assessment of the Highland Regional Plan Report* will be made available for public review via link on the Township's Website.

Ms. Caldwell answered questions from the Township Council and advised that Plan Endorsement Module #2 is scheduled to begin March 30th with an expected completion deadline at the end of the year. Ms. Caldwell commented that the New Jersey Department of Environmental Protection will not approve new development or increased water capacity in the Highlands Areas nor will sewer service areas be expanded. Additionally, stricter nitrate dilution standards will be imposed by the state that will further restrict development.

Ms. Caldwell reported the completion of a Build-Out Analysis will help understand the Township's Council on Affordable Housing's [COAH] Round Three obligation for Substantive Certification.

Mayor Austin Carew thanked Jessica Caldwell for her very informative and well-presented PowerPoint presentation and update on the Township's Highlands Plan Conformance report.

At the conclusion of the Highlands Plan Conformance presentation, Mayor Austin Carew called for a short recess at 8:45 p.m.

* * * * *

Mayor Austin Carew reconvened the meeting at 8:56 p.m. with all present.

Highlands Plan Conformance Public Hearing

Mayor Carew opened the meeting for Public Hearing and comment concerning Highlands Plan Conformance.

Michael Soigen, Vernon, commented that some of the land areas delineated as Highlands Preservation Areas are preserved due to aboriginal trout in local rivers and supported that designation.

Seeing no one else from the public wishing to speak, Mayor Austin Carew closed the Highlands Plan Conformance Public Hearing portion of the meeting.

APPROVAL OF MINUTES

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

March 12, 2009 Regular Meeting & Executive Session

A roll call vote was taken:

AYES: Gary Grey, Valerie Seufert, Austin Carew
NAYES: None
ABSTAIN: Richard Carson

CONSENT AGENDA

RESOLUTION #09-38

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A REIMBURSEMENT AGREEMENT N.J.S.A. 40:67-23.5 WITH VILLAGE OF LAKE GLENWOOD FOR THE YEAR 2008, A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Village of Lake Glenwood for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$17,138.42.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-39

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A REIMBURSEMENT AGREEMENT N.J.S.A. 40:67-23.5 WITH HIDDEN VALLEY PROPERTY OWNERS ASSOCIATION FOR THE YEAR 2008, A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Hidden Valley Property Association for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$21,545.45.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-40

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A REIMBURSEMENT AGREEMENT N.J.S.A. 40:67-23.5 WITH SCENIC LAKES COMMUNITY ASSOCIATION FOR THE YEAR 2008, A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Scenic Lakes Community Association for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$46,518.58.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-41

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A REIMBURSEMENT AGREEMENT N.J.S.A. 40:67-23.5 WITH VALLEY VIEW HOMEOWNERS ASSOCIATION FOR THE YEAR 2008, A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Valley View Homeowners Association for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$749.00.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-50

Authorizing the Approval of Bills List

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

Current	ck#	31172	to	ck#	31200
Current	ck#	31201	to	ck#	31235
Current	ck#	31236	to	ck#	31270

Capital	ck#	2648	to	ck#	
Capital	ck#	2649	to	ck#	2651
Capital	ck#	2652	to	ck#	
Grant	ck#	31271	to	ck#	
Planning & Zoning	ck#	3840	to	ck#	3848
Planning & Zoning	ck#	3849	to	ck#	3853
Planning & Zoning	ck#	3854	to	ck#	3858
Recreation Trust	ck	869	to	ck#	
Dog Trust	ck#		to	ck#	
Other Trust	ck#	796	to	ck#	
Senior Citizen Trust	ck#		to	ck#	
Outside Services	ck#	1520	to	ck#	
Outside Services	ck#	1521	to	ck#	1523
Unemployment Trust	ck#		to	ck#	
Open Space Trust	ck#		to	ck#	
PVL Dam Rehab Asm	ck#		to	ck#	
PVL Dam Rehab Exp	ck#		to	ck#	
COAH	ck#		to	ck#	
Sewer Operating	ck#		to	ck#	
Sewer Capital	ck#		to	ck#	
Developer's Bonds	ck#		to	ck#	
Road Assessment	ck#		to	ck#	
Payroll Deduction	ck#		to	ck#	
Payroll Checks	ck#	5261 to ck# 5302	(2nd pay in March)		
Payroll Deduction	ck#	3100 to ck# 3108			
Total Payroll		\$311,583.51			

