

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

**June 10, 2010**

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:12 p.m. on Thursday, June 10, 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 Deputy Manager Brian Palaia, and Township Attorney John Ursin.

**RESOLUTION TO GO INTO EXECUTIVE SESSION**

At 6:14 p.m. Mayor Sally Rinker asked for a motion to go into Executive Session. Council Member Valerie Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Harry Shortway 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 updates on Police matters. Executive Session minutes will be released to the public upon the conclusion of this matter.
  - b. Personnel matter regarding additional personnel involving Fire Prevention. Executive Session minutes will be released to the public upon the conclusion of this matter.
  - c. Update on the Tax Appeal Litigation. Executive Session minutes will be released to the public upon the conclusion of this matter.
  - d. Legal matter regarding the Lake Conway dam. Executive Session minutes will be released to the public upon the conclusion of this matter.
  - e. Personnel matter regarding RFQ's for Engineer and Planner. Executive Session minutes will be released to the public upon the conclusion of this matter or upon the execution of an employment agreement.
  - f. Personnel matter regarding Department Head. Executive Session minutes will be released to the public upon the conclusion 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 6:14 p.m.

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The meeting was reopened to the public at 7:09 p.m. Present were Council Members Richard Carson, Michael Pier, Valerie Seufert, Harry Shortway, and Mayor Sally Rinker. Also present were Deputy Manager Brian Palaia, and Township Attorney John Ursin.

**SALUTE TO THE FLAG**

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

**PUBLIC HEARING OF 2010 MUNICIPAL BUDGET**

**RESOLUTION #10-136**

**A RESOLUTION TO READ THE 2010 MUNICIPAL BUDGET BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within the municipality and in the free county or regional library located within the municipality; and

**WHEREAS**, if there is no county or regional library located within the municipality, then it must be provided to the county or regional library of the county where the municipality is located; and

**WHEREAS**, the public officer delegated the responsibility for delivering copies to said libraries has completed a certification and forwarded same to the governing body attesting that such copies and deliveries were made and that copies have been made available by the Clerk to each person requesting same; and

**WHEREAS**, the conditions required by N.J.S.A. 40A:4-8 have been satisfied for the 2010 Municipal Budget by Township Officials.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of Vernon, New Jersey that the 2010 Municipal Budget shall be read by title only at the Public Hearing on June 10, 2010.

This Resolution shall take effect immediately upon adoption according to law

MOVED: Michael Pier  
SECONDED: Richard Carson

A roll call vote was taken:

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

NAYES: None

Resolution #10-136 was approved.

**Overview of 2010 Municipal Budget**

Deputy Manager, Brian Palaia asked Mr. Bob Benecke to present the 2010 Municipal Budget. The Township has held four or five work sessions to review the budget and to receive public input. The Budget was introduced May 13, 2010 and was filed with the State at that time. In addition, the State of New Jersey will be reviewing how Vernon

Township addressed the State Aid cut-backs, reducing staff, quality of shared services, timing of the budget, and the financial statements. For disclosure purposes there was a small overexpenditure of approximately \$30,000 in 2009 because of the transfer resolution that was done on January 4, 2009. Due to the lagging of taxes there was an operating deficit of \$160,000. There are no operating surplus funds within the township. The Township is asking the State for special consent for surplus in the amount of \$210,000 from non-cash surplus. The 2010 Municipal budget has been decreased by \$100,000. Included in the decrease is a \$780,000 reduction of State Aid, which is a 27.8% decrease, and an overall \$800,000 in lost revenue.

The Township will be dealing with 3 major cost increases. The first being the increase in Municipal Services Act Fund of \$300,000 where services are provided to Home Associations, Lake Associations, Condo Associations in lieu of municipal services directly provided. Approximately the Township has a \$280,000 increase in reserve for Uncollected Taxes. This amount is additionally acquired in the Municipal Budget to makeup for the lagging tax bills together with the projected increase in both the County and school budgets. The school levies are guaranteed 100% and the Township collects 96% from the levy.

Mr. Benecke stated compounding the issue, the voters approved a school budget, increasing the school tax levy approximately 4% or 2% in the 2010 budget.

