

TOWNSHIP OF VERNON

TOWNSHIP COUNCIL SPECIAL MEETING

June 24, 2009

The Special Meeting of the Township Council of the Township of Vernon was convened at 3:13 p.m. on Wednesday, June 24, 2009 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Austin Carew presiding.

STATEMENT OF COMPLIANCE

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7, adequate notice of this meeting was provided to the New Jersey Herald on June 19, 2009 and was posted on the bulletin board in the Municipal Center.

SALUTE TO THE FLAG

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

ROLL CALL OF MEMBERS

Present were Council Members Richard Carson, Gary Grey, Valerie Seufert, and Mayor Austin Carew. Also present was Township Manager Melinda Carlton. Council Member Paul Emilius arrived at approximately 5:00 p.m.

ITEMS FOR DISCUSSION

2009 Township Goals Implementation Plan

The Township's Municipal Department Heads were invited to attend this Special Meeting and participate in discussions with the Township Council.

Township Manager Melinda Carlton explained that the staff developed goals in January of 2009. In March, the Township Council met with staff to discuss these goals. The top three goals identified were "economic development", "financial accountability" and "strengthening the foundation." Within the goal "strengthening the foundation," the Township Manager ranked fiscal procedures and Police Department protocols as high priorities and also commented that revisions to the Township's Personnel Policies and Procedures must also be addressed because they would help prevent lawsuits and other personnel-related issues. The Township Manger also reported that a records management system needs to be put in place for Township record-keeping.

Council Member Richard Carson questioned if the staffing is adequate to attend to the tasks presented in the 2009 Township Goals Implementation Plan.

Mayor Austin Carew noted certain tasks are very important to the future planning and development of the Township and prioritized the following projects: (i) Town Center Sewer System; (ii) the Town Center Water System; (iii) matters concerning the Council on Affordable Housing (COAH); (iv) updating the Master Plan; (v) updating the Township Codes and Ordinances; and (vi) updating Property Maintenance Codes.

Council Member Seufert further commented that state mandates and COAH are putting much pressure on the Township to complete the Town Center designation criteria.

The Township Council agreed that the Town Center Sewer and Water System are number one priorities. Mayor Carew suggested that the Township retain a hydrologist to work on the water issue.

Council Member Gary Grey commented that developing standard operating procedures is important for the consistent and efficient operation of municipal departments.

The Township Council reviewed each goal presented in the 2009 Township Goals Implementation Plan and identified those tasks to be accomplished this year.

Goal: Economic Development

The Township Council reviewed those tasks outlined in the 2009 Township Goals Implementation Plan for economic development and prioritized the following tasks to be completed:

1. Plan Endorsement
2. Town Center Water and Sewer System
3. COAH
4. Township Master Plan update.
5. Sign Ordinance revisions
6. Vernon Day/EarthFest

Lou Kneip indicted that the Land Use Board is charged with working on the Master Plan updates. Council Member Valerie Seufert urged Mr. Kneip to work with the Land Use Board to use meetings for Master Plan updates. Ms. Seufert also suggested using time freed up by cancelled meetings as work sessions for the Township’s Master Plan. Mr. Kneip was asked to explore grant funding through the New Jersey Office of Smart Growth for work to be performed in updating the Township’s Master Plan.

The Township Council agreed to have the Township Manager finalize the prioritization of the remaining tasks. Township Manager Melinda Carlton reminded the Council that staff is more overwhelmed with work now than in the past one and a half years since she became Manager. Mayor Austin Carew pointed out that needs must be distinguished from wants.

Goal: Financial Accountability

The Township Council reviewed those tasks outlined in the 2009 Township Goals Implementation Plan for financial accountability and prioritized the following tasks to be completed:

1. Hiring of a full-time Chief Financial Officer
2. Completion of the Forensic Audit
3. 2010 Municipal Budget Work Sessions
4. Develop a Comprehensive Set of Fiscal Policies

The Township Manager stated the Interim CFO brought to her attention that several contracts are being awarded to the same vendor, which may be in violation of state law. There was discussion concerning competitive bidding requirements under the Local Public Contracts Law. Contracts may be awarded up to \$21,000 in the aggregate to any one vendor during a consecutive twelve-month period without competitive bidding. Once the \$21,000 threshold has been reached for a vendor, additional contracts can only be awarded by competitive bidding.

Township Manager Melinda Carlton commented that department performance measures will be reviewed and revised by each municipal department for the coming year. Council Member Richard Carson questioned if the staff is overly burdened by maintaining and tracking performance measures in addition to their daily work responsibilities.

Goal: Strengthening the Foundation

The Township Council reviewed the tasks outlined in the 2009 Township Goals Implementation Plan for “strengthening the foundation” and prioritized the following tasks to be completed:

1. Hiring of an Assistant Manager
2. Codification of Township Ordinances
3. Update Personnel Policies

The Township Manager advised that interviews are scheduled for the Assistant Manager position. The anticipated hire date is targeted for September 1st. There was also discussion regarding the need and importance to codify the Township Ordinances and review the codes for conflicts with state and local laws.