RESOLUTION #09-53

TAX OVERPAYMENT

WHEREAS, duplicate payments were made on the First Quarter 2009 taxes; and

WHEREAS, such payments created an overpayment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Vernon, County of Sussex, and State of New Jersey, that they do hereby authorize the Township Treasurer to issue a 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>QTR</u>	<u>LOCATION</u>
221.12	2	Tully, John J & Rosalie	\$ 2,128.80	1 st	3 Red Barn Drive
233.04	10	Park, Jang & Sung Yoo	\$ 3,531.44	1 st	8 Alpine Trail

RESOLUTION #09-58

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

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that minutes from Executive Session of public Township Council Meeting of February 26, 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.

RESOLUTION #09-59

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK
TO SIGN A REIMBURSEMENT AGREEMENT WITH
VALLEY VIEW HOMEOWNERS ASSOCIATION FOR THE YEAR 2008,
A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, Valley View Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Valley View Homeowners Association for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$3638.00.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-60

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A
REIMBURSEMENT AGREEMENT WITH LAKE WALLKILL FOR THE YEAR 2008,
A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Lake Wallkill for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$54,064.06.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-61

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK
TO SIGN A REIMBURSEMENT AGREEMENT WITH LAKE COMMUNITY PROPERTY
OWNERS ASSOCIATION, INC. FOR THE YEAR 2008, A QUALIFIED PRIVATE
COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Lake Property Owner's Association, Inc., for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$98,772.28, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #09-62

APPROVING VOLUNTEER FIREMAN ACTIVE MEMBERSHIP

WHEREAS, the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2, has selected Thomas A. O'Brien for active membership, and

WHEREAS, the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2, has requested municipal approval from the Township Council of the Township of Vernon for said appointment.,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Vernon, New Jersey that the Township Clerk is hereby authorized and directed to execute the New Jersey State Firemen's Association Membership Application on behalf of the Township of Vernon for Thomas A. O'Brien for active membership to the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2.

RESOLUTION #09-63

APPROVING VOLUNTEER FIREMAN ACTIVE MEMBERSHIP

WHEREAS, the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2, has selected Eddy Goritski for active membership, and

WHEREAS, the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2, has requested municipal approval from the Township Council of the Township of Vernon for said appointment.,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Vernon, New Jersey that the Township Clerk is hereby authorized and directed to execute the New Jersey State Firemen's Association Membership Application on behalf of the Township of Vernon for Eddy Goritski for active membership to the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2.

Council Member Valerie Seufert moved to remove Resolution #09-61 from the Consent Agenda for further clarification, seconded by Council Member Richard Carson.

A roll call vote was taken:

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

NAYES: None

Resolution #09-61 was removed from the Consent Agenda and added to Resolutions Requiring Separate Action section of the agenda.

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

A roll call vote was taken:

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

NAYES: None

The Consent Agenda Resolutions passed.

RESOLUTIONS REQUIRING SEPARATE ACTION

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 Gary Grey moved to revise the contract dates to April 1, 2009 through April 1, 2010, seconded by Council Member Valerie Seufert.

A roll call vote was taken:

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

NAYES: None

Revision to change the contract dates to April 1, 2009 through April 1, 2010 on Resolution #09-36 was approved.

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

A roll call vote was taken:

AYES: Gary Grey, Valerie Seufert, Austin Carew

NAYES: Richard Carson

Resolution #09-36, as revised, was approved.

RESOLUTION #09-51

RESOLUTION PROVIDING FOR LEGAL AND AUDITING PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 40A:11-5

WHEREAS, the Township of Vernon is in need of legal and accounting services in 2009; and

WHEREAS, N.J.S.A. 40A:11-5 specifically exempts professional services from provisions of public bidding as provided in the Local Public Contracts Law.

