

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

February 11, 2010

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:12 p.m. on Thursday, February 11, 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 Michael Pier, Harry Shortway, and Mayor Sally Rinker. Also present were Acting Township Manager and Municipal Clerk Robin Kline and Township Attorney John Ursin. Council Members Richard Carson and Valerie Seufert were absent.

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 Michael Pier 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 is:
 - a. Litigation matter regarding the Marotta vs. Township of Vernon lawsuit. Executive Session Minutes will be made available upon final decision.
 - b. Litigation matter regarding Sussex County Municipal Utilities Authority Indemnification Agreement/Claremont Action. Executive Session Minutes will be made available upon final decision.
 - c. Real Property matter regarding municipally owned Block 141, Lot 15.01 and 15.02. Executive Session Minutes will be made available upon final decision.
 - d. Personnel matter regarding Police Officer David Hering's retirement. There is no anticipated release of the Executive Session Minutes.
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 7:12 p.m. Present were Council Members 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.

PUBLIC COMMENTS

Mayor Rinker opened the meeting for Public Comment.

Ralph Suppa, Vernon resident and Sales Manager of Gaeta Recycling, Paterson, stated that Grinell Recycling, who recently was awarded the Township's Recycling bid contract, is not in compliance with the Township's Recycling bid specifications. Mr. Suppa informed the Council his company faxed a thirteen page report to the Township Manager's office today that included Grinell's deficiencies and non-compliance to the Recycling bid specifications.

Township Attorney John Ursin stated that the bid documents were acceptable in compliance and that Gaeta should go through the appeals process if they seek remedies under the law.

Mary Bradley, Chairperson for the Board of Recreation, and Natalie Mahoney, [REDACTED] reported there will be a 1.2 mile benefit run on behalf of survivors of sexual abuse at the Maple Grange Park on April 11, 2010 at 11:00 a.m. Ms. Bradley and Ms. Mahoney have begun the application process for Township approval of the run.

John Bruno, Bruno Associates, Inc., stated that his company received a letter from Vernon Township terminating the contract of Bruno Associates, Inc. as grant writers for the Township. In the letter Vernon Township stated performance issues as well as budget issues for reasons of termination. Mr. Bruno advised the Council the contract specifies a thirty-day notification of termination which was amended by former Manager Melinda Carlton to a 48-hour written notice. Mr. Bruno stated that his reputation is at stake and he will file a lawsuit if the Township does not live up to its part of the contract. Mr. Bruno further stated that his company has filed for many grants on behalf of Vernon Township, and that the Township received a \$200,000.00 grant that was denied the previous year.

Township Attorney John Ursin stated that the claims made by Bruno Associates, Inc. were incorrect. Mr. Ursin commented that there was no personal bias in cancelling the contract, and that it was a matter of money and performance.

Gary Martinsen, local business owner and resident, commented that at the last Council Meeting he requested an extension of the moratorium on the enforcement of the Sign Ordinance and was disappointed that nothing has been done. Acting Township Manager and Municipal Clerk Robin Kline responded that Mr. Martinsen's concerns regarding sandwich signs were forwarded to Mr. Kneip, Township Engineer.

Council Member Michael Pier made a motion to extend the moratorium for another sixty days, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Gary Martinsen urged the Council to consider enacting "claw back" provisions with relationship to businesses not living up to their promises in redevelopment zones. The Township should consider rescinding tax abatements on these businesses.

Vic Marotta, Vernon resident, questioned if the State Police served a subpoena on the Township regarding the Township's purchase of the Herold Square property and McEwan Property. Mr. Marotta stated that Vernon Township is presently faced with a significant lawsuit which involves two Council Members.

The previous Council had our insurance company defend the individuals who are named in the lawsuit. Township Attorney John Ursin stated he has spoken with the insurance company's claims adjusters and attorneys and they are making those decisions independent of the Vernon Township Council. Mr. Ursin further stated this Council has taken no votes, given no direction and has no control over the process of assigning the attorneys to handle the defense of that action. Mr. Marotta commented that as a taxpayer, we are all concerned about the end result of that lawsuit, and many people in this community are very concerned about the manner in which that was handled and hope the Council will continue to work in a professional manner.

