

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

**January 28, 2010**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:11 p.m. on Thursday, January 28, 2010 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Sally Rinker presiding.

**STATEMENT OF COMPLIANCE**

Adequate notice of this meeting had been provided to the public and the press on January 5, 2010, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6.

**ROLL CALL OF MEMBERS**

Present were Council Members Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, and Mayor Sally Rinker. Also present were Acting Township Manager and Municipal Clerk Robin Kline and Township Attorney John Ursin.

**RESOLUTION TO GO INTO EXECUTIVE SESSION**

At 6:12 p.m. Mayor Sally Rinker asked for a motion to go into Executive Session Council Member Harry Shortway 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 are:
  - a. Personnel Matter regarding Officer Hering's retirement. Release of Executive Session Minutes will be upon conclusion or settlement of this matter.
  - b. Litigation matter regarding Marotta vs. Vernon. Release of Executive Session Minutes will be upon conclusion or settlement of this matter.
  - c. Contract matter regarding Bruno & Associates Grant Writer contract. Release of Executive Session Minutes will be upon conclusion or settlement of this matter.
  - d. Potential litigation concerning the McDermott property parking lot. Release of Executive Session Minutes will be upon conclusion or settlement of this matter.
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.

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The meeting was reopened to the public at 7:08 p.m. Present were Council Members Richard Carson, Valerie Seufert, Michael Pier, Harry Shortway and Mayor Sally Rinker. Also present were Acting Township Manager and Municipal Clerk Robin Kline and Township Attorney John Ursin.

### **SALUTE TO THE FLAG**

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

### **PROCLAMATIONS**

#### **Eagle Scout Award – Eric Rebisz**

Council Member Harry Shortway read a Proclamation honoring Eric Rebisz upon completion of his Eagle Scout award.

#### **Years of Service Recognition, Township Employee Nancy Gulden**

Mayor Rinker presented a Proclamation to Nancy Gulden for her 22 years of service as an employee of Vernon Township.

### **PRESENTATIONS**

#### **“Review of the Town Center – DPW Site RFQ/SOI”, Robert Benecke, Benecke Economics**

Mr. Robert Benecke reported that a Request for Qualifications was sent to the development community for redevelopment of the Township’s DPW property. There previously was a reluctance to respond because of a lack of utilities, but two responses were received this year. Mr. Benecke suggested reissuing the RFQ’s.

#### **Mountain Creek Redevelopment Plan**

The redevelopment plans, their ordinances and adoption dates are available for review online. The Mountain Creek Redevelopment Plan was rushed through by the previous Council in advance of a General Development Plan. In July 2009 it was found that a ribbon was not placed on the agreements. Mountain Creek recognized that Vernon Township had to go through United Water to implement the Town Center sewer service. Mr. Benecke provided a spreadsheet showing the capacity analysis of the Town Center and the Mountain Creek build-out. The Town Center has an existing capacity of approximately 66,600 gallons if everyone connects.

Mountain Creek has a \$492,000.00 obligation and Vernon Township has a \$266,000.00 obligation through the tariff system of United Water. Upon hooking up the laterals, the Township receives \$52,000.00.

#### **Vernon Township Energy Audit Report – Steven Winters Associates, Inc.**

Mr. Don Kasper of Steven Winter Associates, Inc., presented an overview of the Energy Audit Report. Mr. Kasper reviewed the Energy Audit’s recommendations and advised of financing incentives.

The Council thanked Mr. Kasper for his informative report.

#### **Scenic By-way Presentation – Dennis Miranda, Environmental Commission**

Dennis Miranda, Chairperson of the Environmental Commission, commented that Vernon Township has wonderful potential for eco-tourism. Mr. Miranda presented a Power Point presentation of Vernon Township recommending Route 515 and Route 94 be recognized as Scenic By-ways.

### **PUBLIC COMMENTS**

Mayor Rinker opened the meeting for Public Comment.

*Sam Lewin, Beautification Committee*, commented that the Beautification Committee is eager to work with the Township, but needs the support of the Council through funding and ordinances.