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. Michael Witt, of the Law firm Chasan, Leyner & Lamparello, 300 Harmon Meadow Boulevard, Secaucus, NJ 07094-3621, is hereby retained as Attorney for the Township of Vernon with the understanding that Michael Witt, Esq. will be primarily responsible for the work done for the Township;
2. Robert Beinfield, of the Law firm Hawkins, Delafield and Wood, One Gateway Center Newark, NJ 07102, is hereby appointed Bond Counsel for the Township of Vernon with the understanding that Mr. Beinfield will be primarily responsible for the work done for the Township;
3. James Sloan, of the Law offices of James P. Sloan, P.C. Attorneys-At-Law, P.O. Box 329, Allamuchy, NJ 07820, is hereby retained as Public Defender for the Township of Vernon with the understanding that Mr. Sloan will be primarily responsible for the work done for the Township;
4. Alicia S. Ferrante, Esq., 58 Trinity Street, Newton, NJ 07860, is hereby retained as Prosecutor for the Township of Vernon with the understanding that Ms. Ferrante will be primarily responsible for the work done for the Township;
5. Francis "Bud" Jones, Jr., of the Accountant firm Nisivoccia & Company, is hereby retained as Auditor for the Township of Vernon with the understanding that Mr. Jones will be primarily responsible for the work done for the Township;

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a fully executed professional services contract detailing the scope of services and established fees for said professional services; and

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et seq., commonly known as the Pay-to-Play Law;

AND, BE IT FURTHER RESOLVED, that this Resolution is contingent upon the aforementioned professionals being members in good standing in their respective professions;

AND, BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds are available for these purposes subject to the adoption of the 2009 Municipal Budget.

Council Member Valerie Seufert moved to approve Resolution #09-51, 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 #09-51 was approved.

RESOLUTION #09-52

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Vernon Township Police Department wishes to participate with the State of New Jersey in a project under the New Jersey Safe and Secure Communities Program; and

WHEREAS, the Vernon Township Council has reviewed the application and has approved the request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government; and

WHEREAS, the Safe and Secure Communities Program is designed to provide municipalities with funding for additional law enforcement personnel to address crime in a focused community-oriented manner; and

WHEREAS, such programs implemented in Vernon Township are Community Crime Prevention Programs, Neighborhood Watches, Targeted Narcotics Enforcement, Targeted Safety Check Enforcement, Targeted Patrol and School Resource Officer Activities; and

WHEREAS, the funding received from the Division of Criminal Justice will be used to offset the salaries of two current officers and a match from the Township is not required; and

THEREFORE, BE IT RESOLVED, by the Vernon Township Council that:

1. As a matter of public policy the Township wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for the funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant in the amount of \$58,030.00 as authorized by law.

Council Member Richard Carson moved to approve Resolution #09-52, seconded by Council Member Valerie Seufert.

There was no Council discussion.

A roll call vote was taken:

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

NAYES: None

Resolution #09-52 was approved.

RESOLUTION #09-54

AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH VITAL COMMUNICATIONS, INC. FOR THE YEAR 2009

WHEREAS, there exists a need for professional services for the Township of Vernon for the purpose of Computer services for Tax Assessment/CAMA, Tax Collection and Internet Access; and

WHEREAS, the Township Manager has determined that Vital Communications, Inc., the Township's current contractor providing Computer services for Tax Assessment/CAMA, Tax Collection and Internet Access, 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 Vital Communications, Inc., 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 January 1, 2010, with a total contract price not to exceed \$21,600; and

WHEREAS, Vital Communications, Inc. has submitted a Business Entity Disclosure Certification in compliance with applicable law.

NOW THEREFORE BE IT RESOLVED, this 26th day of March, 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 Vital Communications, Inc., for the purpose of Computer Services for Tax Assessment/CAMA, Tax Collection and Internet Access; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with Vital Communications, Inc., as negotiated by the Township Manager.

Council Member Valerie Seufert moved to approve Resolution #09-54, 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 #09-54 was approved.