Dave LaFavre, [REDACTED] stated that not everyone is under the same opinions as Mr. Marotta. He asked the Council to take into consideration when global statements are made, not everyone is in complete agreement with that.

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

PRESENTATIONS

Warwick Valley Telephone

Kathleen Kansel, Warwick Valley Telephone, reported that Warwick Valley Telephone will be closing their Vernon office on March 1, 2010. Acting Manager and Municipal Clerk Robin Kline commented that it is possible that the Economic Development Advisory Committee may be able to suggest alternate locations in Vernon Township for the Warwick Valley Telephone office and help them relocate to another office in Vernon for the convenience of our residents.

MANAGER'S REPORT

Bureau of Animal Control

Animal Control Officers Tom Maellaro and Jack Stout thanked students from Vernon Valley Karate for raising over \$2,000.00 in donations for the Bureau of Animal Control department through a recent "Kickathon."

Acting Township Manager and Municipal Clerk Robin Kline reported that a plaque was presented to Vernon Valley Karate thanking them for their generous donation and thanked the Animal Control Officers for a job well done.

Waiver of Food Peddler Fees

Ms. Kline stated that the school district is requesting a waiver of fees for their food peddler's license of \$210.00. Township Attorney John Ursin responded that the ordinance currently does not allow the Township to waive these fees.

Annual Financial Statements

Ms. Kline reported that the Finance Department has filed the 2010 Annual Financial Statement with the State.

Cost Saving Measures

Ms. Kline informed the Council that all employees have been asked to submit cost saving measures and initiatives. Ms. Kline reported that some costs saving procedures are now in effect.

Budget Work Session

A Council Budget Work Session meeting has been scheduled for February 25, 2010 at 4:00 p.m.

Proposed Shared Services

Ms. Kline, Deputy Manager Brian Palaia and Director of Community Affairs Pat Seger have been working on shared services initiatives and opportunities regarding Animal Control Services and Recreation Services. Traffic signage services has been provided to Hamburg Borough by the Department of Public Works. Another Township is looking to Vernon Township for similar services.

Maple Grange Concession Stand

Ms. Kline commended Pat Seger for completing and finalizing all required documentation for the grant for the Maple Grange concession stand and submitting it to the State.

Energy Audit

Township Engineer Lou Kneip is identifying energy consumption findings in the Energy Audit. Once the report is finalized it will be presented to the Council.

P.A.R.I.S. Grant

Acting Township Manager and Municipal Clerk Robin Kline reported that the Township will benefit from a records purging phase of the P.A.R.I.S. grant project. At this time document imaging is not part of the grant project.

Tax Assessor Recognition

Lynne Schweighardt, Certified Tax Assessor, was recognized for being reappointed to the State Association’s Education Committee. Ms. Kline commended the professional and capable department heads that are leading our Municipality.

Town Center Project

Brian Palaia has been taking on a larger role regarding the Town Center Sewer Project and will be working with Lou Kneip Director of Planning and Development, in moving the project forward.

Highland Lakes Fire Department Installation Dinner

Acting Township Manager and Municipal Clerk Robin Kline and the Township Council attended the recent Installation Dinner at the Highland Lakes Fire Department, and commended all of the emergency service volunteers for a job well done.

ATTORNEY’S REPORT

Hauck Property Purchase

Township Attorney John Ursin stated the Township is pursuing to close out and receive reimbursement for the Hauck property purchase. There is Department of Environmental Protection Open Space grant money that could be in jeopardy. The Township may have to reinstitute the Open Space Tax.

Vernon Township was served with a subpoena regarding the Township’s purchase of the Herold Square and McEwan properties. Mr. Ursin will work with the Township Manager’s office to co-operate and respond to be subpoena request.

Township Attorney John Ursin advised that Mr. Marotta is seeking to be reimbursed for attorney fees for the proposed settlement amount of \$5,000.00. The settlement would dismiss the lawsuit with prejudice and end other possible claims that may arise out of this lawsuit. The Council could pass a motion authorizing the settlement.