*Gary Martinsen, Vernon resident and business owner*, suggested that the Township should explore the possibility of purchasing the document scanner through the Public Archives and Records Infrastructure Support Grants (P.A.R.I.S.) Program.

Mr. Martinsen also suggested that the Council should put sewer projects and other capital projects to referendum.

*Jessi Paladini, [REDACTED]* suggested enforcing ordinances for the Town Center, especially regarding signs to beautify the Township. Ms. Paladini stated that the Vernon Taxpayer's Association applauds the actions of the Council and Acting Manager are taking, and agreed that the Township should stop unnecessary spending. The Historical Society would partner with the Environmental Committee regarding the Scenic Byway Program. Ms. Paladini also reported that the Historical Society is the recipient of a \$25,000.00 State Grant for interpretation of the Black Creek site.

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

## **MANAGER'S REPORT**

### **Press Package**

Acting Township Manager and Municipal Clerk Robin Kline reported that the Township will be distributing a press package to members of the press for the Council Meetings.

### **Finance**

The Township is diligently working on the 2010 budget. Mr. Zuckerman reported that the 2009 Annual Audit has been started and the Annual Debt Statement has been filed with the State. (The budget has been difficult due to several mandated increases.)

Acting Manager and Municipal Clerk Robin Kline recognized Ann Izzo and the Tax Department for their hard work and diligence in collecting taxes.

Last year the Auditor pointed out that there are insufficient controls in the Finance Department. All employees who have a financial function will be placed collectively under one roof in the Finance department under the supervision of Mr. Zuckerman.

### **Dog Park Update**

Mr. Kneip reported on the site plan for the D.O.G.S. Dog Park property. The location for an entrance to the dog park was not approved by the County Planning Board. The group is working with the County regarding approval of an entrance. Mr. Kneip will report on the amount of time spent to date and what may be necessary to continue the project.

### **Police Staffing**

Acting Manager and Municipal Clerk Robin Kline distributed a report from the Chief of Police recommending police promotions.

### **Department of Community Affairs**

The Department of Community Affairs is being restructured and Pat Seger will be directly responsible for website management. Ms. Seger will also take on the role of the Shared Services Coordinator for Vernon Township.

### **2010 Census**

Acting Township Manager and Municipal Clerk Robin Kline would like to offer office space in the Municipal Building for U.S. Census workers.

### **HVAC System**

Johnson Controls will be in tomorrow, January 29, 2010, to evaluate the mechanical system for the Heating Ventilation Air Conditioning system in the Municipal Building.

**Manager's Office**

Ms. Kline recognized Irene Mills, Administrative Assistant, in the Manager's Office for her excellent work.

**Installation Dinner**

The Highland Lakes Fire Department Company #1 will be holding their Annual Installation Dinner Saturday, February 6, 2010.

**Special Olympics at Mountain Creek**

The Special Olympics will be coming to Vernon Township an Open Reception is scheduled for Monday, February 1, 2010.

Acting Township Manager and Municipal Clerk Robin Kline recognized Angie Bates, Deputy Clerk, for her good work.

**ATTORNEY REPORT**

Mr. Ursin reported on the Sewer Workshop held earlier at 4:00 p.m. Sewer contract negotiation issues were discussed during executive session.

The document scanner matter is under attorney review; Mr. Ursin recommended the Council table Resolution #10-18.

The Township Attorney stated there is a resolution before the Council tonight to cancel the Grant Writer's contract (Bruno Associates, Inc.) which is costing the Township about \$4,000.00 a month. Mr. Ursin reviewed the contract and deemed it eligible to be terminated.

Mr. Ursin advised the Council he spoke with the Sussex County Municipal Utilities Authority (S.C.M.U.A.) Attorneys today, who indicated there is ongoing litigation concerning the sale of allocation in one of the sewer pipes between a development group in Town and S.C.M.U.A. The Attorneys for S.C.U.M.A. advised they are taking the position the Township is responsible for indemnifying S.C.U.M.A. for legal bills of over \$200,000.00. Since Mr. Ursin was not familiar with this matter, he will follow up and review all the information and analyze it.

