

TOWNSHIP OF VERNON
TOWNSHIP COUNCIL REGULAR MEETING

December 28, 2010

The Regular Meeting of the Township Council of the Township of Vernon was convened at 5:10 p.m. on Tuesday, December 28, 2010 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Mayor Sally Rinker presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on December 23, 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 Brian Lynch, Valerie Seufert, Mayor Sally Rinker. Also present were Township Manager Jerry Giaimis and Township Attorney Richard Wenner. Council Member Richard Carson and Council Member Harry Shortway were absent.

RESOLUTION TO GO INTO EXECUTIVE SESSION

At 5:12 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 Brian 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, 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. Contract negotiations regarding United Water. Executive Session minutes will be released to the public upon the conclusion of this matter.
 - b. Personnel matters regarding the Tax Assessor and Township Manager. Executive Session minutes will be released to the public upon conclusion of the matter or upon execution of employment agreement.
 - c. Contract negotiations – Information Technology (IT) person. Executive Session minutes will be released to the public upon conclusion of this matter or upon execution of employment agreement.
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 5:13 p.m.

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The meeting was reopened to the public at 7:23 p.m. Present were Council Members Brian Lynch, Valerie Seufert, and Mayor Sally Rinker. Also present were Township Manager Jerry Giaimis and Township Attorney Richard Wenner.

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.

Tom McClachrie, Vernon Taxpayers Association, questioned how much of an increase there would be in the budget for 2011. Township Manager Jerry Giaimis advised that the Council would have a draft of the budget. The preliminary draft number indicates approximately 4%. Mr. McClachrie suggested considering shared services. Mr. McClachrie questioned Attorney Wenner if current contracts would be binding when the new Council comes in and Mr. Wenner stated that they would be binding.

Robert Oliver, [REDACTED] Financial Advisory Committee had meetings with the school board. Shared services with the school board's Information Technology department was discussed. Mr. Giaimis advised that he was in the process of setting up an appointment with the Board of Education.

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 reported on the Township Council meeting schedule for 2011.

Council Member Brian Lynch suggested that the Township Manager bring specific requests from Council members in written format so the Council can prioritize such requests. Council Member Lynch made a motion requesting the Township Manager to include a list of items requested to be worked on by the Council Members, prior to, or for the Council Meeting in the Manager's Report; seconded by Mayor Rinker.

A roll call vote was taken:

AYES: Brian Lynch, Valerie Seufert, Sally Rinker

NAYES: None

Mayor Rinker questioned amounts on the Bills List for Harold Pellow and Associates. The Mayor asked for a more detailed description of the Harold Pellow bills in the future. Mayor Rinker also questioned what mechanism was in place, currently, to monitor when the maximum was reached. Bill Zuckerman, Chief Finance Officer explained that there is a resolution in place indicating the \$10,000.00 cap and that this is built into the computer program so that bills cannot be paid over and above the cap listed in the resolution. Mr. Giaimis has made Pellow aware that bills must be submitted in a timely manner, or they will not be paid.

Mayor Rinker discussed bills being paid prior to approval by the Council. Mr. Giaimis explained that this was a practice of prior managers and he continued that practice assuming it was acceptable. Mayor Rinker disagreed with that mode of operation. Council Member Valerie Seufert advised that no bills were to be paid, at all, unless they have been approved by the Council, at a Council meeting.

Council Member Valerie Seufert questioned a specific item on the current Bills List to Wired Up, LLC for computer consultant services from August in the amount of \$900.00. Ms. Seufert questioned if the bills are that far behind and Mr. Zuckerman explained that this bill was missed in the process. Ms. Seufert further questioned a bill from Festival Fun Parks to which Mr. Zuckerman reported was under planning and zoning. It was a return of a deposit that was made to the land use board for an application which they did not fulfill.

TOWNSHIP ATTORNEY'S REPORT

There was no attorney's report. Attorney Richard Wenner wished the Mayor and Council a Happy New Year.

ITEMS FOR ACTION

Approval of Minutes by Vote

July 22, 2010 Executive Session Minutes

MOVED: Valerie Seufert
SECONDED: Sally Rinker

A roll call vote was taken:
AYES: Valerie Seufert, Sally Rinker
NAYES: None
ABSTAIN: Brian Lynch

August 12, 2010 and August 26, 2010 Executive Session Minutes were pulled from the agenda.

December 6, 2010 Special Work Session

MOVED: Valerie Seufert
SECONDED: Sally Rinker

A roll call vote was taken:
AYES: Valerie Seufert, Sally Rinker
NAYES: None
ABSTAIN: Brian Lynch

RESOLUTIONS REQUIRING SEPARATE ACTION

RESOLUTION #10-239

TAX OVERPAYMENT

WHEREAS, a **Tax Court Judgment** has been favorably awarded for the year 2009; and,

WHEREAS, such judgment has resulted in an overpayment of the 2009 taxes.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Vernon, County of Sussex State of New Jersey, hereby authorize the Township Treasurer to issue check for said overpayment and the Tax Collector refund said overpayment of taxes on the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>LOCATION</u>
131.01	9	Wodel Dev LLC	\$ 2,385.34	[REDACTED]

MOVED: Valerie Seufert
SECONDED: Brian Lynch

A roll call vote was taken:
AYES: Brian Lynch, Valerie Seufert, Sally Rinker
NAYES: None
Resolution #10-239 was approved.

