

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

May 12, 2011

The Regular Meeting of the Township Council of the Township of Vernon was convened at 6:10 p.m. on Thursday, May 12, 2011 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 6, 2011, 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 Brian Lynch, Valerie Seufert, Harry Shortway, and Mayor Sally Rinker. Also present were Township Manager Jerry Giaimis and Township Attorney John Ursin. Council Member Richard Carson was absent.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 6:11 p.m. Mayor Sally Rinker asked for a motion to go into Executive Session Council Member Seufert made a motion to close the meeting to the public and enter into executive session. Motion seconded by Council Member Lynch 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, N.J.S.A. 10:4-6 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. 69 Barry Drive, North – Potential Litigation
 - b. Thompson v. Vernon Township - Litigation
 - c. Professional Legal Services Agreement – Ameripay Issue - Litigation
 - d. S.C.M.U.A. – Attorney/Client Privilege
 - e. Mt. Creek – Attorney/Client Privilege
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 6:11 p.m.

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The meeting was reopened to the public at 7:05 p.m. Present were Council Members Brian Lynch, Valerie Seufert, Harry Shortway, and Mayor Sally Rinker. Also present were Township Manager Jerry Giaimis and Township Attorney John Ursin.

SALUTE TO THE FLAG

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

Mayor Rinker asked for a moment of silence at the recent loss of a long time DPW Employee, Brian Henderson.

PUBLIC COMMENTS

Mayor Rinker opened the meeting for Public Comment.

Phyllis MacPeek, Vernon, thanked Council Member Lynch for acknowledging the employees and former employees of Vernon Township for volunteering at the rabies clinic in April.

Mary Bradley, Board of Recreation, spoke about Vernon Day, Sunday, June 5th and invited the Township Manager and Council to attend; she also put a request out for more vendors. Ms. Bradley spoke about starting a community garden behind the museum on Barrett Road, on a piece of land which the Historical Society donated. A portion of vegetables will be donated to the senior center. The Advertiser News has started a weekly feature it is "Be a Good Steward to Our Resources" which the Recreation Board will be involved with these articles.

The Council thanked Recreation Board and Mary Bradley for their support and past efforts.

Mary Ellen Vichiconti, [REDACTED] questioned the Township Manager if he was working on the ordinance for burning garbage in fireplaces in Highland Lakes. Mr. Giaimis responded that he has spoken with the Health Department at the County; but he was never given direction by the Governing Body to prepare an ordinance or pursue. The Sussex County Health Department is the entity to enforce this. Mayor Rinker asked Mr. Giaimis to get a definitive answer regarding this issue. Council Member Lynch asked how you can determine if the residents are burning garbage.

Dan Kadish thought there was an ordinance directing garbage to be properly disposed of – where receipts would be given for landfill use. Council Member Lynch questioned how an ordinance could be enforced without going into someone's house.

Gary Martinsen, congratulated the candidates that won the election and thanked all the candidates that ran and also for taking all the election signs down so quickly. Mr. Martinsen also spoke regarding Resolution #11-86 amending Resolution #11-61 establishing a Green Team Advisory Committee – questioned if this resolution should wait until after the new Council steps in. Mr. Martinsen also thanked the Council for getting the draft sign ordinance on the Township web site; and hopes there will be a meeting to discuss this ordinance prior to adopting it.

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. Giaimis spoke about the loss of Brian Henderson, a valued Vernon Township DPW employee who recently passed away.

Mr. Giaimis commented that the transition period will be as smooth as possible for the new Council, and he looks forward to that process.

Council Member Brian Lynch discussed Sunday, May 15th being Peace Officers Memorial Day; and asked the Township Manager to please have the flags placed at half staff on that day.

Mr. Giaimis mentioned that an upcoming Festival for Humanity scheduled to be held at Mt. Creek has been cancelled.

Mr. Giaimis reported that the chillers are on order and should be in by the end of June.

PRESENTATIONS AND SPECIAL ITEMS

Mr. John Rolak of Hatch Mott MacDonald and Mr. Bob Benecke of Benecke Economics

Mr. Rolak gave a report on the Municipal Utilities Authority explaining the purpose and the steps that need to be taken to make it work. Mr. Bob Benecke gave an overview of the Mt. Creek process.

Mr. Rolak further discussed the pumping stations which the Authority should not maintain all stations, but only the main one (fiscally speaking).

Mayor Rinker opened the meeting for Public Comment.

Phyllis Pfeiffer, Glenwood, asked if this could be a shared expense with another town. Mr. Benecke noted that this is just for Vernon.