Council Member Michael Pier made a motion to authorize the settlement of \$5,000.00 to Mr. Marotta’s attorneys, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Recruitment for Township Manager

Township Attorney John Ursin reported that the appointment of Robin Kline as Acting Manager was a temporary appointment. A search should begin to fill the permanent position of Manager.

Council Member Harry Shortway made a motion to authorize the advertisement for the position of Township Manager on the New Jersey League of Municipalities web site, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

2010 Budget Process

Attorney John Ursin stated that the budget is in a crisis situation and that it would be advisable to retain a budget consultant to review the proposed 2010 Municipal Budget with the new Chief Financial Officer and Acting Manager.

Council Member Harry Shortway advised Acting Township Manager and Municipal Clerk Robin Kline to negotiate terms with Mr. Robert Benecke for up to \$5,000.00.

Council Member Harry Shortway made a motion to authorize Mr. Benecke as consultant for up to \$5,000.00, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Document Scanner

Township Attorney John Ursin reported that a response has not been received from CDW Government, the vendor of the document scanner, and asked the Council to table Resolution #10-18.

RESOLUTIONS REQUIRING DISCUSSION AND 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.

Council Member Michael Pier made a motion to table Resolution #10-18, seconded by Council Member Harry Shortway.

A roll call vote was taken:
 AYES: Michael Pier, Harry Shortway, Sally Rinker
 NAYES: None
 Resolution #10-18 was tabled.

RESOLUTION #10-39

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:	
Road S&W	\$12,000.00	Road O/E	\$10,000.00
Engineering S&W	\$20,300.00	Recycling O/E	\$2,000.00
		Salary & Wage Adjustments	\$20,300.00
TOTAL:	\$32,300.00		\$32,300.00

Council Member Harry Shortway moved to approve Resolution #10-39, seconded by Council Member Michael Pier.

A roll call vote was taken:
 AYES: Michael Pier, Harry Shortway, Sally Rinker
 NAYES: None
 Resolution #10-39 was approved.

RESOLUTION # 10-40

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	\$1,666,112.47	Vernon BOE
#2	Grant	\$ 5,641.21	
#3	Capital	\$ 18,754.50	
#4	Planning & Zoning	\$ 4,110.45	
#5	Sewer Capital	\$ 937.04	
	Payroll	\$ 366,933.50	1st pay in Feb 2010
	Total	\$ 2,062,489.17	

Council Member Michael Pier moved to approve Resolution #10-40, seconded by Council Member Harry Shortway.

A roll call vote was taken:
 AYES: Michael Pier, Harry Shortway, Sally Rinker
 NAYES: None
 Resolution #10-40 was approved.

RESOLUTION #10-41

APPROVING ACTIVE VOLUNTEER FIREMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN'S ASSOCIATION

WHEREAS, the Township Council recognizes the extraordinary contributions made by volunteer firefighters to our community and seeks to encourage their full participation in professional organizations; and

WHEREAS, Melissa Myslinski, an active firefighter and member of the Vernon Township Volunteer Fire Department, Pochuck Valley Company #4, is requesting approval to submit an application for membership to the New Jersey State Firemen's Association.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Vernon, Sussex County, New Jersey hereby approves Melissa Myslinski for membership in the New Jersey State Firemen's Association.

Council Member Harry Shortway made a motion to approve Resolution #10-41, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-41 was approved.

RESOLUTION #10-42

AUTHORIZING AN AGREEMENT WITH THE COUNTY OF SUSSEX, DEPARTMENT OF HUMAN SERVICES, DIVISION OF SOCIAL SERVICES FOR SENIOR CITIZEN TRANSPORTATION FROM JANUARY 1, 2010 THROUGH DECEMBER 31, 2012 IN THE AMOUNT OF \$50,000.00 PER YEAR

WHEREAS, the County of Sussex (hereinafter the County) operates a coordinated, countrywide transportation system and desires to improve paratransit service coverage to the outlying areas of its geographic boundaries; and

WHEREAS, the Township of Vernon (hereinafter the Township) desires transportation for its senior citizens and persons with disabilities as per the service agreement; and

WHEREAS, the term of the agreement will be in effect beginning January 1, 2010 and terminating on December 31, 2012; and

WHEREAS, the cost of these services will not exceed \$50,000.00 per year; and

WHEREAS, the Chief Financial Officer has certified the funds for 2010 subject to the adoption of the 2010 Municipal Budget and will certify funds for 2011 and 2012 upon adoption of the respective budgets.

