

Township of Vernon

REGULAR TOWNSHIP COUNCIL MEETING

July 8, 2013

The Regular Meeting of the Township Council of the Township of Vernon was convened at 7:30pm on July 8, 2013, in the Vernon Township Municipal Building, 21 Church Street, Vernon, New Jersey, with Council President Patrick Rizzuto presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 11, 2013, 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 Eddie Dunn, Daniel Kadish, Brian Lynch, Dick Wetzel, and Council President Patrick Rizzuto. Also present were Business Administrator Jerry Giaimis, and Township Attorney Kevin Kelly. Mayor Victor J. Marotta was absent.

SALUTE TO THE FLAG

The Council President led the salute to the flag.

MOMENT OF SILENCE

Council President Rizzuto offered the following statement:

“Every once in a while a situation comes up and an event happens that demonstrates the extreme commitment that many of the first responders and fire personnel extend themselves to. Such an event took place recently in Colorado with the passing of the “Colorado 19” for the “Hot Shots” team. This particular event was very distressing because even with the extreme training that they received, they lost their lives while fighting fires for the benefit of the public. At this moment I would just like to have people recognize the commitment that we have in our own community for our own firefighters who venture into burning buildings. This same situation could happen to them. But certainly I would like to ask for a moment of silence for these brave individuals who lost their lives.”

Mr. Rizzuto thanked the audience.

PUBLIC COMMENTS

Council President Rizzuto asked for a motion to open the meeting to public comments at this time.

MOVED: Daniel Kadish

SECOND: Eddie Dunn

All were in favor.

Gary Martinsen – expressed his thanks for the wonderful fireworks display, noting that a lot of families attended; and that as it was on school grounds where there is no smoking and no drinking, making it a very family-friendly environment. He advised that he would be doing an hour program on his show highlighting “shop local.”

Krista Gherry – commented that the Mayor’s open-door policy doesn’t seem as open as stated. She spoke about the lawsuits, the bonus payments, and her opinion of the Vernon legislators.

Len Coloccia – spoke on the helicopter issue and the release of names and addresses of those who spoke out about it. He asked about the ratio of residential vs. business tax base, and what would happen if the Town Center was not built.

CLOSED TO PUBLIC COMMENTS

No one else wished to speak at this time, and Council President Rizzuto asked for a motion to close the public comment portion of the meeting.

MOVED: Brian Lynch

SECOND: Dick Wetzel

All were in favor.

MAYOR'S REPORT

Borough Administrator Giaimis advised that Mayor Marotta was unavailable to attend the meeting, and that he had nothing to report on his behalf.

Council President Rizzuto advised that Mr. Giaimis would be leaving Vernon Township to become the Township Manager in Scotch Plains. He noted that Mr. Giaimis had been a great help to the Council since they took office in July of 2011, and that he personally wished him well.

Mr. Giaimis thanked Mr. Rizzuto, noting that it had been a pleasure to serve the Council and the Township these past 3 years. He added that the staff had been easy to work with.

The rest of the Council wished him good luck.

AUCTION

The Council President asked Mr. Kelly to conduct the public auction. Mr. Kelly advised that the auction was for [REDACTED], Block 103.23 Lot 6, as per Ordinance #13-13, which was adopted on June 10. He read the names of the five homeowners eligible to participate as listed in the ordinance. Two of the eligible homeowners were present – Dave Festa and Mark Rembish – who agreed to split the lot between them. They offered a bid of \$550.00 total. There were no other bids. Mr. Festa presented a check for \$550.00 to the Municipal Clerk.

MINUTES

Council President Rizzuto asked for a motion to approve the minutes of the Work Session of June 17, 2013:

MOVED: Eddie Dunn

SECOND: Daniel Kadish

A roll call vote was taken:

AYES: Eddie Dunn, Daniel Kadish, Dick Wetzel, Patrick Rizzuto

NAYS: None

ABSTAIN: Brian Lynch

The Minutes from the Work Session of June 17, 2013 were approved.

CONSENT RESOLUTIONS

Council President Rizzuto gave a brief description of Resolutions #13-129 through #13-132.

Mr. Rizzuto asked for a motion to accept Resolutions #13-129 through #13-132:

MOVED: Daniel Kadish

SECOND: Brian Lynch

Council Member Dunn asked about the length of the contract for the generator maintenance. He was advised that it was for one year.

A roll call vote was taken:

AYES: Eddie Dunn, Daniel Kadish, Brian Lynch, Dick Wetzel, Patrick Rizzuto

NAYS: None

ABSTAIN: None

Resolutions #13-129 through #13-132 were approved.