Dan Kadish, asked when a model plan will be available for review. Mr. Benecke noted that all plans will be in Mr. Giaimis' office, and he gave Mr. Kadish some of the most important details of the plan.

Gary Martinsen, is more concerned about the amount of fees the businesses will be hit with.

Mary Ellen Vichiconti, Nutley Avenue, questioned who the engineer will be to oversee all of this. Mayor Rinker stated it will be Hatch Mott, MacDonald. Ms. Vichiconti is concerned that the residents can't afford these proposed fees.

Phyllis MacPeek, questioned the issue of water. Mr. Ursin stated that individual developers within the Town Center will make arrangements with United Water to supply water or rely on wells at least in the beginning of the Town Center development. Mayor Rinker added that it won't be the Township's responsibility.

Doreen Edwards, Highland Lakes, is concerned about the sewer system and asked where the balances and checks were to this point. Mr. Benecke stated that the \$20,000. hook up fee can be paid over a period of time.

Mary Ellen Vichiconti, questioned if the Township will be rehiring the part timers from Animal Control because of the 1300 units that were approved; people move into town and bring with them cats and dogs and feels these employees should be rehired.

Jamie Rickey, Vernon, is concerned about what will happen if new businesses do not come into town. Initially, this cost was not going to be the responsibility of all residents. Mr. Benecke noted the actual costs that Mt. Creek is responsible for.

Harold MacPeek, questioned about what would happen if Mt. Creek goes bankrupt. Mr. Ursin noted the Township would be responsible if Mt. Creek defaults; or the gallonage could be sold to another town or another developer.

Gary Martinsen, stated that possibly this could be a ten year lease until it all gets built or could be sold to another town.

Harold MacPeek, spoke about residents that were in favor years ago, of a Town Center as a means to get to know residents from different areas of Vernon.

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

RESOLUTIONS REQUIRING SEPARATE ACTION

RESOLUTION #11-71

AUTHORIZING WAIVER OF CERTAIN TOWNSHIP FEES TO NON-PROFIT VENDORS PARTICIPATING IN THE BOARD OF RECREATION'S "VERNON DAY" ON JUNE 5, 2011 AT MAPLE GRANGE COMMUNITY PARK

WHEREAS, the Vernon Board of Recreation is sponsoring "Vernon Day" on June 5, 2011 at Maple Grange Community Park,

WHEREAS, the Board of Recreation has requested the Township Council to waive all fees from the Fire Prevention Department and any food license application fees set by Township Ordinance, for non-profit vendors only, who are participating in "Vernon Day"; and

WHEREAS, all non-profits vendors must adhere to all application requirements for said purposes, as determined by the appropriate Township Department Officials; and

WHEREAS, documentation must be submitted to the Township Departments proving current non-profit status.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Vernon, that all fees set by Township Ordinance, are hereby waived from the Fire Prevention Department and for Food License permits, for non-profit vendors only, who are participating in "Vernon Day" sponsored by the Board of Recreation to be held on June 5, 2011 at Maple Grange Community Park; and

BE IT FURTHER RESOLVED that all non-profit vendors must adhere to all application requirements as necessary and that a copy of this resolution be forwarded to the Fire Prevention and Manager's Office for their records.

This Resolution will take effect immediately according to law.

MOVED: Valerie Seufert
SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-71 was approved.

RESOLUTION #11-83

Authorizing the Approval of Bills List

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

Disbursements Jr.	Fund	Amount	Major Vendor
#1	Current	\$ 890,449.62	Transfer \$
#2	Current	4,511,853.13	County
Taxes			
#3	Capital	135.16	
#4	Capital	144.29	
#5	P & Z	5,690.50	
#6	P & Z	135.00	
#7	Grant	5,616.75	
#8	Other Trust	7,471.43	
#9	Outside Services	287.36	
#10	Outside Services	143.68	
#11	Recreation	325.00	
#12	Recreation	1,970.00	
#13	Dog Trust	80,000.00	Transfer \$
	Payroll	\$ 298,232.14	2 nd Pay in April
	Total	\$ 5,802,454.06	

Motion to approve all except check #1080.

MOVED: Valerie Seufert

SECONDED: Harry Shortway

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Motion to approve check #1080.

MOVED: Harry Shortway

SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Brian Lynch, Harry Shortway, Sally Rinker

NAYES: None

ABSTAIN: Valerie Seufert

Resolution #11-83 was approved.

RESOLUTION #11-84

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

Check #	Amount	Date of Issue
1457	\$ 1.00	12/08/2009
1509	\$ 1.00	12/12/2010
1517	<u>\$ 2.00</u>	08/16/2010
TOTAL	\$ 4.00	

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

MOVED: Valerie Seufert

SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-84 was approved.