**APPROVAL OF MINUTES**

January 1, 2010 Reorganization Meeting

Council Member Valerie Seufert made a motion to approve the following minutes presented for approval, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

**RESOLUTIONS REQUIRING SEPARATE ACTION**

**RESOLUTION #10-18**

AUTHORIZING THE USE OF THE NEW JERSEY STATE CONTRACT PROGRAM, CONTRACT #67176, FOR THE PURCHASE OF A DOCUMENT SCANNER, IN THE AMOUNT OF \$8,647.23 FOR USE IN THE MUNICIPAL CENTER FOR THE PURPOSE OF RECORDS RETENTION

**WHEREAS**, the Township of Vernon has a need to purchase a Document Scanner for use by all Township Departments for the purpose of records retention; and

**WHEREAS**, the Township of Vernon is a member of the State of New Jersey's Cooperative Purchasing Program; and

**WHEREAS**, prices were received through competitive bidding from the said program and the Purchasing Agent has reviewed the cooperative prices, and determined it would be cost effective to use the Cooperative Pricing Program in lieu of public bidding by private contractors; and

**WHEREAS**, the Township Manager and Purchasing Agent recommends that the Township Council pass this resolution authorizing use of the Cooperative Program for the purchase of this Document Scanner; and

**WHEREAS**, the cost estimate for the purchase is \$8,647.23; and the vendor for the Cooperative Program for this purchase is CDW Government, Vernon Hills, IL; and

**WHEREAS**, the Chief Financial Officer of the Township of Vernon, has determined and certified the funds for this purchase in account # 101219 - 2008 Payable Expenses.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon that the New Jersey State Cooperative Purchasing Program be utilized to purchase a Document Scanner and that it will be purchased from CDW Government, in the amount of \$8,647.23 for the purpose of records retention by all Township Departments and that the Mayor and Clerk are authorized to execute such documents as are required to effectuate this purpose; and

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

Resolution #10-18 was tabled.

#### **RESOLUTION #10-20**

AUTHORIZING A MAINTENANCE AGREEMENT WITH CAPTURE POINT.COM  
(E-WEBSITE, INC.), FROM DECEMBER 2009 TO DECEMBER 2010  
IN THE AMOUNT NOT TO EXCEED \$2,997.00

**WHEREAS**, there exists a need for continuing a maintenance service for the online computer web based program that has an existing contract for the Township of Vernon for the Department of Community Affairs for online recreation program registering and credit card payment processing; and

**WHEREAS**, the Director of Community Affairs obtained quotes for this computer program in 2008 when a contract was signed; and

**WHEREAS**, the Director of Community Affairs has reviewed the prices and determined it would be cost effective for the Township to continue with the program maintenance; and

**WHEREAS**, the cost estimate for the maintenance is \$2,997.00; and

**WHEREAS**, the vendor is CapturePoint.com (E-Website, Inc.); and

**WHEREAS**, the Chief Financial Officer of the Township of Vernon, has determined and certified the funds of this agreement; and

**NOW THEREFORE BE IT RESOLVED**, the 28th day of January, 2010 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 CapturePoint.com (E-Website, Inc.), for the purpose of online recreation program registration and credit card processing and maintenance; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with CapturePoint.com (E-Website, Inc.)

Council Member Valerie Seufert moved to approve Resolution #10-20, seconded by Council Member Richard Carson.

Attorney Ursin explained that this is not a service that could easily be shared with any outside group because it is linked to the financial functions of the municipality. Additional uses would require additional licenses.

Pat Seger, Director of Community Affairs, commented a substantial amount of work is necessary to register residents, write receipts, and type the class listings. Ms. Seger commented that if all sports and recreation organizations join this service there would be a consolidation of the large amount of information.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-20 was approved.