At this time, Mr. Benecke discussed the outline of the Budget Summary Sheets as presented:

Total revenues and appropriations \$21,951,358.

Capital Improvement fund reduced to zero.

Municipal portion of the tax levy is 20%

Staffing reduced 29 positions from 2007 to 2010.

All budget information and detail is posted on the Township's web site.

There were no questions from the Council.

#### **Public Hearing – 2010 Municipal Budget.**

*Tom McClachrie, Vernon Taxpayers Association*, commented that the materials presented are very informative. Mr. McClachrie commented that the Township Council cannot cut operational expenses and cannot balance the budget on the backs of employees. All employees must give back and asked the Council to come up with a zero increase budget.

*Jody Curry, Glenwood*, welcomed Mayor Rinker and new Manager, Andrew Katz, and encouraged the Council to cut the budget and insisted on a 0% budget increase. Mrs. Curry read a letter from Marika Bezzone.

*Jessi Paladini, [REDACTED]* Questioned why over time is listed in the Finance Department and questioned the amount listed in Education, Conferences and Seminars and urged that only courses and materials be required for job mandatory licensing. Ms. Paladini asked the Council not to adopt the budget tonight and allow the Manager to review it and come back with a zero tax increase.

*Mary Ellen Vischiconti*, commented that she too would like Mr. Katz to have the opportunity to review the budget with a zero increase.

*Brian Lynch, Highland Lakes*, commented on the Recreation Department. Mr. Lynch questioned why the Township has a full-time Recreation Department if the P.A.L. is being contracted to perform many recreation programs.

*Gary Martinsen, Vernon resident and business owner*, urged the Council to adopt a flat budget. Mr. Martinsen commented that the Police Department budget is very large and

should be called upon to cut its budget. Mr. Martinsen informed the Council that Leonia's Police Department was given furlough days and asked Vernon to consider the same.

*Doreen Edwards, Highland Lakes*, applauded the Council for a good effort on the 2010 Municipal Budget, but asked that the new Manager review the budget for further cuts.

Mayor Rinker stated she wanted a 0% budget and would like Mr. Katz to review the budget.

Council Member Michael Pier questioned if members of the Vernon Taxpayers Association have attended the School Budget Meetings and County Budget Meetings. Mr. McClachrie responded that the journey starts with the Municipality and applauded the Board of Education for minimizing their budget.

*Ed Dunn* stated the Vernon Taxpayers cannot continue to pay more taxes and stated the Board of Education Meetings fall on the same evenings as the Vernon Township Council Meetings.

*Robert Oliver* stated the school district increased 4%, however, the budget was reduced overall from 2009.

*Gary Martinsen*, commented the Township Council must also begin to work with the Board of Education on budgeting concerns.

Mr. Benecke responded that of the 120 towns with a population of 20,000 – 25,000, Vernon Township has a very low tax levy. Further, the school district has reduced student population by 1,500 over ten years, yet the school budget has not been decreased.

Had the Council not approved the 2009 Pension deferral, this years 2010 Municipal Budget would reflect only a 1% tax increase.

*Doreen Edwards* commented that more must be done to inform the public on the mechanics of the Municipal Budget versus the School Budget.

*Robert Oliver* asked the Council to conduct a market analysis of all Municipal employee salaries to compare to similar municipalities.

*Jessi Paladini* stated she does not want to be compared to other towns. Vernon officials must do what is in the best interest of Vernon Township.

## **PRESENTATIONS**

### **Auction of Township Property**

Township Attorney John Ursin asked if anyone in attendance is interested in bidding on the property. No one was present. Mr. Ursin closed the auction.

### **Town Center/DPW Redevelopment Proposal – Excelsior Group Holdings**

Council Member Valerie Seufert recused herself from any discussions and voting concerning Excelsior Group Holdings.

Mr. Jacob Smith, President of Excelsior Group Holdings introduced himself and Business Partner Vernon Merritt, and presented a mixed-use development project consisting of retail, office and residential uses on Church Street at the current DPW facility site and approximately 11 acre parcel adjacent to the DPW site. Excelsior Group Holding's proposal was submitted based on the Township's September 2009 RFQ/SOI. The objective is to plan and develop a fully-functioning vibrant Town Center through mixed use planning. The development would be accessed by three major roadways and comprehensively addresses a full spectrum of community needs. The proposed development would be fully compliant with New Jersey State Development Planning Initiatives and architecturally would create a "sense of place".