RESOLUTION #11-85

AUTHORIZING PURCHASE OF MOTOROLA QUANTAR REPEATER FOR VERNON POLICE DEPARTMENT IN THE AMOUNT NOT TO EXCEED \$15,183.00

WHEREAS, there exists a need to purchase a Communications Repeater for improved public service and safety throughout the Township of Vernon to be used by the Police Department; and

WHEREAS, a quotation, in the amount of \$15,183.00, was received by Motorola c/o Royal Communications under New Jersey State Contract #A-53804 for this purpose; and

WHEREAS, the Chief Financial Officer of the Township of Vernon, has certified the funds for this purpose are approved as per Ordinance #06-19.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Vernon, approval to purchase a Motorola Quantar Repeater from the vendor, Motorola

c/o Royal Communications, State Contract #A-53804, for the Vernon Township Police Department is hereby approved at a cost not to exceed \$15,183.00.

This Resolution will take effect immediately according to law.

Mr. Giannis reported this was a State contract bid with quotes and was included in the recent bond ordinance for Township improvements. Council Member Lynch stated the federal government is designating a UHF channel 700 to 800 megahertz as a public safety channel and the police, fire departments and DPW needs to make sure they are adaptable to these megahertz.

MOVED: Harry Shortway
SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-85 was approved.

RESOLUTION # 11-86

AMENDING RESOLUTION #11-60, AUTHORIZING VERNON TOWNSHIP TO PARTICIPATE IN THE SUSTAINABLE MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, the governing body of the Township of Vernon authorized participation in the Sustainable Municipal Certification Program on March 28, 2011 by Resolution #11-60; and

WHEREAS, the Township wishes to amend the resolution to designate Dennis Kirwan, Land Use Administrator as Vernon Township's agent for the Sustainable Municipal Certification Program process.

NOW THEREFORE BE IT FURTHER RESOLVED by the Mayor & Council of the Township of Vernon that we do hereby authorize Dennis Kirwan, Vernon Township Land Use Administrator, to serve as the Township of Vernon's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on the Township's behalf.

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

MOVED: Valerie Seufert
SECONDED: Harry Shortway

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-86 was approved.

RESOLUTION #11-87

AUTHORIZING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Vernon Township Police Department wishes to participate with the State of New Jersey in a project under the New Jersey Safe and Secure Communities Program; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government; and

WHEREAS, the Safe and Secure Communities Program is designed to provide municipalities with funding for additional law enforcement personnel to address crime in a focused community-oriented manner; and

WHEREAS, such programs implemented in Vernon Township are Community Crime Prevention Programs, Neighborhood Watches, Targeted Narcotics Enforcement, Targeted Safety Check Enforcement, Targeted Patrol and School Resource Officer Activities; and

WHEREAS, the funding received from the Division of Criminal Justice will be used to offset the salaries of two current officers and a match from the Township is not required; and

WHEREAS, the Vernon Township Council has reviewed the accompanying application and has approved said request.

THEREFORE, BE IT RESOLVED, by the Vernon Township Council that:

1. As a matter of public policy the Vernon Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for the funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant in the amount of \$53,818.00 as authorized by law.

MOVED: Valerie Seufert

SECONDED: Harry Shortway

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-87 was approved.

RESOLUTION #11-88

AUTHORIZATION TO PROVIDE MUNICIPAL CONSENT TO REACTIVATE A TREATMENT WORKS APPROVAL (TWA) APPLICATION #08-0047 TO THE NJDEP FOR THE CONSTRUCTION OF AN INDIVIDUAL SUBSURFACE SEPTIC SYSTEM ON BLOCK 192.04 Lot 14, [REDACTED]

WHEREAS, a septic system application has been submitted to the Sussex County Health Department which proposes to elevate disposal trenches in an area where the slope of the ground is greater than 10%; and

WHEREAS, the disposal trenches need to be elevated to provide sufficient separation between the bottom of the trenches and the seasonal high ground water table; and

WHEREAS, Jeffery Careaga, the design engineer, has performed a ground water mounding analysis to demonstrate that the sewage effluent will not breakout onto the surface of the ground; and

WHEREAS, the design engineer has provided a report which states “the [computer modeling] program shows that there will be no effluent breakout to the surface. The septic system should function as designed”; and

WHEREAS, the Sussex County Health Department, has determined the regulations require the ground water mounding analysis and placement of elevated trenches when the slope is greater than 10% be approved by the NJDEP; and

WHEREAS, prior to the submission to the NJDEP; the Health Department reviewed the application to ensure the design complies with all aspects of the regulations except for the alternate testing methods which require NJDEP approval, and