NOW THEREFORE BE IT RESOLVED, the 11th day of February, 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 the County of Sussex for the purpose of Transportation for Senior Citizens and Persons with Disabilities in accordance with the attached agreement; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute an Agreement with the County of Sussex, State of New Jersey.

Council Member Harry Shortway made a motion to approve Resolution #10-42, seconded by Council Member Michael Pier.

Pat Seger Director of Community Affairs, reported that the current County loop bus does not include a bus route in Vernon Township. The Township has applied for a grant to create stops within Vernon Township for seniors and the disabled.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-42 was approved.

RESOLUTION #10-43

AUTHORIZING THE USE OF THE NEW JERSEY STATE CONTRACT PRICING PROGRAM, CONTRACT #A74008 FOR THE PURCHASE OF BALLISTIC BODY ARMOR VESTS, IN THE AMOUNT OF \$6,088.22 TO BE USED BY VERNON TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Vernon has a need to purchase seven (7) ballistic body armor vests to be used by the Police Department of the Township; and

WHEREAS, Vernon Township is a member of the State of New Jersey Pricing Program; and

WHEREAS, prices were received through competitive bidding from the said program and the Chief of Police 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 Chief of Police recommends that the Township Council award the contract for the ballistic body armor vests using the New Jersey State Contract Pricing Program to Lawmen Supply Company of New Jersey, Inc. Egg Harbor, NJ, at a price of \$6,088.22; and

WHEREAS, the total cost for the purchase of the ballistic body armor vests will not exceed \$6,088.22, with such funds payable from the State of NJ Body Armor Grant and the Federal Body Armor Grant programs; and

WHEREAS, the Chief Financial Officer of the Township of Vernon, has certified the funds for this purchase in account #11557778 – State of NJ Body Armor Grant, #11557812 – State Body Armor 2009 Grant, and #11557779 – Federal Body Armor Grant.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Vernon, that the vendor Lawmen Supply Company of New Jersey, Inc. be utilized to purchase Ballistic Body Armor Vests, in the amount not to exceed \$6,088.22.

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

Council Member Michael Pier made a motion to approve Resolution #10-43, seconded by Council Member Harry Shortway.

Council Member Harry Shortway questioned if there is a policy requiring officers to wear their body armor vests while on duty.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-43 was approved.

RESOLUTION #10-44

AUTHORIZING TAX SALE PREMIUMS TO ESCHEAT TO THE TOWNSHIP
PURSUANT TO N.J.S.A.54:5-33

WHEREAS, the 1994 Tax Sale took place on October 14, 1994; and

WHEREAS, the Tax Sale Law requires that after five years if a redemption has not occurred, that the Premium be escheated to the Treasurer of the municipality.

Tax Sale Certificate #022/94, issued 10/14/94 on Block 93 Lot 1.11 Premium in the amount of \$100.00; and

Tax Sale Certificate #037/94, issued 10/14/94 on Block 127.03 Lot 18 Premium in the amount of \$100.00; and

Tax Sale Certificate #038/94, issued 10/14/94 on Block 132.01 Lot 50 Premium in the amount of \$1,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, that all premiums remaining on Tax Title Liens sold at or prior to the 1994 Tax Sale be hereby Escheated to the Township of Vernon Treasurer, in accordance with N.J.S.A. 54:5-33.

Council Member Harry Shortway made a motion to approve Resolution #10-44, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-44 was approved.

RESOLUTION #10-45

AUTHORIZING TAX SALE PREMIUMS TO ESCHEAT TO THE TOWNSHIP
PURSUANT TO N.J.S.A.54:5-33

WHEREAS, the 2001 Tax Sale took place on May 21, 2001; and

WHEREAS, the Tax Sale Law requires that after five years if a redemption has not occurred, that the Premium be escheated to the Treasurer of the municipality.