RESOLUTION #09-55

TRANSER RESOLUTION – 2008 RESERVE BUDGET

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; 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:	
Tax Collector O/E	\$13,000.00	Tax Assessor O/E	\$8,000.00
Utilities O/E	\$25,000.00	Salary & Wage Adjustments	\$65,000.00
Engineering O/E	\$1,600.00		
Planning O/E	\$12,000.00		
Zoning O/E	\$5,900.00		
Court O/E	\$3,500.00		
Building & Grounds O/E	\$7,000.00		
Senior Citizens O/E	\$3,000.00		

Animal Control O/E	\$2,000.00		
TOTAL:	\$ 73,000.00		\$73,000.00

Council Member Richard Carson moved to approve Transfer Resolution #09-55, seconded by Council Member Gary Grey.

There was no Council discussion. The Township Clerk noted a three-quarter majority affirmative vote of the whole body is necessary for passage.

A roll call vote was taken:

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

NAYES: None

Transfer Resolution #09-55 was approved.

RESOLUTION #09-56

AUTHORIZING THE TOWNSHIP OF VERNON TO MAKE AN APPLICATION
FOR AN ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS
PLANNING GRANT

WHEREAS, the Township Council for the Township of Vernon, County of Sussex, State of New Jersey, has recognized the need to develop an update to the Open Space and Recreation Plan; and

WHEREAS, the Association of New Jersey Environmental Commissions provides fifty (50%) percent matching grants up to twenty thousand (\$20,000) dollars to municipalities for local plans that protect natural resources and establish the land use pattern envisioned in the State Plan; and

WHEREAS, the preparation of an updated Open Space and Recreation Plan is a suitable project under this grant program; and

WHEREAS, Vernon Township is in receipt of a fee proposal from the Land Conservancy of New Jersey to prepare the Open Space and Recreation Plan, in the amount of \$12,000.00; and

WHEREAS, the grant requires a 50% match by Vernon Township, half of which can be through in-kind services; and

WHEREAS, it is in the interests of Vernon Township to make such application;

NOW, THEREFORE, BE IT RESOLVED, Township Council for the Township of Vernon, County of Sussex, State of New Jersey, that the Township Manager is hereby authorized to sign and submit a grant application for the Association of New Jersey Environmental Commissions (ANJEC) Smart Growth Planning Grant to fund the following project: Updated Open Space and Recreation Plan for the Township of Vernon, New Jersey, \$6,000.00 to be sought for the grant and \$6,000.00 to be paid by Vernon, half of which can be in-kind services.

Council Member Valerie Seufert moved to approve Resolution #09-56, seconded by Council Member Richard Carson.

The Township Council questioned the amount of money required by the matching funds grant. The Township Manager reported the ANJEC grant is a \$6,000 matching grant program. The Township would be required to match a minimum of \$3,000 in cash with the remaining \$3,000 matched with in-kind services provided by the Township. The grant cost will be charged against the Professional Planner line item under the Department of Planning and Development.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Austin Carew

NAYES: Valerie Seufert

Resolution #09-56 was approved.

RESOLUTION #09-61

AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO SIGN A REIMBURSEMENT AGREEMENT WITH LAKE COMMUNITY PROPERTY OWNERS ASSOCIATION, INC. FOR THE YEAR 2008, A QUALIFIED PRIVATE COMMUNITY AS DEFINED BY N.J.S.A. 40:67-23.2.

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2 (e), in which there exists private roads; and

WHEREAS, N.J.S.A. 40:67-23.3 requires the Township to provide for or reimburse the Community for certain services as the Township provides on public streets and roads; and

WHEREAS, said services include the removal of snow and ice, which service is the only service provided by the Township pursuant to N.J.S.A. 40:67-23.3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Agreement between the Township of Vernon and Lake Property Owner's Association, Inc., for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds of \$98,772.28, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

Council Member Richard Carson moved to approve Resolution #09-61, seconded by Council Member Gary Grey.

The Township Council sought clarification and confirmation regarding the Lake Community Property Owner's Association Inc. referenced in the reimbursement agreements is for the Barry Lakes community.

A roll call vote was taken:

AYES: Richard Carson, Gary Grey, Austin Carew

NAYES: Valerie Seufert

Resolution #09-61 was approved.