Mayor Austin Carew questioned if a Receptionist position could be added and asked if job descriptions can be prepared for all Township employees.

Pennie Roland, Director of Personnel stated there is a need for staff training and suggested the development and implementation of an internship program to help offset much of the work put aside by staff due to heavy workloads. Currently the Township has partnered with a workforce development group that has placed an individual to help answer phone calls in the Animal Control office and has placed two part-time students as seasonal help to maintain the Township parks.

The Township Council expressed their appreciation to the Department Heads for their hard work and efforts and stated that the Township has a responsibility to provide the necessary resources for its employees to complete the tasks within the 2009 Township Goals Implementation Plan. The Council stated they look forward to working together with the Township employees in accomplishing the goals.

Completion of Town Center and Sewer System

Mr. Louis Kneip was asked to brief the Township Council on the “To Do List” regarding the Completion of the Town Center and Sewer System.

Mr. Kneip advised there were three meetings held with United Water to discuss ownership, transmission fees and franchise expansion issues regarding sewers. Mountain Creek and Vernon Township do not pay sewer connection fees under the terms of the agreement. Lou Kneip recommended that United Water continue ownership of the sewer line.

Transmission fees are an important issue which Vernon Township must address as soon as possible. The Sussex County Municipal Utilities Authority will begin to charge Vernon Township as a customer upon operation of the sewer plant and facility in May of 2010. Questions arose as to why Vernon Township would not be a customer of United Water.

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Council Member Carson left the Special Meeting at 5:00 p.m. Council Member Paul Emelius arrived at 5:00 p.m.

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Lou Kneip further recommended scheduling a meeting with the Sussex County Municipal Utilities Authority (SCMUA), United Water and Vernon Township to discuss the Developer’s Agreement from United Water and suggested that two members of the Township Council should attend the meetings. He advised that the next is scheduled for July 15th at 10:00 a.m. The Township Council agreed that Mountain Creek representatives should also attend the July 15th meeting and asked Lou Kneip to convey this to United Water and SCMUA. The Council agreed that Vernon Township must continue to act as the facilitator to keep this matter moving forward. It was noted that Treatment Works Application (“TWA”) approvals will not be signed off by United Water until a Developer’s Agreement is completed.

The second task for completion consists of a review agreement that should be prepared with United Water for the Town Center franchise expansion. Attorney Mike Witt is coordinating the meetings with United Water.

The third task for completion is to prepare a sewer service area map. Township Surveyor John Hanlon has completed all mapping. Next, SCMUA and United Water must endorse the mapping that is in compliance with the Wastewater Treatment Plan. Following United Water’s endorsement, Vernon Township must approve a Sewer Service Area Map by resolution with an anticipated date of July 2009.

SCMUA has prepared a conceptual metering plan which is being reviewed by United Water. United Water must endorse Vernon’s sewer metering plan. Upon United Water’s endorsement, United Water will take the lead to obtain approval from the Board

of Public Utilities (“BPU”) for the sewer service franchise area expansion. The Township Council expressed concern that BPU approval may take several months and suggested the Township assume the lead position in obtaining BPU approval. Lou Kneip estimated a six month timeframe for BPU approval.

Mr. Kneip stated that Mountain Creek is obligated to construct Pump Station #1 to replace the existing under-sized pump station on Sand Hill Road. Without the upgraded pump station, the Town Center gallonage may not be able to be accommodated. The pump station construction can begin after the New Jersey Department of Environmental Protection approves the Treatment Works Application and issues a permit. If all goes well, the target date for construction is March or April 2010.

The Council reiterated the importance of an executed Developer’s Agreement and agreed that the financial impact to Vernon Township must be fully identified.

Council Member Valerie Seufert asked that copies of the Evergreen Bond or Letters of Credit for the Mountain Creek sewer project to the Council Members for review at the June 25th Council Meeting. Questions arose regarding what rights the Township has should Mountain Creek or United Water not perform their obligation under the Developer’s Agreement.

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Melinda Carlton left the meeting at 5:50 p.m. Robert Benecke arrived at 5:55 p.m.

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Lou Kneip noted that the last step in the process is for the Township to adopt a Sewer Ordinance.

The Township Council questioned if Mr. Benecke has reviewed the Mountain Creek Bonds. Mr. Benecke responded that he believes the Bonds are posted with SCMUA.

Mr. Benecke also conveyed to the Council that Mountain Creek has represented that they have the funds for the missing sewer line section and pump station replacement and can readily pay.

Mayor Carew asked that this discussion be tabled to the June 25th Council Meeting.

PUBLIC COMMENTS

Mayor Carew opened the meeting for Public Comment.

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

ADJOURNMENT

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

The Special Meeting of the Township Council of the Township of Vernon was adjourned at 6:12 p.m.

Respectfully submitted,

Robin R. Kline

Robin R. Kline, MAS, RMC
Municipal Clerk

Minutes approved: August 13, 2009