Tax Sale Certificate #01/029, issued 5/21/01 on Block 151.17 Lot 12 to 17 Premium in the amount of \$1000.00; and

Tax Sale Certificate #01/054, issued 5/21/01 on Block 199.13 Lot 11 C0004 Premium in the amount of \$100.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex and State of New Jersey, that all premiums remaining on Tax Title Liens sold at or prior to the 2001 Tax Sale be hereby Escheated to the Township of Vernon Treasurer, in accordance with N.J.S.A. 54:5-33.

Council Member Harry Shortway made a motion to approve Resolution #10-45, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-45 was approved.

RESOLUTION #10-46

AUTHORIZING THE AWARD OF A CONTRACT FOR 2010 AND 2011 BETWEEN THE
TOWNSHIP OF VERNON AND AGRA ENVIRONMENTAL AND LABORATORY
SERVICES FOR LICENSED WATER OPERATOR FOR MUNICIPAL FACILITIES IN
THE AMOUNT OF \$3,240.00

WHEREAS, there exists a need for Licensed Operator Services for the Township of Vernon for the purpose of monitoring the operation of the Vernon Township Water Systems and transient non-community facilities for the Municipal Building, DPW Building, Veteran's Memorial Park and Maple Grange Park; and

WHEREAS, the Township has previously contracted with Agra Environmental and Laboratory Services (Agra) as a Licensed Water Operator for the past three years and Agra has extensive knowledge and understanding of the Township of Vernon's unique transient and non-transient well water systems, and

WHEREAS, Agra has submitted a Professional Consulting Agreement dated January 25, 2010 to provide the required Water Operator Services for Vernon Township; and

WHEREAS, the cost estimate for the 2010 & 2011 Licensed Operator Services for the Township of Vernon is \$1,620.00 per year for a total of \$3,240.00; 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 & 2011 Municipal Budgets.

NOW THEREFORE BE IT RESOLVED, the 11th day of February, 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 execute an agreement with Agra Environmental & Laboratories for the purpose of Licensed Water Operator Services.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Contract with Agra, Dover, NJ.

Council Member Harry Shortway made a motion to approve Resolution #10-46, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-46 was approved.

RESOLUTION #10-47

CASH MANAGEMENT PLAN

BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, that for the year 2010, the following shall serve as the Cash Management Plan of the Township of Vernon:

1. Cash Management and Investment Objectives.
 - A. Preservation of capital.
 - B. Adequate safekeeping of assets.
 - C. Maintenance of liquidity to meet operating needs.
 - D. Investment of assets in accordance with State and Federal Laws and regulations.
 - E. Maximize investment yield.
2. Designation of Official Depositories
 - Sussex Bank
 - Valley National Bank
 - Highlands State Bank
 - Lakeland Bank
 - Chase Bank
 - PNC Bank
3. Cash Management
 - A. All funds shall be deposited within 48 hours of receipt in accordance with N.J.S.A.40A:5-15
 - B. The Chief Financial Officer shall minimize the possibility of idle cash accumulating in accounts by assuring that any excess amounts not needed to cover expenses or in excess of negotiated compensating

balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

C. Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer.

D. An "Authorized Signature Form" shall be completed by the Township Manager and Chief Financial Officer for use by the Township's authorized third-party payroll service providers for payroll check processing using software PXC-PCL technology to control access for internal controls.

4. Permissible Investments

A. Certificates of Deposits.

B. Savings and Loan Associations and Saving Bank Accounts.

C. New Jersey Cash Management Plan

D. MBIA Municipal Investors Service Corporation CLASS

5. Authority for Investment Management

The Chief Financial Officer is authorized and directed to make investments on behalf of the Township. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6. Reporting

The Chief Financial Officer shall report to the Township Council investments in accordance with N.J.S.A. 40A: 5-15.2.

7. Audit

The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A: 5-14.

8. Disposition of Abandoned Property

The Chief Financial Officer shall escheat to the State of New Jersey checks which remain outstanding for more than twelve months after the date of issuance.

Council Member Harry Shortway made a motion to table Resolution #10-47, seconded by Council Member Michael Pier.

Acting Township Manager and Municipal Clerk Robin Kline reported that item 3. D. was amended which requires an authorized signature form for third party payroll service providers.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-47 was approved.

