

**TOWNSHIP OF VERNON**  
**TOWNSHIP COUNCIL REGULAR MEETING**

**May 14, 2009**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:00 p.m. on Thursday, May 14, 2009 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Austin Carew presiding.

**STATEMENT OF COMPLIANCE**

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided to the public and the press on December 30, 2008 and notice of this meeting was posted at the Municipal Building and on the Township's Website.

**ROLL CALL OF MEMBERS**

Present were Council Members Richard Carson, Valerie Seufert, and Mayor Austin Carew. Also present was Township Attorney Michael Witt. Township Manager Melinda Carlton was absent.

**EXECUTIVE SESSION**

At 6:10 p.m. Council Member Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Carson with all members voting in favor.

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

**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. Real Estate / Contract – Offer of Open Space Lands
4. This resolution shall take effect immediately.

The Township Council entered into Executive Session at 6:17 p.m.

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The meeting was reopened to the public at 7:11p.m. Present were Council Members Richard Carson, Valerie Seufert, and Mayor Austin Carew. Also present was Township Attorney Michael Witt.

Township Clerk Robin Kline read the following letter of resignation from Council Member Glenn McLaughlin, which was filed and received in the Clerk's Office on May 5, 2009:

Dear Mayor Carew and Ms. Carlton:

I wish to confirm that I have resigned from my position as Deputy Mayor and Council Member of Vernon Township as of 3:30 p.m. on April 8, 2009 due to family obligations. I want to thank everyone who supported me during my tenure on the Township Council and wish the remaining Council Members, Ms. Carlton and the Vernon Township staff continued success during these tough economic times.

Very truly yours,  
Glenn M. McLaughlin

## **SALUTE TO THE FLAG**

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

## **PUBLIC COMMENTS**

Mayor Carew opened the meeting for Public Comment.

*Sally Rinker, Vernon Township resident and business owner*, distributed her prepared statement to the Council regarding Council Member Glenn McLaughlin's resignation and stated she would like to read her prepared statement into the record.

Mayor Austin Carew – I've come here tonight because I need to address a very disturbing situation. There has been much confusion surrounding the resignation of Deputy Mayor Glenn McLaughlin. When did Councilman McLaughlin resign? By obtaining factual information and speaking with Glenn McLaughlin, the confusion has given way to revealing a possible purposeful manipulation of election outcomes and filling a vacant Council seat. On April 8, 2009, Deputy Mayor Glenn McLaughlin resigned! An E-mail sent to Michael Witt, our Attorney, Melinda Carlton, our Manager and yourself, our Mayor, also addressing the Town Council, (see copy) was a statement of immediate resignation. We, the public, were led to believe Glenn McLaughlin had not yet resigned because you did not copy our Clerk, Robin Kline, nor announce the resignation publicly. Our Clerk, the keeper of all records and secretary to the Council, should have been copied immediately. The remaining Councilpersons, Rich Carson, Valerie Seufert and Gary Grey should have been copied immediately as the April 8, 2009 resignation was addressed to them. Censorship of information to select members of our Council is not only unethical, but due to the serious nature of this information and the timing thereof, I feel this arises to a higher level of wrong doing. The fact that we have an Attorney and Manager, both on our payroll, participating in the disconnect of information to our Clerk and the public, is deeply troubling. Our previous Township Attorney, on numerous occasions, made it very clear that all information addressed to the Council goes directly to the Clerk by statute! We had several important and controversial issues voted on by this Council after the resignation of Deputy Mayor Glenn McLaughlin, with no attempt to fill his vacated seat. We the public were disadvantaged by not having a fully seated Council. I now call into question each and every decision made or resolutions and ordinances passed from that time to now. Upon speaking with our County Clerk, Erma Gormley, she stated to me that a notice of resignation should have immediately been given to our Clerk. Why would our Mayor, Attorney and Manager neglect to inform our Clerk and remaining Councilpersons of Mr. McLaughlin's definitive resignation? I spoke to Deputy Mayor McLaughlin on May 4, 2009. He told me he resigned on April 8, 2009. He also told me he was asked to wait until after April 6, 2009 to resign. Apparently, he obliged on April 8, 2009. When I made it clear to Mr. McLaughlin that no one knew he resigned, he immediately sent a letter the next day, reiterating the April 8, 2009 notice of resignation! At this same time, we, the public were told the May 14, 2009 Council meeting, for tonight was cancelled. The reason given was there were no important issues. It was then that I pressed you, Mayor Carew, to re-instate this meeting. There is nothing more important than recognizing a resignation and continuing the required process. This is so upsetting to me, a candidate running fairly and earnestly towards the June 2<sup>nd</sup> primary, to have it appear that someone or some group of people were manipulating the outcome of this election. There could have been a third seat on the primary ballot. It appears that you are attempting to take the vote away from the people. I was told by Mr. McLaughlin that certain persons wanted him to wait even longer to resign as this would push the time even closer to the primary election. It appears that a motive would be to put a primary loser into a Council seat. I believe my call to Mr. McLaughlin, telling him that our Clerk and several Councilpersons did not know he resigned, prompted him to send the May 5, 2009 letter reconfirming his resignation as of April 8, 2009. These kinds of things may have occurred in the past in Vernon, but I am here to say, I will not stand for it! The people of Vernon deserve to vote for their elected officials and not have the process manipulated by anyone!