Proposed components include a 65,000 sq. ft. supermarket, a 20,000 sq. ft. commercial/retail space, 119 market rate townhouses and age-restricted housing, a civic center, and office and professional space.

Mr. David Romano, Vice President and CFO for Ronetco, a family-owned supermarket chain, commented that his company has the Shop-Rite franchise for the Vernon-Hardyston area and looks forward to working with Excelsior Group Holdings.

Mr. Smith and Mr. Merritt answered Council's questions.

The Mayor thanked Mr. Smith and Mr. Merritt for a very informative presentation.

### **Overview of Open Space Plan – Representatives of Environmental Commission**

Mr. Dennis Miranda, Chair of the Environmental Commission and Megan Haidet, New Jersey Land Conservancy gave an overview of the Open Space Plan. Ms. Haidet informed the Council that Vernon Township has a balance of approximately \$900,000.00 in its Open Space Trust account for acquisitions. Mr. Miranda stated the objective is to complete the greenway extension through Vernon Township. Resolution #10-128, if approved, would amend a contract for the preparation of an appraisal for property located at Block 141, Lot 16. This 114-acre property consists mostly of wetlands. A 20-acre parcel is not wetlands protected.

Council Member Michael Pier questioned why the Township would be interested in purchasing wetland-protected land.

Mr. Miranda responded the acquisition of the property would further connect the planned greenway. Ms. Haidet commented that Vernon Township has a \$1.5 Million green-acre planning grant, which may be at risk if the funds are not used.

Funding for the \$2,500. appraisal would come from the Open Space Trust account.

Council Member Valerie Seufert questioned the amount of property taxes collected from the 114-acre property.

Mayor Rinker stated that she is pro-conservation and supports the Township in capitalizing on eco-tourism and recreation initiatives as an economic engine in Vernon Township.

Mayor Rinker thanked Mr. Miranda and Ms. Haidet for an informative presentation.

### **PUBLIC COMMENTS**

Mayor Rinker opened the meeting for Public Comment.

*Brian Lynch, Highland Lakes*, questioned if there is County or local enforcement of tanker trucks and trucks over 20 tons traveling on Route 515 and suggested the Township pass an ordinance restricting the use of Route 515 and truck traffic.

*Tom McClachrie, Vernon Taxpayers Association*, commented the County proposed to realign and re-grade sections of Route 515 and that Vernon Township residents opposed the realignment. Mr. McClachrie questioned the status of properties to be put on a tax sale.

*Phyllis MacPeck, Vernon*, commented that one corporate property owner owes \$581,806 in delinquent taxes and questioned if the Township can pursue the tax collection.

*Gary Martinsen, Vernon resident and business owner*, spoke on behalf of the Vernon's Own Organization and commented that Vernon's Own Show has been aired on the Cable Channel and participated in Vernon Day. Mr. Martinsen's organization will also focus on public education and awareness of teen drug use by developing a community coalition to help minimize drug abuse and asked for the Township's support in that initiative.

Mary Ellen Vischiconti, [REDACTED] commented that she supports an initiative to elect a Mayor by the voters, and would like an ordinance passed authorizing a referendum question on the General Election ballot. Ms. Vischiconti called for strong leadership from the Council.

Jessi Paladini, [REDACTED], questioned if the former Township Manager's laptop was recovered and asked for an investigation into the missing property. Ms. Paladini questioned why non-profit organizations must pay Fire Prevention fees and Food Handling fees and encouraged the Township to re-visit the Ordinance to waive Township Fees for non-profits. Ms. Paladini questioned why the Township hesitates to acquire Open Space even though funds exist in the Open Space Trust account, not costing taxpayers any money. Ms. Paladini further questioned why the Township is retaining a consultant to pursue the Open Space Plan if it doesn't move forward on Open Space acquisitions.

Michele Danzis, Highland Lakes, questioned how there can be a zero tax increase when the Council is looking to take properties off the tax roll.

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

#### **TOWNSHIP MANAGER'S REPORT**

Mr. Palaia stated back in May the Council approved to have the Street sweeper repaired. Parts have been ordered and were received last week.