RESOLUTION #10-48

AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES

WHEREAS, the Chief Financial Officer has determined that the following Township checks have been outstanding for a period in excess of six months:

Municipal Court General Account

<u>Check #</u>	<u>Amount</u>	<u>Date of Issue</u>
1273	\$.50	1-10-08
1295	\$.70	3- 6-08
1320	\$ 1.00	6- 9-08
1393	\$ 1.00	4- 9-09

Municipal Court Bail Account

<u>Check #</u>	<u>Amount</u>	<u>Date of Issue</u>
1521	\$200.00	9-19-08
1579	\$500.00	1-14-09
1642	\$ 3.00	5-21-09

THEREFORE, be it resolved that the above outstanding checks be restored to the Township cash balances.

Council Member Michael Pier made a motion to approve Resolution #10-48, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-48 was approved.

RESOLUTION #10-49

RESOLUTION REAFFIRMING THE CONTINUATION OF THE VERNON TOWNSHIP BEAUTIFICATION COMMITTEE

WHEREAS, the Vernon Township Council created the Beautification Committee on February 14, 2008 by Resolution #08-53 for the purpose of improving the aesthetic value of Vernon, and physical appearance of the Township's gateways and corridors; and

WHEREAS, the physical appearance of Vernon Township's corridors and gateways are critical to Vernon's economy and the regional economy and vitality; and

WHEREAS, tourism is identified in Vernon' Master Plan as its main industry; and

WHEREAS, the Beautification Committee consists of the following members: Mayor or Member of the Governing Body, Planning Board member, Environmental Commission member, Township Manager (or designee), and up to five [5] Members of the Public.

NOW, THEREFORE, BE IT RESOLVED by the Vernon Township Council that the Vernon Township Beautification Committee is hereby authorized to continue to carry out its purpose of improving the aesthetic value of Vernon, and physical appearance of Vernon Township's gateways and corridors.

Council Member Harry Shortway made a motion to approve Resolution #10-49, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-49 was approved.

RESOLUTION #10-50

RESOLUTION REAFFIRMING THE CONTINUATION OF THE VERNON TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the Vernon Township Council created the Economic Development Advisory Committee on October 9, 2008 by Resolution #08-191 for the purpose of advising the Township Council on matters of economic development and helping to promote economic development opportunities within Vernon Township; and

WHEREAS, continued economic development and smart growth in Vernon Township will benefit the citizens of this community; and

WHEREAS, the Economic Development Advisory Committee is an advisory committee only and shall not have authority to make any decisions for the Township, or on behalf of the Township, and

WHEREAS, the Vernon Township Economic Development Advisory Committee consists of 8 to 10 members, including the Mayor or Member of the Governing Body (*ex officio*), Township Manager (or designee), Member of the Land Use Board, and up to seven [7] Members of the Public.

NOW, THEREFORE, BE IT RESOLVED by the Vernon Township Council that the Vernon Township Economic Development Advisory Committee is hereby authorized to continue to carry out its purpose of advising the Township Council on matters of economic development and helping to promote economic development opportunities within Vernon Township; and

BE IT FURTHER RESOLVED that all persons appointed and serving on the Economic Development Advisory Committee shall submit to the Township Clerk an Oath of Office and a Vernon Township Economic Development Advisory Committee Member Confidentiality Agreement prior to participating on the Committee.

Council Member Michael Pier made a motion to approve Resolution #10-50, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-50 was approved.

RESOLUTION #10-51

RESOLUTION REAFFIRMING THE CONTINUATION OF THE VERNON TOWNSHIP FINANCIAL ADVISORY COMMITTEE

WHEREAS, the Vernon Township Council created the Vernon Township Financial Advisory Committee on April 13, 2009 by Resolution #08-191, and as amended on November 30, 2009 by Resolution #09-201, for the purpose of reviewing and analyzing Township financial information and advising the Council regarding the same;

WHEREAS, the Financial Advisory Committee is an advisory committee only to the Township Council and shall not have authority to make any decisions for the Township or on behalf of the Township, and

WHEREAS, the Vernon Township Financial Advisory Committee shall consist of the Township Manager or Designee, Township Chief Financial Officer and five [5] to seven [7] members appointed by the Township Council; and

WHEREAS, the appointed members of the public to serve on the Committee shall serve at all times at the pleasure of the Township Council; and

WHEREAS, any person desiring to serve on the Committee shall submit to the Township Manager a resume and/or statement demonstrating qualifications including, but not limited to, past experience in financial management.