INTRODUCTION OF ORDINANCES AND FIRST READING

ORDINANCE #09-09

AN ORDINANCE AMENDING THE VERNON TOWNSHIP ADMINISTRATIVE CODE CHAPTER 250, FEES AND ESCROWS SECTION 250-12 BUILDING

BE IT ORDAINED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, that Chapter 250, §250-12 of the Township Administrative Code shall be amended to read as follows:

- A. The fee for plan review shall be 25% of the construction permit fee.
- B. The basic construction fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes and detectors at the unit rates provided herein plus any special fees.
- C. Building sub code.
 - (1) New construction.
 - (a) Per cubic foot for all use groups: \$0.05.

- (b) Per cubic foot for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), used exclusively for the storage of food or grain, or the sheltering of livestock, for such structures on farms with a minimum fee of \$100. \$0.036.
 - (2) Renovations, alterations and repairs. Per \$1,000 of estimated cost of work: \$30.
 - (3) Additions. Fee per cubic foot for the added portion shall be computed on the same basis as for new construction.
 - (4) Fee for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection C (2) and (3) above.
 - (5) Reshingle or re-side R-3, R-4 or R-5 structures: \$75.
 - (6) Minimum: \$75.
- D. Electric sub code.
 - (1) Receptacles and fixtures:
 - (a) First to 25: \$70.
 - (b) Each additional 25: \$25.
 - (2) Motors, electrical devices and motor control center:
 - (a) One hp up to 10 hp: \$30.
 - (b) 11hp up to 50 hp: \$120.
 - (c) Up to 100 hp: \$250.
 - (d) Larger than above: \$600.
 - (3) Transformers and generators and Solar Photovoltaic Systems:
 - (a) Over one kW up to 45.0 kW: \$70.
 - (b) Up to 112.5 kW: \$170.
 - (c) Larger than above: \$600.
 - (4) Services panels, entrances, and subpanels:
 - (a) Up to 200 amps: \$75.
 - (b) Up to 1,000 amps: \$170.
 - (c) Larger than above: \$600.
 - (5) Private swimming pool, hot tub or fountain shall be a flat fee of \$125 (includes the inspection of Equipotential Bonding Grid).
 - (6) Minimum: \$70.
- E. Plumbing sub code.
 - (1) Per fixture, appliance, condensate, backflow preventer, or stack connected to the plumbing system and for each appliance connected to the gas or oil piping system except as indicated in Subsection (2): \$30.
 - (2) Per special device listed below: \$90.
 - (a) Active solar system.
 - (b) Backflow preventers (equipped with test ports).
 - (c) Condensate line
 - (d) Interceptors (grease, oil, sand, etc.).
 - (e) Refrigeration units
 - (f) Sewer pump.
 - (g) Sewer connection
 - (g) Water service connection
 - (i) Water heater.
 - (j) Water conditioner
 - (k) Swimming pool drains
 - (l) Hydronic Piping
 - (m) Underground Storm Water Piping
 - (3) Water Boilers, Steam Boiler \$100
 - (4) Minimum: \$70.
- F. Fire protection sub code.
 - (1) Suppression system.
 - (a) Sprinkler heads.
 - [1] One to 6 sprinkler heads: \$100.
 - [2] 7 to 100 sprinkler heads: \$200.
 - [3] 101 to 200 sprinkler heads: \$300.
 - [4] 201 to 400 sprinkler heads: \$805.
 - [5] 401 to 1,000 sprinkler heads: \$1,000.
 - [6] Over 1,000 sprinkler heads: \$1,400.
 - (b) Fire pump: \$200.
 - (c) Alarm valves: \$50.