### **RESOLUTION #10-28**

AUTHORIZING THE USE OF SUSSEX COUNTY COOPERATIVE PRICING COUNCIL FOR PURCHASE OF ROAD SALT, IN THE AMOUNT OF \$62,000.00 TO BE USED BY VERNON TOWNSHIP DEPARTMENT OF PUBLIC WORKS FOR TOWNSHIP ROAD MAINTENANCE

**WHEREAS**, the Township of Vernon has a need to purchase Road Salt to be used by the Department of Public Works for Township road maintenance; and

**WHEREAS**, Vernon Township is a member of the Sussex County Cooperative Pricing Council; and

**WHEREAS**, the Sussex County Co-op has publicly received bids for Road Salt and the Sussex County Co-op traditionally receives greater bidder interest and therefore usually lower prices than the Township of Vernon can receive on its own; and

**WHEREAS**, the Director of Public Works recommends that the Township Council award the contract for the Salt using the Sussex County Co-op to Atlantic Salt, Inc. Lowell MA, at a price of \$62.00 /ton; and

**WHEREAS**, the total cost for the purchase of the Salt will not exceed \$62,000.00; and

**WHEREAS**, the Chief Financial Officer of the Township of Vernon, has certified the funds in the amount of \$62,000.00 in Account# 10576561 subject to the approval of the 2010 Municipal Budget.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Vernon, that the vendors Atlantic Salt, Inc. be utilized to purchase Road Salt, and that it will be purchased from Atlantic Salt, Inc. in accordance with the attached estimates in the amount not to exceed \$62,000.00.

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

Council Member Valerie Seufert moved to approve Resolution #10-28, seconded by Council Member Harry Shortway.

Council Member Valerie Seufert questioned the two quotes received and the large discrepancy between the two.

Acting Manager and Municipal Clerk Robin Kline explained that one quote is for the grit component and the other is the salt component.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-28 was approved.

**RESOLUTION # 10-29**

AUTHORIZING THE APPROVAL OF BILLS LIST

**BE IT RESOLVED** that the following bills listed are hereby approved:

Disbursement Journal	Fund	Amount	Major Vendor
#1	Current	\$ 247,645.75	Pmt Bond
#2	Current	\$ 1,634,008.50	Vernon BOE
#3	Current	\$ 1,000.00	
#4	Current	\$ 40,039.17	
#5	Current	\$ 656,471.75	Vernon BOE
#6	Current	\$ 547.09	
#7	Grant	\$ 18,591.55	
#8	Grant	\$ 2,040.50	
#9	Capital	\$ 15,677,155.15	Pmt BAN
#10	Capital	\$ 695.00	
#11	Planning & Zoning	\$ 705.00	
#12	Sewer Operating	\$ 364.24	
#13	PVL Dam Rehab	\$ 70,817.16	PVL Dam Loan
	Payroll	\$ 342,167.66	2 <sup>nd</sup> pay in Jan 2010
	<b>Total</b>	<b><u>\$ 18,692,248.52</u></b>	

Council Member Valerie Seufert moved to approve Resolution #10-29, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-29 was approved.

**RESOLUTION #10-30**

TAX OVERPAYMENT

**WHEREAS, DUPLICATE PAYMENTS** were made on the Fourth quarter 2009 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 account:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>QUARTER</u>	<u>LOCATION</u>
154.17	10	Kurdyla, David & Leigh	\$1,079.21	4 <sup>th</sup>	<span style="background-color: black; color: black;">[REDACTED]</span>

Council Member Valerie Seufert moved to approve Resolution #10-30, seconded by Council Member Ricahrd Carson.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-30 was approved.

**RESOLUTION #10-31**

**AWARD OF BID OFF-SITE MOTOR FUEL**

**WHEREAS**, the Municipal Clerk and the Director of Public Works accepted bids for Off-Site Motor Fuel on December 29, 2009 at 1:30 p.m.; and

**WHEREAS**, one bid was received; and

**WHEREAS**, the Township Attorney and the Director of Public Works have reviewed the bid submitted and have recommended the bid be awarded to Bob Baldwin Transportation, Inc. t/a Baldwin Fuel Oil, 5 Omega Drive, Vernon, NJ 07462.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon hereby awards the bid for "Off-Site Motor Fuel" to Bob Baldwin Transportation, Inc. for a total amount not to exceed \$200,000.00; and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has certified the availability of funds subject to the adoption of the 2010 Municipal Budget; and

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

This Resolution shall take effect immediately.