The Council and Department Heads were provided with copies of the year-to-date budget summary.

Mr. Zuckerman reported the Finance Department is investigating the use of on-line tax payment measures, and asked for Council approval to proceed. Studies show that in Municipalities having on-line bill payments 3% of residents use the on-line method of bill paying.

Mr. Palaia stated the Municipal Building HVAC bid was awarded to C. Dougherty & Co. and the Notice to Proceed was issued to the successful bidder who has 45 days to complete the project.

#### **TOWNSHIP ATTORNEY'S REPORT**

Mr. Ursin commented that the Township is partially through completing the tax appeals and applauded the efforts of the Tax Assessor, Lynne Schweighardt, in the handling and presentation of tax appeals.

#### **RESOLUTIONS REQUIRING SEPARATE ACTION**

##### **RESOLUTION #10-123**

AUTHORIZING THE SUBMISSION AND IMPLEMENTATION OF THE JUNE 10, 2010 TEMPORARY LAYOFF PLAN PROVIDING FOR FIVE (5) FURLOUGH DAYS FOR ALL EMPLOYEES OUTSIDE THE DEPARTMENT OF PUBLIC SAFETY.

**WHEREAS**, the Township of Vernon has been adversely affected by the ongoing economic downturn and dramatic cuts in State aid, forcing drastic reductions in the Township's 2010 Budget; and

**WHEREAS**, the Township Council of the Township of Vernon continues to take all necessary steps to address these fiscal difficulties, including the authorization for the Acting Township Manager to submit the March 12, 2010 Layoff Plan to the New Jersey Civil Service Commission; and

**WHEREAS**, following submission of the March 12, 2010 Layoff Plan, various affected employees and bargaining units engaged in negotiations with the Township and proposed reasonable alternatives that allowed several positions to be saved from layoff; and

**WHEREAS**, the Township now confirms the June 10, 2010 Temporary Layoff Plan for five (5) furlough days for all employees outside the Department of Public Safety.

**NOW THEREFORE BE IT RESOLVED**, this 10th day of June, 2010, by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey as follows:

The Township Council hereby authorizes submission and implementation of the attached June 10, 2010 Temporary Layoff Plan, calling for five (5) unpaid furlough days on the following dates:

- Friday, July 30, 2010
- Friday, August 20, 2010
- Friday, September 24, 2010
- Friday, October 22, 2010
- Friday, November 19, 2010

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

Council Member Richard Carson questioned how furlough days will impact Animal Control. Brian Palaia responded that Animal Control would use on-call time, which would be paid over time.

Council Member Valerie Seufert questioned why all Municipal Employees are being furloughed if only Department of Public Works employees were initially impacted and stated this is not a fair policy for the non-union employees who did not receive a pay raise in 2010.

Council Member Michael Pier commented the Township should move forward in initiating cost savings through furloughs.

MOVED: Valerie Seufert  
SECONDED: Richard Carson

A roll call vote was taken:

AYES: Richard Carson, Michael Pier, Sally Rinker

NAYES: Valerie Seufert, Harry Shortway

Resolution #10-123 was approved.

#### **RESOLUTION #10-128**

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR  
THE PREPARATION OF COMPLETE APPRAISALS TO GREEN ACRES  
STANDARDS OF PROPERTY LOCATED AT BLOCK 141, LOT 16 IN THE  
TOWNSHIP OF VERNON

**WHEREAS**, there exists a need for appraisal services to be rendered to the Township of Vernon in the possible acquisition of certain real property located within the Township of Vernon; and

**WHEREAS**, The Land Conservancy of New Jersey has recommended to conduct the appraisals in accordance with the specifications of Green Acres; and

**WHEREAS**, The Township wishes to retain the services of Joshua D. Mackoff, LLC, 22 Laura Lane, Morristown, NJ in accordance with his proposal letter dated June 4, 2010; and

**WHEREAS**, the Council wishes to award a contract in an amount not to exceed \$2,500.00 and the Chief Financial Officer has certified that funds are available for this purpose.