- (d) Pre-action valves: \$50.
- (e) Standpipes: \$300.
- (2) Alarm system.
 - (a) One to 10 devices: \$70.
 - (b) Each additional 10 devices: \$25.
- (3) Gas or oil storage tanks.
 - (a) Up to 1,000 gallons: \$100.
 - (b) Over 1,000 gallons: \$200.
- (4) Each independent pre-engineered system: \$150.
- (5) Each gas or oil fired appliance not connected to the plumbing system: \$100.
- (6) Each commercial kitchen exhaust system: \$150.
- (7) Each incinerator or crematorium: in accordance with N.J.A.C. 5:23-4.20.
- (8) Minimum: \$70.
- G. Elevators or escalators. Each elevator fee shall be in accordance with N.J.A.C. 5:23-12.
- H. Certificates and other permits.
 - (1) Certificate of occupancy.
 - (a) The fee for R-3, R-4 and R-5, U and commercial farm structures shall be 10% of the new construction permit fee with a minimum of \$50.
 - (b) All other structures shall be 10% of the new construction permit fee with a minimum of \$75.
 - (c) Change of use: \$150.
 - (d) Continued certificate of occupancy: \$175.
 - (e) Letter stating that no certificate of continued occupancy is required: \$20.
 - (f) The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be \$45.
 - [1] Exceptions:
 - [a] There shall be no fee for the first issuance of the temporary certificate of occupancy if occupancy fee was paid at the time.
 - [b] Where a written request for a temporary certificate of occupancy is made for reasons other than uncompleted work covered by the permit (i.e., prior approval), no renewal fee shall be charged.
 - (2) Other permits.
 - (a) Demolition or removal permit.
 - [1] Each building or structure: \$150.
 - [2] R-3, R-4 and R-5 less than 5,000 square feet: \$100.
 - [3] Oil tank demolition Class III residential structures: \$75.
 - (b) Swimming pool.
 - [1] All R-3, R-4 and R-5 aboveground pools: \$100.
 - [2] All R-3, R-4 and R-5 in-ground pools: \$150.
 - [3] All other use groups: \$350.
 - (c) Sign permit.
 - (1) Fees for pylon signs shall be \$5.00 per square foot for the first 100 square feet, \$3.75 per square foot for the next 400 square feet and \$2.50 per square foot thereafter;
 - (2) Fees for ground signs or wall signs shall be \$3.00 per square foot for the first 100 square feet, \$2.50 per square foot for the next 400 square feet and \$1.25 per square foot thereafter;
 - (3) The minimum fee shall be \$ 75.00.
 - (d) Fence (over six feet in height): \$50.
 - (e) Tents in excess of 16,800 square feet or more than 140 feet in any direction: \$300.
 - (f) Asbestos abatement in accordance with N.J.A.C. 5:23-8.9.
 - (g) Lead hazard abatement in accordance with N.J.A.C. 5:23-4.20.
 - (h) Retaining Walls
 - [1] 550 square feet or less associated with a Class III residential structure: \$200.
 - [2] 551 square feet and over associated with a Class III residential structure: \$300.

- [3] Other than Class III residential structures shall be based on cost of construction.
- (l) Reinstatement of lapsed permit per open sub code of original permit: \$50.00
- (j) Change of contractor fee per sub code: \$25.
- (k) Installation of Park Model Trailers, flat fee: \$200.
- I. Application for variation.
 - (1) Class II and III structure: \$150; resubmission: \$80.
 - (2) Class I structure: \$750; resubmission: \$250.
- J. Periodic inspections. Fees for periodic reinspection of equipment and facilities granted a certificate of compliance for a specified duration as required by N.J.A.C. 5:23 and shall be:
 - (a) Yearly Public Pool bonding inspection and Certificate: \$75.
 - (b) Yearly testing of backflow preventers, equipped with test ports: \$60.
- K. Mechanical inspections (replacement).
 - (1) Fees for replacement or new installation of:
 - (a) Wood or gas-fired stove or fireplace, water heater, boiler, furnace, air-conditioning unit, pool heater, oil and propane tanks, oil or gas lines in existing R-3, R-4 and R-5 structures shall be \$100.
 - (b) For each additional appliance on same permit: \$75.
(No additional fee for gas, fuel oil, or water piping connection to appliance.)
- L. There shall be a fee of \$50 per hour for review of any amendment or change to a plan that has already been released. (rounded up to the hour)
- M. Hourly charges and fees for development-wide inspections of homes after issuance of a certificate of occupancy to ascertain whether a violation exists or to verify that any work performed has abated the violation, shall be the twice the hourly cost of operations as certified by the Chief Financial Officer using a formula of total expenditures plus 12% for indirect costs divided by employees weekly hours, as per NJAC 5:23-4.17(d).
- N. Annual permits. Fees shall be in accordance with N.J.A.C. 5:23-4.20.
- O. Township surcharge for inspections done by private on-site agency: 15%.
- P. DCA training fee. Fees shall be in accordance with N.J.A.C. 5:23-4.19.
- Q. All fees can be rounded off to the nearest dollar.