NOW, THEREFORE, BE IT RESOLVED by the Vernon Township Council that the Financial Advisory Committee is hereby established for the purpose of reviewing and advising the Township Council with regard to financial matters including, but not limited to, the Township's strategic financial plan, annual property tax decisions, proposals requiring capital and other expenditures of Township funds, the annual budget, investment policies/practices and reviews the annual financial audit. The Financial Advisory Committee shall be an advisory committee only, shall not have authority to make any decisions for the Township or any part thereof, and shall not be authorized to expend any public funds.

BE IT FURTHER RESOLVED that all persons appointed to the Committee shall submit to the Township Clerk an Oath of Office and Financial Advisory Committee Member Confidentiality Agreement prior to participating on the Committee.

Council Member Michael Pier made a motion to approve Resolution #10-51, seconded by Council Member Harry Shortway.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-51 was approved.

RESOLUTION #10-52

AUTHORIZATION TO ENDORSE A TREATMENT WORKS APPROVAL APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CONSTRUCTION OF A SEWER LINE THROUGH MOUNTAIN CREEK FROM THE TERMINUS OF THE VERNON TOWN CENTER FORCE MAIN TO MANHOLE #10 LOCATED ALONG ROUTE 94

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) is responsible for administering the Treatment Works Approval (“TWA”) program, which establishes and implements minimum standards for building, installing, modifying, and operating treatment works; and

WHEREAS, N.J.A.C. 7:14A-22.2 and 22.3 requires the filing of a TWA permit application with the NJDEP for building or modifying a sewer connection or extension; and

WHEREAS, in accordance with N.J.S.A. 58:10A-1 et seq., a municipality must endorse such application for review by the NJDEP; and

WHEREAS, a sewer agreement presently exists between Intrawest Corporation (“Corporation”) and Vernon Township (“Township”); and

WHEREAS, said agreement requires the Corporation to permit conveyance of wastewater from the Vernon Town Center through sewer collection constructed by the Corporation; and

WHEREAS, the Corporation plans to construct new sewer lines from the terminus of the Vernon Town Center Force Main; and

WHEREAS, the proposed sewer collection line will transmit wastewater from Vernon Town Center and all new construction situated within Mountain Creek Property; and

WHEREAS, the proposed sewer line will extend south through the Mountain Creek Property to connect into the existing manhole #10, located along New Jersey State Route 94; and

WHEREAS, an existing sewer line travels south from manhole #10 to Sand Hill Road, where it turns west and extends to Pump Station No. 1; and

WHEREAS, the existing sewer for manhole number 10 to Pump Station No. 1 was designed and constructed to carry the wastewater from the sewer line proposed in this application, in addition to the properties it is currently servicing located on the eastern side of Route 94.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, that:

1. The Township will endorse and recommend for approval the TWA application for the aforesaid project.
2. The Township Manager is hereby authorized to sign the TWA on behalf of the Township.
3. This Resolution shall be made a part of the application submitted to the NJDEP
4. This Resolution shall take effect immediately upon adoption according to law.

Council Member Harry Shortway made a motion to approve Resolution #10-52, seconded by Council Member Michael Pier.

A roll call vote was taken:

AYES: Michael Pier, Harry Shortway, Sally Rinker

NAYES: None

Resolution #10-52 was approved.

COUNCIL DISCUSSION

Council Member Michael Pier made a motion to table the following appointments to the next meeting, seconded by Council Member Harry Shortway.

Appointment to Land Use Board

Class IV: One term expiring 12-31-2010

Appointments to Environmental Commission

Vacated: One 3-year term expiring 12-31-2011

Alternate #1: One 2-year term expiring 12-31-2011

A roll call vote was taken:

AYES: Michael Pier, 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 Harry Shortway. Motion seconded by Council Member Michael Pier with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:57 p.m.

Respectfully submitted,

Andrea Bates
Deputy Clerk

Minutes approved: March 25, 2010