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

1. The Township of Vernon hereby awards and authorizes The Land Conservancy of New Jersey to execute an agreement with certified Green Acres appraiser, Joshua D. Mackoff, LLC, 22 Laura Lane, Morristown, NJ to perform an appraisal report on the above-referenced property in accordance with an amount not to exceed \$2,500.00.
2. The Township Clerk is hereby authorized and directed to publish a copy of this resolution in the Township's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and The Land Conservancy of New Jersey.

Council Member Michael Pier was concerned that property taxes would be lost, and stated he supports Open Space acquisitions for playing fields, not trails, and further stated this is not a good time, due to economic hardships.

Mayor Rinker stated that Vernon is a recreational town and must capitalize on its eco-tourism. The greenway could be used in all seasons.

Dennis Miranda expressed that the future viability of Vernon Township is a resort industry. The greenway is an important amenity to eco-tourism.

Council Member Valerie Seufert commented that the Environmental Commission recommends the acquisitions of land and stated she supports the appraisal as the next step before the land is acquired for Open Space.

MOVED: Richard Carson  
 SECONDED: Valerie Seufert

A roll call vote was taken:  
 AYES: Richard Carson, Michael Pier, Valerie Seufert, Sally Rinker  
 NAYES: Harry Shortway  
 Resolution #10-128 was approved.

**RESOLUTION # 10-130**

**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	\$ 70.00	
#2	Current	\$ 16,813.56	
#3	Current	\$1,930,187.58	Vernon BOE
#4	Current	\$ 7,800.00	
#5	Planning & Zoning	\$ 840.00	
#6	Grant	\$ 6,016.74	
#7	Outside Services	\$ 452.47	
#8	Other Trust	\$ 42.00	
#9	Open Space	\$ 6,000.00	
#10	Payroll Deduction	\$ 1,443.00	
	Payroll	\$ 349,890.14	2nd Pay in May 2010
	Total	\$2,319,555.49	



Council Member Richard Carson questioned entry #170, payment for a U. S. Post Box.

MOVED: Richard Carson  
SECONDED: Michael Pier

A roll call vote was taken:

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

NAYES: None

Resolution #10-130 was approved.

### RESOLUTION #10-131

#### APPROVING VOLUNTEER FIREMAN ACTIVE MEMBERSHIP

**WHEREAS**, the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2, has selected Steven G. Styles, Jr. 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 the Township of Vernon, Sussex County, New Jersey, that the application for active membership by Steven G. Styles, Jr. to the Vernon Township Volunteer Fire Department, McAfee Fire Company No. 2 is hereby approved.

MOVED: Michael Pier  
SECONDED: Richard Carson

A roll call vote was taken:

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

NAYES: None

Resolution #10-131 was approved.

### RESOLUTION #10-132

#### AMENDMENT TO THE TEMPORARY BUDGET

##### APPROPRIATIONS WITHIN "CAPS"

	<u>Account #</u>	<u>Salary &amp; Wages</u>	<u>Account #</u>	<u>Operating Expenses</u>
ENVIRONMENTAL COMM.	10519500		10519520	91.00
HISTORIC PRESERVATION	10519900		10519920	208.00
BEAUTIFICATION COMMITTEE			10531020	416.00
FIRE SAFETY	10534000	8,493.00	10534020	369.00
ECONOMIC DEVELOPMENT			10535020	
RECYCLING			10553120	8,333.00
SALARY & WAGE ADJ.			10556220	6,250.00
SOCIAL SECURITY			10563020	42,083.00
DEFINED CONTRIB RETIREMENT			10564120	170.00
EXECUTIVE	10570100	23,234.00	10570120	7,383.00
MAYOR & COUNCIL	10570200	1,333.00	10570220	188.00
PERSONNEL	10570300	9,608.00	10570320	551.00
CLERK	10570400	10,223.00	10570420	3,832.00
FINANCIAL ADMINISTRATION	10570500	27,163.00	10570520	4,075.00
AUDIT			10570620	3,416.00
ASSESSMENT OF TAXES	10571000	13,571.00	10571020	3,291.00
COLLECTION OF TAXES	10570800	12,994.00	10570820	3,789.00
LEGAL SERVICES			10571220	13,875.00
ENGINEERING	10571500	9,393.00	10571520	1,195.00
LAND USE BOARD	10572100	14,766.00	10572120	5,433.00