RESOLUTION #10-240

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	\$886,337.12	Vernon BOE

#2	Current	\$770,120.93	Vernon BOE
#3	Current	\$ 31,797.24	Scottsdale Ins.
#4	Grant	\$ 11,047.86	
#5	Grant	\$ 640.95	
#6	Planning & Zoning	\$ 2,008.75	
#7	Planning & Zoning	\$ 6,213.08	
#8	Recreation	\$ 20.00	
#9	Sewer Operating	\$ 557.61	
#10	Outside Services	\$ 487.27	
	Payroll	\$ 274,498.20	2 nd Pay in Dec
	Total	\$1,983,729.01	

MOVED: Valerie Seufert
 SECONDED: Brian Lynch

A roll call vote was taken:
 AYES: Brian Lynch, Valerie Seufert, Sally Rinker
 NAYES: None
 Resolution #10-240 was approved.

RESOLUTION #10-241

AUTHORIZING AN AWARD OF CONTRACT TO WIRED UP, LLC FOR TOWNSHIP COMPUTER TECHNICIAN SERVICES FOR 2011 IN THE AMOUNT NOT TO EXCEED \$22,500.00

WHEREAS, the Township of Vernon has a need for computer technician services within the Township of Vernon for the year of 2011; and

WHEREAS, the existing computer technician contract expires on December 31, 2010; and

WHEREAS, the Township is desirous of renewing the contract with Wired Up, LLC for computer technician services with the Township of Vernon for the term January 1, 2011 through December 31, 2011; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for said award of contract in the amount not to exceed \$ 22,500.00.

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

1. The Township Council hereby awards a contract to Wired Up, LLC to commence on January 1, 2011 and expire on December 31, 2011, based upon the terms and conditions in the attached contract with the Township.
2. The Mayor and Township Clerk are hereby authorized and directed to execute any documents necessary to effectuate said contract with Wired Up, LLC.
3. This Resolution and any additional documents setting forth the terms and conditions of said contract shall be made available for public inspection in the office of the Municipal Clerk.

Council Member Valerie Seufert made a motion extending Resolution #10-241 contract until February 28, 2011. Seconded by Mayor Rinker.

A roll call vote was taken:
 AYES: Brian Lynch, Valerie Seufert, Sally Rinker
 NAYES: None
 Resolution #10-241 was approved.

RESOLUTION #10-242

TRANSFER RESOLUTION – 2010 BUDGET

WHEREAS, the Township of Vernon Municipal Budget requires certain modifications to cover potential expenses that may occur in excess of the original budget.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Vernon that the following Transfer of Appropriations (2010 Municipal Budget) in accordance with N.J.S.A. 40A:4-58 and are hereby approved.

FROM:		TO:	
Current Budget			
Fire Prevention S&W	\$2000.00	Executive S&W	\$3000.00
Collection of Taxes S&W	2000.00	Clerk S&W	3000.00
Assessment of Taxes S&W	7000.00	Engineering S&W	4000.00
Land Use Bd S&W	6000.00	Building S&W	4000.00
		Radio Communications S&W	43000.00
Court S&W	5000.00	Other Insurance OE	25000.00
Road S&W	28000.00	Animal Control OE	1000.00
Fleet S&W	22000.00	Road OE	25000.00
Animal Control S&W	2000.00		
Maintenance of Parks S&W	16000.00	Land Use Bd	10000.00
Group Insurance OE	17000.00		
Recreation OE	11000.00		
Total Current Budget Transfers	\$118,000.00	Total Current Budget Transfers	\$118,000.00
Sewer Operating Budget			
Administration OE	\$300.00	Operating OE	\$300.00

MOVED: Valerie Seufert
 SECONDED: Brian Lynch

Council Member Valerie Seufert questioned the movement of wages over to radio communication salary wages and other insurance. Mr. Zuckerman explained that a new officer was hired for communication which was not budgeted. Other insurance was regarding a claim started by a member of the Council against the Township. The insurance company spent \$55,000.00 to defend that with a \$25,000.00 deductible and the balance of that has to be transferred and paid to the insurance company. Ms. Seufert further questioned Land Use Board salary wages of \$10,000.00. Mr. Zuckerman explained that is for some of Land Use Board expenses which were not covered. When the engineering department was dissolved, expenses were consolidated into there, materials, legal fees, etc. Ms. Seufert asked for a clearer itemization.

A roll call vote was taken:
 AYES: Brian Lynch, Valerie Seufert, Sally Rinker
 NAYES: None
 Resolution #10-242 was approved.

COUNCIL BUSINESS

Council Member Brian Lynch question Mr. Zuckerman if Vernon has a 3-5 year budget plan going forward. Mr. Zuckerman reported that Vernon does not. Council Member Lynch suggested preparing a 3-5 year budget plan model. Mayor Rinker commented that the Finance Committee should be utilized for such a purpose.

Mayor Rinker asked for a commitment from the Manager that he would use all the benefits of the expertise, at hand, including Mr. Zuckerman and the Finance Advisory Committee.

Mayor Rinker questioned the progress on acquiring personnel for the Planning and Development Department. Mr. Giaimis reported that the original person who was extended an offer has not responded and he is reviewing resumes again.

Mayor Rinker asked for an update on the HVAC progress. Mr. Giaimis explained that there is a wrap up of a couple of the units as well as updating personnel from the Road Department on the program, and that it should be finished in a week or two. Council Member Seufert suggested that Mr. Giaimis review the current contracts to determine who is responsible for maintaining the HVAC system.

Mayor Rinker proposed re-establishing a subcommittee including herself and Council Member Valerie Seufert to explore shared services with the Board of Education.

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 Brian Lynch with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:28 p.m.

Respectfully submitted,

Andrea Bates
Acting Municipal Clerk

Minutes approved: February 14, 2011