*Gary Martinsen, Vernon resident*, commented that if the Mayor, Manager and Attorney received Mr. McLaughlin's resignation via email, the manner and fashion, in which they chose to handle Mr. Laughlin's resignation, and replacement of his vacant Council seat, was a travesty.

*Bruce Zaretsky, Vernon businessman*, requested that the Township Council consider recognizing the recent retirement of Dr. Joseph DeLuca, founder of Vernon Urgent

Care, for his extraordinary achievements and medical services provided to the Vernon community.

*Thomas McClachrie, Vernon Taxpayer's Association*, commented that the 2009 municipal budget increased 14% over last year and since 2007, property taxes have been raised nearly 28% without any increases in services. Mr. McClachrie commented that the Township Council cannot keep increasing taxes upon property owners year after year.

*Jesse Paladini, Sunset Ridge*, commented on statements given by Sally Rinker regarding the timing of Mr. McLaughlin's resignation weeks before the Primary Election and questioned why the Township Clerk did not receive the April 8<sup>th</sup> resignation letter. Ms. Paladini further questioned why the Mayor, Manager or Attorney did not forward the resignation April 8<sup>th</sup> resignation to the Township Clerk. Ms. Paladini then inquired about the practice and process followed by the Township Council with respect to the resignation of Council Member Richard Carson before Mr. Carson rescinded the resignation.

*Vic Marotta, Vernon resident*, inquired about the Township Manager's absence tonight and stated his disapproval of the Township's negotiation and settlement of the Police Benevolent Association's arbitration, which he commented resulted in a higher settlement than was requested by the officers. Mr. Marotta expressed concern with the timing and handling of Mr. McLaughlin's resignation from the Township Council and commented that the time to appoint a replacement for the vacant Council seat has expired. If a successor to Mr. McLaughlin's Council seat is made, Mr. Marotta stated he will file a lawsuit against the Township alleging unethical and illegal practices.

*Bruce Zaretsky, Vernon businessman*, questioned when the four-day work week cost saving analysis report would be completed and asked if the report would be made available to the public. Mr. Zaretsky suggested that an independent review and cost analysis should be undertaken to ensure an impartial and unbiased approach and determination.

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

Council Member Carson commented on the information and questions proffered by Ms. Rinker, Ms. Paladini, and Mr. Marotta and cautioned everyone that regarding their accusations arising from Mr. McLaughlin's resignation from the Township Council, individuals are deemed innocent until proven guilty. More facts must be presented and critically analyzed before conclusions can be made. Council Member Carson also commented that until he received a copy of Mr. McLaughlin's May 5, 2009 resignation, he was only aware of the information presented by the Township Attorney during a Council meeting held the third week in April. Mr. Witt called for attorney-client privilege concerning this matter and advised the Township Council that a single Council Member cannot waive the attorney-client privilege. Mr. Witt suggested the Council convene in Executive Session if they wish to further discuss this matter. Attorney Witt then requested an Executive Session later in the evening to further discuss this matter.

### **APPROVAL OF MINUTES**

Council Member Richard Carson made a motion to approve the April 13, 2009 and April 23, 2009 Township Council Special, Regular and Executive Session Meeting Minutes presented for approval. Seconded by Council Member Valerie Seufert.

April 13, 2009 Special, Regular, and Executive Session Minutes  
April 23, 2009 Special, Regular, and Executive Session Minutes

Council Member Richard Carson amended his motion to approve the April 13, 2009 and April 23, 2009 Township Council Special Session Meeting Minutes, and to table the April 13, 2009 and the April 23, 2009 Township Council Executive Session Meeting Minutes presented for approval. Seconded by Council Member Valerie Seufert.

A roll call vote was taken:

AYES: Richard Carson, Valerie Seufert, Austin Carew  
NAYES: None

Richard Carson ABSTAINED from voting on the April 23, 2009 Regular Meeting Minutes. The Executive Session Minutes were tabled.