BUILDING DEPT.	10572510	30,465.00	10572520	1,120.00
TECHNOLOGY			10572620	3,541.00
GROUP INSURANCE			10573320	249,153.00
OTHER INSURANCE			10573520	38,386.00
WORKERS' COMP. INS.			10573620	26,639.00
POLICE DEPARTMENT	10574500	309,056.00	10574520	9,035.00
RADIO COMMUNICATIONS	10574600	25,955.00	10574620	525.00
VOL. EMERG. SERVICES			10575220	16,250.00
MUNICIPAL COURT	10575500	13,513.00	10575520	475.00
TOWNSHIP PROSECUTOR			10575720	2,250.00
ROAD REPAIR & MAINTENANCE	10576500	107,966.00	10576520	29,443.00
FLEET MANAGEMENT	10576700	25,026.00	10576720	19,250.00
BUILDINGS & GROUNDS			10577220	6,387.00
SENIOR CITIZENS	10578200	513.00	10578220	4,861.00
ANIMAL CONTROL	10578800	5,221.00	10578820	747.00
MAINTENANCE OF PARKS	10579400	10,651.00	10579420	2,500.00
RECREATION	10579500	5,557.00	10579520	4,208.00
ACCUMULATED LEAVE COMP.	10580600	4,916.00		
MUNICIPAL SERVICES ACT			10580820	50,000.00
UTILITIES			10582020	41,091.00
	<b>TOTALS:</b>	<b>669,617.00</b>		<b>610,809.00</b>

**TOTAL TEMPORARY APPROPRIATIONS WITHIN CAPS: 1,280,426.00**

**APPROPRIATIONS EXCLUDED FROM "CAPS"**

	<u>Account #</u>	<u>Salary &amp; Wages</u>	<u>Account #</u>	<u>Operating Expenses</u>
9-1-1 COMMUNICATIONS	10680100	9,998.00	10680120	770.00
	<b>TOTALS:</b>	<b>9,998.00</b>		<b>770.00</b>

**TOTAL TEMPORARY APPROPRIATIONS EXCLUDED FROM CAPS: 10,768.00**

**TOTAL TEMPORARY APPROPRIATIONS: 1,291,194.00**

**BE IT RESOLVED** by the Township Council of the Township of Vernon that the above Temporary Budget amendment be approved for the year 2010 in accordance with 40A:4-19.

MOVED: Michael Pier  
 SECONDED: Harry Shortway

A roll call vote was taken:

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

NAYES: None

Resolution #10-132 was approved.

**RESOLUTION #10-133**

APPROVING PAYMENT TO BUILDING & REMODELING SERVICES, LLC. IN THE AMOUNT OF \$15,000.00 FOR A REHABILITATION PROJECT LOCATED AT 6 PINE TERRACE WEST, VERNON, NJ BLOCK 172.03 LOT 7, THROUGH THE TOWNSHIP OF VERNON HOUSING REHABILITATION PROGRAM

**WHEREAS**, the Township Council approved Ordinance #05-04 which created the Affordable Housing Rehabilitation Program; and

**WHEREAS**, the Township Council approved Resolution #08-222 which authorized Community Action Services to provide administrative services for the Township of Vernon Housing Rehabilitation Program for up to ten (10) qualified units; and

**WHEREAS**, Building & Remodeling Services, LLC. has completed the rehabilitation project at 6 Pine Terrace West, Block 172.03 Lot 7; and

**WHEREAS**, Vernon Township Building Department has approved the work completed on the roof, electric & ceiling insulation; and

**WHEREAS**, Community Action Services has verified and approved the work completed on the Rehabilitation Project; and

**WHEREAS**, Vernon Township Construction Official recommends payment be made to Building & Remodeling Services, LLC.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Township of Vernon that the payment in the amount of \$15,000.00 be made to Building & Remodeling Services, LLC for the completed rehabilitation project at 6 Pine Terrace West, Block 172.03 Lot 7, said funds have been certified by the Chief Finance Officer Township's from the Affordable Housing Trust Fund.

MOVED: Valerie Seufert  
SECONDED: Richard Carson

A roll call vote was taken:

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

NAYES: None

Resolution #10-133 was approved.