RESOLUTION #13-129

EXTENSION OF 2013 THIRD QUARTER GRACE PERIOD DUE DATE ONLY

WHEREAS, the 2013 TAX RATE has been certified to the Collector of Taxes late; and,

WHEREAS, the Collector of Taxes recommends the extension of the 2013 third quarter grace period due date to August 19, 2013, and after that date interest will revert back to August 1, 2013 and will be charged at the rate of 8% on the first \$1,500.00 and 18% on any remaining balance above the \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex, State of New Jersey, that it hereby authorizes and directs the Township Collector of Taxes to extend the grace period of 2013 third quarter taxes ONLY to August 19, 2013.

RESOLUTION #13-130

**CANCELLATION OF 2012 NEW JERSEY
DRUNK DRIVING ENFORCEMENT GRANT
RECEIVABLE AND APPROPRIATION BALANCES**

WHEREAS, there is a receivable with an offsetting appropriation from the State of New Jersey Municipal Alliance on Alcoholism and Drug Abuse Grant in the amount of \$2,509.38, and

WHEREAS, this receivable is no longer collectible as revenue.

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriations be cancelled.

RESOLUTION #13-131

**AUTHORIZING CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS.**

WHEREAS, the Township of Vernon may by resolution and without advertising for bids or obtaining quotations purchase any goods or services under the State Contract; and

WHEREAS, the Township has the need on a timely basis to purchase goods and services utilizing state contracts; and

WHEREAS, the Township intends to enter into contracts with the attached referenced state vendors through this resolution, which shall be applicable to all the conditions of current state contracts.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Vernon, authorizes the Purchasing Agent to purchase certain goods and services from those approved state vendors on the attached list, pursuant to all conditions of the individual state contracts; and

BE IT FURTHER RESOLVED, that the governing body of Vernon Township pursuant to NJAC 5:30-5.5(b) (the certification of available funds), which states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time a contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Township of Vernon and the referenced state vendors shall be from January 1, 2013 to December 31, 2013; and

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

COMMODITY/SERVICE	VENDOR	STATE CONTRACT #
Auto Parts for Heavy Duty Vehicles over 15K GVWR	CCC Parts Company d/b/a Truck Parts Specialists	73727
Industrial /MRO Supplies	Fastenal Company	79873
Police Homeland Security Equipment and Supplies	Armor Express	81348

RESOLUTION #13-132

RESOLUTION TO AWARD A CONTRACT TO KRAFT POWER CORPORATION TO PROVIDE MAINTENANCE SERVICE FOR TOWNSHIP GENERATORS

WHEREAS, the Township has a need to maintain its generators; and

WHEREAS, Kraft Power Corporation supplied the most cost-effective quotation to provide this service at \$4,420.00; and

WHEREAS, the Qualified Purchasing Agent recommends that the Township award a contract for this service to Kraft Power Corporation; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account #10577237.

NOW, THEREFORE BE IT RESOLVED, by the Township Council that the vendor, Kraft Power Corporation, 241 West Parkway, Pompton Plains, NJ 07444, be awarded a contract to provide maintenance service for the Township's generators.

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

Mr. Rizzuto asked for a motion to consider Resolution #13-133:

MOVED: Brian Lynch

SECOND: Daniel Kadish

A roll call vote was taken:

AYES: Eddie Dunn, Daniel Kadish, Brian Lynch, Dick Wetzel, Patrick Rizzuto

NAYS: None

ABSTAIN: None

Resolution #13-133 was approved.

RESOLUTION #13-133

AUTHORIZING PLACEMENT OF TEMPORARY SIGNAGE AND WAIVER OF FIRE PREVENTION PERMIT FEES

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 annual Parish Carnival to be held August 21-August 24, 2013; and

WHEREAS, approval has been received from a principal representing the property owner, as per a letter, for the placement of the signage for this event; and

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 July 27 through August 24, 2013; and

WHEREAS, Our Lady of Fatima has requested that the Township Council waive the fees for the Fire Prevention Type 1 – Open Flame Permit, with the understanding that all activities will be confined to their own property.

NOW THEREFORE BE IT RESOLVED, by the 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 the A&P in Vernon, from July 27 through August 24, 2013, in association with the Church's annual Parish Carnival event; and

BE IT FURTHER RESOLVED that any and all signage placed pursuant to this Resolution shall be removed on the day following the event and will conform to the Township's Sign Ordinance #12-05 except as noted above; and

BE IT FURTHER RESOLVED by the Council of the Township of Vernon, that Our Lady of Fatima Church is granted a waiver of Fire Prevention permit fees, and that a copy of this resolution be forwarded to the Fire Prevention Department for their records.