Council Member Richard Carson moved to approve Resolution #10-31, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

ABSTAIN: Valerie Seufert

Resolution #10-31 was approved.

**RESOLUTION #10-32**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON,  
COUNTY OF SUSSEX, STATE OF NEW JERSEY, AWARDING AN ADDITIONAL  
THREE-MONTH CONTRACT EXTENSION TO WIRED UP, LLC FOR TOWNSHIP  
COMPUTER TECHNICIAN SERVICES**

**WHEREAS**, the Township Council of the Township of Vernon presently has a contract with Wired Up, LLC, for computer technician services within the Township of Vernon; and

**WHEREAS**, said contract expired on December 31, 2009; and

**WHEREAS**, the Township had solicited Request for Qualifications for said services and received three (3) proposals; and

**WHEREAS**, the Township is in the process of reviewing said proposals, and the Administration is not yet in a position to make a recommendation for awarding a contract; and

**WHEREAS**, the Township is desirous of extending the existing contract with Wired Up, LLC for computer technician services within the Township of Vernon for an additional three-month period, to expire March 31, 2010; and

**WHEREAS**, Wired Up, LLC, has agreed to the extension under the same terms and conditions of its existing contract; and

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes the Township to enter into this type of an additional three-month contract extension due to its emergent nature, which could



ultimately affect the public health, safety and welfare of the citizens of the Township of Vernon; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for said three-month contract extension.

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

1. The Township Council hereby grants a three-month contract extension to Wired Up, LLC. to commence on January 1, 2010 and expire on March 31, 2010, based upon the same terms and conditions currently in effect in its contract with the Township, which expired December 31, 2009.
2. The Mayor and Township Clerk are hereby authorized and directed to execute any additional documents necessary to effectuate said three-month contract extension with Wired Up, LLC
3. This Resolution and any additional documents setting forth the terms and conditions of said three-month contract extension shall be made available for public inspection in the office of the Municipal Clerk.

Council Member Valerie Seufert moved to approve Resolution #10-32, seconded by Council Member Harry Shortway.

Acting Manager and Municipal Clerk Robin Kline reported that a lower cost is being negotiated for 2010.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-32 was approved.

### **RESOLUTION #10-33**

#### **AUTHORIZING THE AWARD OF A CONTRACT FOR 2010 BETWEEN THE TOWNSHIP OF VERNON AND SPATIAL DATA LOGIC FOR GEOLOGIC SOFTWARE SUPPORT IN THE AMOUNT OF \$6,500.00**

**WHEREAS**, there exists a need for Geologic Software Support for the Township of Vernon in the Planning & Zoning, Building, Engineering, Manager's, Fire Prevention's departments and the Assessor's Office; and

**WHEREAS**, the Township had previously invested in software from Spatial Data Logic, Somerset, NJ, which is currently being used in the above mentioned departments for permitting, licensing, electronic maintenance of all inspection reports and transmission of monthly activity reports directly to the Department of Community Affairs; and

**WHEREAS**, Technical Customer Support and Upgrades of this system are needed to operate efficiently in these departments and Spatial Data Logic is the sole provider of these maintenance services to Vernon Township's current system; and

**WHEREAS**, the cost estimate for the 2010 Technical Customer Support and upgrades to currently owned modules for the Township of Vernon is \$6,500; and

**WHEREAS**, the Chief Financial Officer of the Township of Vernon, has determined and certified the funds of this agreement subject to the adoption of the 2010 Municipal Budget.

**NOW THEREFORE BE IT RESOLVED**, the 28th day of January, 2010 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 Spatial Data Logic for the purpose of Technical Customer Support and Upgrades to currently owned modules.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with Spatial Data Logic, Somerset, NJ.

Council Member Richard Carson moved to approve Resolution #10-33, seconded by Council Member Harry Shortway.

Mr. Lou Kneip reported that this is a permanent tracking system of all Planning and Zoning applications.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-33 was approved.

### RESOLUTION #10-34

#### TRANSER RESOLUTION – 2009 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 2009; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Vernon that the following Transfer of Reserve Appropriations (2009 Municipal Budget) in accordance with N.J.S.A. 40A:4-59 and are hereby approved.