## **RESOLUTIONS REQUIRING SEPARATE ACTION**

### **RESOLUTION #09-78**

#### **RESOLUTION TO ENDORSE THE VERNON TOWNSHIP HISTORICAL SOCIETY'S APPLICATION FOR A GRANT FROM THE NEW JERSEY HISTORIC TRUST**

**WHEREAS**, the Vernon Township Historical Society (the "VTHS") was created to foster, encourage, and promote activities relating to the history of Vernon Township and to engage in educational activities, among other goals; and

**WHEREAS**, the VTHS is submitting an application to the New Jersey Historic Trust for a matching Garden State Historic Preservation Trust Fund Historic Site Management Grant in the amount of \$25,000. The grant funds would be used for the purpose of developing and implementing a site management plan and erecting interpretive signage for the Black Creek Site, which site is listed on both the New Jersey and National Historic Registers and is located in Vernon Township; and

**WHEREAS**, the New Jersey Historic Trust requires the endorsement of the local governing body on the grant application; and

**WHEREAS**, the funds to be provided for the matching portion of the grant will be provided by the VTHS, and no contribution of Township funds are required for the grant; and

**WHEREAS**, the Township Council wishes to express its support of the VTHS in its mission to preserve and protect the Black Creek Site by endorsing the attached grant application.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Vernon, County of Sussex, State of New Jersey, that the Mayor and Clerk are hereby authorized to endorse the application of the Vernon Township Historical Society for a \$25,000 matching grant from the New Jersey Historic Trust, which grant funds shall be used for the purpose of developing and implementing a site management plan and erecting interpretive signage for the Black Creek Site in Vernon, New Jersey.

Council Member Richard Carson moved to approve Resolution #09-78, seconded by Council Member Valerie Seufert.

Mayor Carew invited Ms. Paladini to comment on the scope of the 2009 New Jersey Historic Trust Grant Application that is being submitted by the Vernon Township Historical Society.

*Jesse Paladini, Sunset Ridge*, commented that the \$25,000 grant will be used to hire an archeologist to develop a management plan for the preservation of the Black Creek Lenni Lenape Indian site, which is now part of Waywaywanda State Park. The grant funding will also be used to develop public awareness and interpretive programs that will teach individuals about the spiritual significance of the site and learn about the thousands of artifacts uncovered at the Black Creek through an outdoor classroom experience. Ms. Paladini thanked the Governing Body for their endorsement of this grant.

Each Member of the Township Council thanked Ms. Paladini for her efforts and applauded the grant project.

A roll call vote was taken:

AYES: Richard Carson, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-78 was approved.

## RESOLUTION #09-79

### 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 the minutes from Executive Sessions of public Township Council meetings: April 13, 2009 and April 23, 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.

Due to lack of quorum for the approval of the Executive Session Minutes, Council Member Valerie Seufert moved to table Resolution #09-78 to the May 28, 2009 Council Meeting. Seconded by Council Member Richard Carson.

A roll call vote was taken:

AYES: Richard Carson, Valerie Seufert, Austin Carew

NAYES: None

Resolution #09-79 was tabled to the May 28, 2009 Council Meeting.

### **COUNCIL BUSINESS**

Council Member Richard Carson reported that he met with the Township Manager and Police Chief regarding the formation of a Vernon Township Citizen's Emergency Response Team (C.E.R.T.) and encouraged the residents to participate in the Township's C.E.R.T. program.

Council Member Seufert reported that she attended the Sussex County League of Municipalities meeting with the Township Clerk on April 13<sup>th</sup>. The importance of recycling and budgetary impacts to local and county governments was discussed at length.

Council Member Seufert reported that she recently read that the courts ruled that local sex offender ordinances were found to be unconstitutional and pointed out that Vernon Township repealed its sex offender ordinance last year.

Mayor Austin Carew informed the Council and public that Vernon Township has satisfied all requirements to Module I of the Highlands Council Plan Conformance.

The Mayor reported that the annual Report of Uncollected Taxes showed a 100% tax collection rate and complimented the Tax Collection Department.

The United States Marine Corps "Toys for Tots" Program recognized Vernon Township for its generous participation in 2008.

Mayor Austin Carew reported the Land Use Board approved the Northwoods Redevelopment Plan at their recent Land Use Board meeting. The Northwoods Redevelopment Plan will be presented to the Township Council for their review in the coming weeks.

Mayor Carew commented that the Great Gorge Condo Association sent a letter to the Township Council requesting assistance with respect to the maintenance and operation of their water system.

Lastly, Mayor Carew reported that the Township received an inquiry from a property owner who is interested in donating their parcel of land to Vernon Township. The Township Clerk confirmed that she sent a written response to the property owner acknowledging Vernon Township's interest.

At 8:06 p.m. Council Member Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Carson with all members voting in favor.

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

**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 is:
  - a. Potential Litigation/Attorney–Client Privileged matter regarding the resignation of Glenn McLaughlin. No anticipated time for release of these Minutes.
4. This resolution shall take effect immediately.

The Township Council entered into Executive Session at 8:06 p.m.

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The meeting was reopened to the public at 8:54 p.m. Present were Council Members Richard Carson, Valerie Seufert, and Mayor Austin Carew. Also present was 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 Seufert. Motion seconded by Council Member Carson with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:54 p.m.

Respectfully submitted,

*Robin R. Kline*

Robin R. Kline, MAS, RMC  
Municipal Clerk

Minutes approved: June 11, 2009