This Resolution will take effect immediately according to law.

Mr. Rizzuto asked for a motion to consider Resolution #13-134:

MOVED: Brian Lynch

SECOND: Patrick Rizzuto

A roll call vote was taken:

AYES: Eddie Dunn, Daniel Kadish, Brian Lynch, Dick Wetzels, Patrick Rizzuto

NAYS: None

ABSTAIN: None

Resolution #13-134 was approved.

RESOLUTION #13-134

RESOLUTION OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, IN OPPOSITION TO SENATE BILL 2528 AND PROPOSED EXEMPTION FROM SOURCE SEPARATION REQUIREMENTS

WHEREAS, Senate Bill 2528 would provide exemption from source separation requirements for commercial and institutional solid waste generators; and

WHEREAS, approximately 60% of recycling tons reported to New Jersey Department of Environmental Protection (DEP) for Year 2010 was from commercial and institutional generators, and these exemptions would divert recyclable materials away from established recycling facilities that have already invested millions of private sector dollars in equipment and infrastructure; and

WHEREAS, source separation is the cornerstone of New Jersey's recycling program, and past experience with exemptions has shown that material recovery facilities (MRF) do not recover as much recyclable materials as a source separation system; and

WHEREAS, allowing academic institutions, including public and private schools and colleges, to mix garbage and recyclables is a reversal of commonly taught conservation practices, and detrimental to educational efforts for developing environmental preservation goals among Sussex County students; and

WHEREAS, exemptions that would divert recyclable materials away from recycling facilities would hamper New Jersey from reaching its 50% recycling goal and may impact the jobs of almost 27,000 people in New Jersey that are employed in recycling and reuse establishments; and

WHEREAS, there is a reduction in quality of recyclable material from MRF processing due to mixing garbage with recyclables and then extracting those recyclables from the waste; and

WHEREAS, the necessary certification process, monitoring and enforcement of MRF's would strain DEP, which is already understaffed, and exemptions could play havoc on counties with Solid Waste Flow Control; and

WHEREAS, the Sussex County Solid Waste Advisory Committee (SWAC) adopted a Resolution at its meeting on April 9, 2013, to recommend opposition of Senate Bill 2528 to the Sussex County Board of Chosen Freeholders, and the Freeholder Board unanimously adopted a similar Resolution at the May 07, 2013, meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township of Vernon, County of Sussex, and State of New Jersey, to oppose Senate Bill 2528; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Sussex County Municipalities; Senator Steven V. Oroho; Assemblywoman Alison Littell-McHose; Assemblyman Parker Space; the New Jersey State League of Municipalities; Ross M. Hull, Environmental Specialist 3, New Jersey Department of Environmental Protection; John Hatzelis, Administrator, Sussex County Municipal Utilities Authority; the Sussex County Division of Planning; and the Sussex County Solid Waste Advisory Council.

Mr. Rizzuto asked for a motion to consider Resolution #13-135:

MOVED: Daniel Kadish

SECOND: Eddie Dunn

A roll call vote was taken:

AYES: Eddie Dunn, Daniel Kadish, Brian Lynch, Dick Wetzel, Patrick Rizzuto

NAYS: None

ABSTAIN: None

Resolution #13-135 was approved.

RESOLUTION # 13-135

RESOLUTION EXPRESSING SUPPORT FOR THE CONTINUED TAX EXEMPTION FOR MUNICIPAL BONDS

WHEREAS, the State of New Jersey, and the political subdivisions thereof, including its 565 Municipalities, undertake many capital improvements for the benefit of their citizens and finance the cost thereof through the issuance of bonds, notes and other evidences of indebtedness, the interest on which is exempt from federal income taxation; and

WHEREAS, this federal tax exemption has been in effect since the inception of the federal income tax in 1913 and is essential to permit states and local governments to carry on their responsibilities to their citizens; and

WHEREAS, in 2010, The National Commission on Fiscal Responsibility and Reform (the "Simpson Bowles Commission") recommended that interest on newly issued state and municipal bonds be subject to federal income taxation; and

WHEREAS, President Barack Obama has proposed to cap at an aggregate of 28%, numerous federal tax deductions, including the federal tax exemption of interest on state and local bonds, and such limitation would apply to all tax-exempt obligations, including obligations issued prior to the proposed change in the federal income tax law; and

WHEREAS, proposals to eliminate or curtail the federal tax exemption of interest on state and local bonds rely principally on the theory that the exemption benefits upper-income taxpayers, although repealing or restricting the exemption will increase borrowing costs for state and local governments because investors will demand a higher interest to compensate them for the taxes they will have to pay; and,