WHEREAS, Sussex County Health Department has reviewed the application and determined that all other aspects of the design meet the NJDEP regulations for septic system design, and

WHEREAS, Sussex County Health Department has reviewed the Engineer's Report, Supplement to TWA-1 Application and determined it correctly states what aspects of the design meet the regulations and which ones need NJDEP approval, and

WHEREAS, the Township Council approved Resolution # 07-250 approving the submission of the initial TWA application to the NJDEP on November 26, 2007 which the NJDEP later denied; and

WHEREAS, Careaga Engineering would like to submit a TWA Application Reactivation to the NJDEP for the above captioned site; and

WHEREAS, the Township must again provide Municipal Consent before the NJDEP will review the application.

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

1. The Township issues municipal consent for the submission of this TWA application Reactivation to the NJDEP for Block 192.04 Lot 14, [REDACTED]
2. The Mayor is hereby authorized to sign the TWA application Reactivation, Section A-1, Statement of Consent, on behalf of the Township.
3. This resolution shall be made part of the application and submitted to the NJDEP.
4. This resolution shall take effect immediately upon adoption to law.

MOVED: Valerie Seufert
SECONDED: Harry Shortway

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-88 was approved.

RESOLUTION # 11-89

AUTHORIZING CHANGE ORDER #1 AND FINAL ACCEPTANCE OF THE HVAC MECHANICAL REPAIRS AND UPGRADES

WHEREAS, on October 23, 2010, by way of adoption of Resolution #10-213, the Council of the Township of Vernon awarded a contract to Ferraro Construction Corp. for Mechanical Repair and Upgrades to the Municipal Building HVAC System, which contract provided for an expenditure of \$36,200.00; and

WHEREAS, in a memo dated May 3, 2011, the Township Engineer states that said contract has been completed and recommends the project be accepted as final and complete; and

WHEREAS, in processing the final paperwork for the project, certain additional work, as stated in Change Order No. 1 herein attached, were unanticipated in the original bid awarded but necessary for the project; and

WHEREAS, the Township Engineer, in a letter dated May 3, 2011, in concurrence with the Township Manager, recommends approving Change Order No. 1 which will increase total contract amount by \$1,292.10 to a total of \$37,492.10; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support this change order.

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Vernon that it hereby approves with the Township Engineers recommendations and authorizes the Mayor to execute said Change Order No. 1 for said project increasing the total contract amount to \$37,492.00 and thereby accepts the Mechanical Repairs and Upgrades to the HVAC system in the Municipal Building as final and complete; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Ferraro Construction Corp. and the Township Engineer.

MOVED: Valerie Seufert
SECONDED: Brian Lynch

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-89 was approved.

RESOLUTION # 11-90

AUTHORIZING FINAL ACCEPTANCE OF THE MUNICIPAL BUILDING AUTOMATIC TEMPERATURE CONTROL SYSTEM UPGRADES

WHEREAS, on October 28, 2010, per Resolution #10-212, the Township Council awarded a contract to ATC Systems, for the Municipal Building Automatic Temperature Control System Upgrades in the amount of \$58,000.00; and

WHEREAS, in the Township Engineer's memo dated March 31, 2011, he recommended that said project be accepted as complete.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Vernon, County of Sussex, State of New Jersey that it hereby concurs with the Township's Engineer's recommendation and accepts the Municipal Building Automatic Temperature Control System Upgrades as complete, with the condition that a maintenance guarantee in the amount of \$2,900.00 (5% of contract price) for this project will need to be posted after acceptance.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to ATC Systems, Inc. and the Township Engineer.

MOVED: Brian Lynch
SECONDED: Valerie Seufert

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Resolution #11-90 was approved.

RESOLUTION #11-91

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of Vernon has determined that the surplus property described on Schedule "A" attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Township of Vernon through this resolution gives notice of the intention to the public, pursuant to Local Finance Notice 2008-9, that the sale will be by means of an on-line auction at one of the following approved providers at a date to be determined:

www.ebay.com www.publicpurchase.com
www.govdeals.com www.municibid.com
www.propertyroom.com www.alfredauctionsinc.com
www.usgovbid.com

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Vernon in the County of Sussex, authorization is hereby given to sell the surplus property as indicated on the attached Schedule "A" on an online auction to be determined at a later date; and

BE IT FURTHER RESOLVED, pursuant to N.J.S.A. 40A:11-36, that formal public notification will be provided by the publication of a Legal Notice in the official newspaper, the New Jersey Herald, not less than 7 or more than 14 days prior to the scheduled auction.

This Resolution will take effect immediately according to law.