FROM:		TO:	
Executive S&W	\$30,000.00	Fire Prevention S&W	\$1,035.00
Finance S&W	\$14,000.00	Salary & Wage Adjustments	\$35,650.00
Tax S&W	\$67,000.00	Social Security O/E	\$315.00
Engineering S&W	\$30,520.00	Personnel S&W	\$2,300.00
Engineering O/E	\$27,000.00	Clerk S&W	\$2,015.00
		Assessment of Taxes S&W	\$165.00
		Building S&W	\$9,455.00
		Radio Communications S&W	\$3,905.00
		Court S&W	\$1,030.00
		Fleet S&W	\$5,690.00
		Seniors S&W	\$265.00
		Recreation S&W	\$375.00
		Animal Control S&W	\$1,195.00
		Legal O/E	\$78,125.00
		Municipal Service Act O/E	\$27,000.00
<b>TOTAL:</b>	<b>\$ 168,520.00</b>		<b>\$168,520.00</b>

Council Member Harry Shortway moved to approve Resolution #10-34, seconded by Council Member Valerie Seufert.

Acting Manager Robin Kline advised that a super majority vote is required for passage.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-34 was approved.

## RESOLUTION #10-35

### AWARD OF BID MUNICIPAL RECYCLING DEPOT CONTRACT

**WHEREAS**, the Municipal Clerk and the Director of Public Works accepted bids for the 2010 Municipal Recycling Depot Contract on Thursday November 19, 2009 at 1:30 p.m.; and

**WHEREAS**, two bids were received; and

**WHEREAS**, the Township Attorney and the Director of Public Works have reviewed the bids submitted and have recommended the bid be awarded to Grinnell Recycling, Inc. 482 Houses corner Road, Sparta, NJ 07871.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Vernon hereby awards the bid for the Municipal Recycling Depot Contract to Grinnell Recycling, Inc., for a total amount not to exceed \$87,000.00 for the term beginning February 1, 2010 to January 31, 2011; and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has certified the availability of funds subject to the adoption of the 2010 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 Harry Shortway moved to approve Resolution #10-35, seconded by Council Member Richard Carson.

Attorney John Ursin reviewed the bids and the Township is outside of the sixty day period where the contractor is required to hold their price. The contractor has agreed to extend that time period.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-35 was approved.

## RESOLUTION #10-36

PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE #1922-33-013-001 BRUCE D. ZARETSKY TO SMOKEY'S GLENWOOD GRILL LIMITED LIABILITY

**WHEREAS**, an application has been filed for a Person-to-Person and Place-to-Place transfer of Plenary Retail Consumption License Number 1922-33-013-001 heretofore issued to Bruce D. Zaretsky pursuant to N.J.S.A. 33:1-12.39 ("pocket license" not sited at a premises).

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the business license.

**NOW THEREFORE BE IT RESOLVED**, that the Vernon Township Council does hereby approve, effective January 15, 2010, the transfer of the aforesaid Plenary Retail Consumption License to Smokey's Glenwood Grill Limited Liability and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as

follows: "This license, subject to all its terms and conditions, is hereby transferred to Smokey's Glenwood Grill Limited Liability, effective January 15, 2010."

Council Member Valerie Seufert moved to approve Resolution #10-36, seconded by Council Member Harry Shortway.

Acting Manager and Municipal Clerk Robin Kline reported that Mr. Zaretsky is activating his pocket license and transferring it from his individual name to his corporate name.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

ABSTAIN: Valerie Seufert

Resolution #10-36 was approved.

### **RESOLUTION #10-37**

#### **RESOLUTION OF THE VERNON TOWNSHIP COUNCIL REGARDING THE PROFESSIONAL SERVICES CONTRACT WITH BRUNO ASSOCIATES, INC.**

**WHEREAS**, the Township of Vernon has a professional services contract with Bruno Associates, Inc. for grant writing services;

**WHEREAS**, the governing body desires to terminate the contract due to performance issues as well as budget issues;

**WHEREAS**, the contract contains a clause allowing the contract to be terminated by the governing body upon 48 hours notice to Bruno Associates, Inc.;

**NOW THEREFORE IT BE RESOLVED** by the governing body of the Township of Vernon that the professional services contract with Bruno Associates, Inc. is hereby terminated as of this date and this Resolution shall serve as the 48 hour notice of termination required by the contract;

**NOW THEREFORE IT BE FURTHER RESOLVED** by the Township of Vernon governing body that the Manager shall immediately forward a copy of this Resolution to Bruno Associates, Inc.