Ordinance #09-09 was read by title only. Council Member Richard Carson made a motion to introduce Ordinance #09-09 on first reading and so advertise with second reading and public hearing on April 13, 2009. Motion was seconded by Valerie Seufert.

Vernon Township Building Sub-code Official Tom Pinand answered questions presented by the Township Council concerning the proposed fee increases. Mr. Pinand informed the Council that the New Jersey Department of Community Affairs recently increased all building permit and inspection fees by 26% across the board. The revised Township fees have been structured to help cover the operating costs of the Building Department as is required by state law, while trying to minimize additional costs to the applicant.

Council Member Valerie Seufert thanked Mr. Pinand for his detailed report and presentation in addressing the Township Council's concerns.

A roll call vote was taken:

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

NAYES: None

Ordinance #09-09 passed first reading.

GENERAL COUNCIL DISCUSSION

Council Member Valerie Seufert requested an update from the Township Attorney on the Wolosky litigation matter. Mr. Witt reported he and the plaintiff's attorney will be meeting to review Executive Session minutes and redactions. The Judge ordered the parties to submit their reports, and plaintiff's attorney's fees, to the Court on April 6, 2009.

Council Member Valerie Seufert made a motion to appoint Mr. Jack Smith as Alternate #3 to the Land Use Board and Mr. Gino Miscianga as Alternate #4 to the Land Use Board. Motion seconded by Council Member Gary Grey.

A roll call vote was taken:

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

NAYES: None

Mayor Austin Carew requested letters be sent to Mr. Jack Smith and Mr. Gino Miscianga regarding their appointments to the Land Use Board.

Mayor Austin Carew confirmed the appointment of Mr. Robert Barrett to the Board of Recreation.

Mayor Austin Carew reminded the Township Council that a Vernon Township resident and businessman came before the governing body requesting the Township Council to consider enacting an ordinance to effectively enable the Police Department to enforce trespassing on private commercial property by skateboarders. The Township Attorney offered to discuss this issue with the Township's prosecutor regarding charges and fines that may be currently enforceable under state law, which may preempt a local ordinance.

Mayor Austin Carew reported that he attended the municipal staff's St. Patrick's Day luncheon and thanked Township Manager Melinda Carlton for her very informative "End of the Week" report.

Council Member Valerie Seufert reported the Sign Ordinance Review Committee recently met with the Economic Development Advisory Board. A sign ordinance meeting for business owners will be co-sponsored by the Vernon Rotary Club and Vernon Chamber of Commerce on April 9th, 7:30 p.m. at the George Inn. All interested parties are welcome to attend.

Council Member Valerie Seufert informed the Council that the new "Town Center" sign spearheaded by the Beautification Committee will be installed by the DPW crew.

Council Member Valerie Seufert requested that the County Road Department should be contacted to sweep and remove the accumulation of winter grit from the roadway, median, and roadway right-of-way along CR 515 and to also investigate and correct the malfunctioning of the retention basin on CR 515 adjacent to the A&P Shopping Center.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 10:30 p.m., Council Member Richard Carson made a motion to close the meeting to the public and enter into executive session. Motion seconded by Gary Grey 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 matter to be discussed is:
 - a. Contract – Offer of Open Space Lands. Anticipated time of release of Executive Session minutes would be at the time a contract is fully executed.

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 10:31 p.m.

▪ ▪ ▪ ▪ ▪

The meeting was reopened to the public at 10:50 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.

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 Gary Grey. Motion seconded by Council Member Richard Carson with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 10:50 p.m.

Respectfully submitted,

Robin R. Kline

Robin R. Kline, MAS, RMC
Municipal Clerk

Minutes approved: April 13, 2009