#### **RESOLUTION #10-134**

##### **AUTHORIZING PLACEMENT OF TEMPORARY SIGNAGE**

**WHEREAS**, Our Lady of Fatima Church in Highland Lakes, New Jersey has requested permission from the Township Council to place temporary signage on the front lawn of the A&P in Vernon, along Route 515/Stockholm Road in association with the Church's summer festival to be held August 18 – 21, 2010;

**WHEREAS**, approval has been received from the A&P Store Manager, Jim Vitale, as per letter dated May 13, 2010, for the placement of the signage for this event.

**WHEREAS**, the temporary signage requested to be displayed will be one (1) "A" frame sign measuring 4' wide by 6' high and will be displayed from August 7, 2010- August 21, 2010.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Vernon, that Our Lady of Fatima Church in Highland Lakes, New Jersey is granted permission to place temporary signage, as described above, along County Road 515/ Stockholm Road on the front lawn of A&P in Vernon, from August 7, 2010- August 21, 2010, in association with the Church's summer festival event to be held August 18 – 21, 2010.

**BE IT FURTHER RESOLVED** that any and all signage placed pursuant to this Resolution shall be removed on the day following the event.

MOVED: Michael Pier  
SECONDED: Harry Shortway

A roll call vote was taken:

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

NAYES: None

Resolution #10-134 was approved.

**ADDED BY ADDENDUM**

**RESOLUTION #10-137**

**AMENDMENT TO RESOLUTION #10-129**

**WHEREAS**, the Township of Vernon by Resolution #10-129 hired Andrew Katz as the new Municipal Manager with an effective date of June 23, 2010;

**WHEREAS**, Mr. Katz has completed his employment with his previous employer and is available to begin his employment with the Township of Vernon earlier.

**NOW THEREFORE IT BE RESOLVED** that Andrew Katz is appointed Municipal Manager June 11, 2010 pursuant to the terms and conditions of the contract already executed and that Andrew Katz shall be eligible to be enrolled in the Township's health insurance plan effective July 1, 2010.

This Resolution shall take effect immediately according to law.

MOVED: Michael Pier  
SECONDED: Valerie Seufert

A roll call vote was taken:

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

NAYES: None

Resolution #10-137 was approved.

**SECOND READING, PUBLIC HEARING ON PROPOSED ORDINANCES**

**ORDINANCE #10-07**

**ORDINANCE AMENDING SECTION 330-8A OF THE CODE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY REGARDING ALTERNATE MEMBERS OF THE LAND USE BOARD**

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

**SECTION I**

Section 330-8A of the Code of the Township of Vernon is hereby amended as follow (Subsections B and C shall not be modified and shall continue in full force and effect):  
330-8. Alternate members.

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

**SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

Mayor Rinker read Ordinance #10-07 by title only. First reading was held on May 13, 2010.

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

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

There was no Council discussion.

MOTION: Richard Carson  
SECONDED: Valerie Seufert

A roll call vote was taken:

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

NAYES: None

Ordinance #10-07 was approved.

**COUNCIL BUSINESS**

Council Member Michael Pier thanked the McAfee Fire Department for the wetdown. It was a family-friendly event.

Council Member Valerie Seufert thanked the Recreation Board for planning Vernon Day. It was a wonderful day with food, fun and vendors.

Council Member Harry Shortway commented on the budget challenges facing Vernon and proposed that a referendum be put on the November ballot approving Open Space acquisition.

Mr. Shortway approves of Open Space funds for easement acquisition in lieu of purchasing Open Space.

Mr. Ursin will prepare a legal opinion and analysis concerning public referendums and use of Open Space Trust account funds for the purchase of easements.

Council Member Richard Carson asked that the Municipal Alliance Committee be used to help address the teenage drug problem.

Council Member Harry Shortway commented he has been included as a named-defendant in the Carson lawsuit and cited numerous honors he received in professional and personal service and firmly stated that his reputation and integrity has never been compromised.

**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 Harry Shortway with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 11:10 p.m.

Respectfully submitted,

*Andrea Bates*

Andrea Bates

Acting Municipal Clerk

On behalf of Robin R. Kline, MAS, RMC  
Municipal Clerk