Council Member Valerie Seufert moved to approve Resolution #10-37, seconded by Council Member Richard Carson.

Attorney Ursin advised the Township wishes to terminate the contract for performance reasons and to save money.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-37 was approved.

### **RESOLUTION #10-38**

#### **AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS PURSUANT TO N.J.S.A. 40A:5-16**

**BE IT RESOLVED** by the Council of the Township of Vernon that the following Township Officials are hereby authorized to sign checks, withdrawal slips or other bank related items with two out of the five below listed principal signatures being required:

Mayor  
Township Manager  
Chief Financial Officer  
Township Clerk  
Deputy Township Clerk

**BE IT FURTHER RESOLVED** that signature cards with the signatures of the persons authorized to sign be on file at all banks that presently have Township accounts.

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

Council Member Valerie Seufert moved to approve Resolution #10-38, seconded by Council Member Harry Shortway.

Mr. Bill Zuckerman stated that the Chief Finance Officer signs all checks and then presents them to the Township Manager, with the Mayor serving as backup.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-38 was approved.

## FIRST READING ON PROPOSED ORDINANCES

### ORDINANCE #10-02

AN ORDINANCE FIXING THE SALARY OF PART-TIME ASSISTANT ANIMAL CONTROL OFFICER FOR ON-CALL TIME ONLY FOR THE YEARS OF 2008 AND 2009

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

Section 1. Pursuant to the provisions of N.J.S.A. 40A:9-165, the Township of Vernon shall pay the Administrative Group of its municipal employees for services rendered as shown below. Figures shown represent Weekly On-Call Salary Only for the following position:

	<u>2008</u>	<u>2009</u>
Assistant Animal Control Officer (Part Time)	\$137.93/wk	\$142.76/wk

Section 2. This Ordinance is passed for the purpose of paying retroactive pay for 2008 & 2009 to compensate for the salary increase.

Section 3. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall take effect after publication and passage according to law.

Mayor Sally Rinker read Ordinance #10-02 by title only.

Council Member Valerie Seufert made a motion to approve Ordinance #10-02 upon introduction, seconded by Council Member Harry Shortway.

There was no Council discussion.

Attorney John Ursin reported that this is retroactive pay due for this time period.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Ordinance #10-02 was approved as introduced. Public Hearing to be scheduled for February 25, 2010.

**COUNCIL BUSINESS**

Council Member Valerie Seufert commented about vegetative overgrowth at the S.C.M.U.A. Recharge Station in McAfee and stated that it was an eyesore. Louis Kneip reported a Landscaping Plan was received from S.C.M.U.A. and the Township sent back a number of comments. Council Member Valerie Seufert requested a copy of the Landscaping Plan.

Mayor Sally Rinker commented that the County has not fixed the retention basin on Route 515 in the Town Center.

Pat Seger further reported that the brick walkway has been repainted, the cement has been added, and dead trees were replaced, but the actual retention basin's lack of drainage has not been fixed.

Mayor Sally Rinker expressed the Council's appreciation to Acting Township Manager and Municipal Clerk Robin Kline and her dedication to the Township and taking on both roles as Acting Manager and Municipal Clerk.

**Appointment to the Economic Development Advisory Committee**

Council Member Valerie Seufert made a motion to approve the appointment of Edward Dunn to the Economic Development Advisory Committee, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

**ADJOURNMENT**

There being no further items of business to be conducted on the Regular Meeting agenda, a motion for Adjournment was made by Council Member Valerie Seufert. 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 9:50 p.m.

Respectfully submitted,

Andrea Bates  
Deputy Clerk

Minutes approved: March 11, 2010