MOVED: Brian Lynch
SECONDED: Valerie Seufert

A roll call vote was taken:
AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker
NAYES: None
Resolution #11-91 was approved.

SECOND READING, PUBLIC HEARING ON PROPOSED ORDINANCES

ORDINANCE #11-13

ORDINANCE AMENDING A BOND ORDINANCE OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, HERETOFORE ADOPTED ON AUGUST 13, 2007 (#07-36), AS AMENDED.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The bond ordinance of The Township of Vernon, in the County of Sussex, New Jersey, heretofore adopted by the governing body thereof on August 13, 2007 and entitled: "Bond ordinance appropriating \$1,864,579 and authorizing the issuance of \$1,632,900 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey" (#07-36), as heretofore amended by ordinance adopted by the governing body of the Township on December 1, 2008, is hereby amended to the extent and with the effect that the improvement described in Section 3(i) thereof shall read as follows (additional text is underscored):

"(i) Improvement of the Municipal Building in and by the Township including the upgrade of the heating, air conditioning and ventilation system therein and initial costs associated with the relocation of the Department of Public Works, the Animal Control

Building and the Vernon Fire Department in and by the Township including land acquisition, engineering, design and architectural studies, all in accordance with the plans therefor on file or to be filed in the office of the Township Clerk and hereby approved, the said \$400,000 hereby appropriated therefor being exclusive of the sum of \$392,500 and other sums heretofore appropriated by prior ordinances of the Township”

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by the Local Bond Law of New Jersey.

Mayor Rinker read Ordinance #11-13 by title only. First reading was held on April 28, 2011.

The Township Manager explained this is to amend the previous ordinance #07-36, it was originally intended for improvements to the building, so this could be utilized on the HVAC system.

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: Valerie Seufert

SECONDED: Harry Shortway

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Harry Shortway, Sally Rinker

NAYES: None

Ordinance #11-13 was approved.

PUBLIC COMMENTS

Mayor Rinker opened the meeting for Public Comment.

Phyllis Pfeiffer, Glenwood, noted that Mayor-elect Vic Marotta and Council-elect Ed Dunn did not stay for the full presentation of SCMUA and the meeting and found this very disturbing.

Phyllis MacPeck, Vernon, thought the Council meetings should note food drive collection here at the Municipal Building. St. Thomas Episcopal Church in Vernon also needs food donations.

Council Member Seufert mentioned that the United Way is collecting food and distributing it to various local churches. Council Member Brian Lynch stated he will inform his CEO at work (who is the Chairman of the Board of Directors for the United Way) and will see what type of effort they can do to help Vernon residents.

Doreen Edwards, asked for an update on the Canistear Road project. Mr. Giaimis reported that a test strip was done on Canistear Road and the actual bid will be going out by the end of June and the project should start sometime this summer.

Tom McClachrie, questioned if the entire stretch of Canistear Road was going to be done or just 2/3rds. Mayor Rinker answered that a little more than 2/3rds would be done and the hope would be to attain a grant to finish the remainder. Mr. McClachrie had some questions regarding the Municipal Utilities Authority, the Mayor suggested he come in and speak with the Township Manager regarding items in the ordinance. Mr. McClachrie agreed with the change John Ursin made to reduce the service area of the MUA.

Phyllis Pfeiffer, questioned if the MUA wants to expend money, how can the Council prevent such issues. Mr. Ursin explained there was a limited ability to borrow and would need the Township to approve such additional tax burden.

Gary Martinsen, would like the Council to put in claw back clauses in regard to bonds and ordinances to protect the Township.

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

COUNCIL BUSINESS

Council Member Seufert is going to set up a meeting with the Chamber of Commerce regarding a meeting on the sign ordinance. Ms. Seufert congratulated the winners of the municipal election and offered her assistance going forward.

Mr. Giaimis reported there will be a coin toss from the Fire Department May 28th, July 2nd and September 3rd. Upon approval of the Council, Mr. Giaimis will contact the County to give the go-ahead for these dates.

Mayor Rinker reported receiving a late night phone call of someone reporting the lights on at the Maple Grange Park while no one was there at 11:00 pm. Pat Seger stated the lights are on some nights until 11:15 pm, they are on a timer.

Mayor Rinker reported a message from the Historic Preservation Commission, there will be a brief ceremony for the dedication of the new historic marker for the Vernon Township Board of Education Building this Saturday, May 14th at 10:00 am.

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 Brian Lynch. Motion seconded by Council Member Valerie Seufert with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:05 p.m.

Respectfully submitted,

Susan S. Nelson, RMC, CMR
Municipal Clerk

Minutes approved: July 1, 2011