WHEREAS, these increased borrowing costs will result in less infrastructure investment and will be passed on to taxpayers, ratepayers and other users of bond-financed infrastructure who are primarily middle and lower-income persons, including hospital patients, students, and residents in low income housing.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Vernon, that maintenance of the tax exempt status under federal law is essential to allow the State of New Jersey and its political subdivisions to finance necessary public improvements for the benefit of all the citizens of New Jersey at the lowest interest costs; and

BE IT FURTHER RESOLVED, that the Township of Vernon opposes any and all changes in federal tax law that would reduce or eliminate the present exemption from federal income taxation for interest paid on bonds, notes and other evidences of indebtedness issued and to be issued by the States and their political subdivisions; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be delivered to the President of the United States; the New Jersey Congressional Delegation; the Governor and Lieutenant Governor of the State New Jersey; the State Treasurer of New Jersey; the New Jersey Legislature; and the United States Conference of Mayors, Sussex County Board of Chosen Freeholders; Senator Steven V. Oroho; Assemblywoman Alison Littell-McHose; Assemblyman Parker Space; Sussex County Municipalities

ORDINANCES – PUBLIC HEARING/2ND HEARING
2ND Reading of Ordinance #13-14 by Title Only

Council President Rizzuto asked for a motion to adopt Ordinance #13-14 on 2nd reading by title only.

MOTION: Brian Lynch
SECOND: Daniel Kadish

Open to Public Comments on Ordinance #13-14 only:

MOTION: Brian Lynch
SECOND: Eddie Dunn
All were in favor.

Gary Martinsen – questioned a 50-year approval, and did not see protections for residents.

Council Member Kadish asked Mr. Kelly to address Mr. Martinsen’s questions.

Mr. Kelly advised:

- that this would give this company the same rights as other utilities using the public rights-of-way.
- that this type of approval was nothing like the approval for SEC-TV.
- this type of use would only be on the public right-of-way and not on private property.
- 50 years is a statutory term.
- all such requests have to have state and federal approvals, but still need municipal approval.

Council Member Lynch asked to clarify that this would not include easements.

Mr. Martinsen suggested tabling the matter and discussing at a work session.

Closed to Public Comments on Ordinance #13-14

MOTION: Brian Lynch
SECOND: Dick Wetzel
All were in favor.

Council President Rizzuto noted that fiberoptic technology is necessary for the community and the growth of the township.

A roll call vote was taken on Ordinance #13-14:

AYES: Brian Lynch, Patrick Rizzuto
NAYS: Eddie Dunn, Daniel Kadish, Dick Wetzel,
ABSTAIN: None
Ordinance #13-14 was defeated.

-DEFEATED-
ORDINANCE #13-14

**AN ORDINANCE GRANTING NON-EXCLUSIVE PERMISSION TO
CO-LOCATE TELECOMMUNICATIONS EQUIPMENT AND FACILITIES
WITHIN THE PUBLIC RIGHTS-OF-WAY IN VERNON TOWNSHIP**

WHEREAS, facilities and equipment are co-located at various locations within the public Rights-of-Way in Vernon Township to facilitate the efficient and reliable distribution and provision of utility services; and

WHEREAS, Cross River Fiber, Inc. (“Cross River Fiber”) was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE11050320 on July 14, 2011 and Docket No. TE12040297 on June 18, 2012 and intends to provide telecommunication services in accordance with that Order and the rules and regulations of the Federal Communications Commission and the New Jersey Board of Public Utilities; and

WHEREAS, Cross River Fiber proposes to co-locate its telecommunication facilities aerially on existing utility poles or in underground conduit within the Public Rights-of-Way of Vernon Township for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, the best interests of the Township and its citizenry are served by granting consent for co-location of equipment and facilities within the public rights-of-way for provision of telecommunication and other utility service; and

WHEREAS, the consent granted herein is for the non-exclusive use of the Public Rights-of-Way within the Township for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system.

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

Section 1. Grant of Consent.

The Township hereby grants Cross River Fiber its municipal consent for the non-exclusive use of the Public Rights-of-Way within the municipality for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system.

Section 2. Duration of Consent.

The non-exclusive municipal consent granted herein shall expire fifty (50) years from the Effective Date of this Ordinance.

Section 3. Public Purpose.

It is deemed to be in the best interests of the Township and its citizenry, particularly including commercial and industrial citizens, to grant non-exclusive municipal consent to Cross River Fiber to co-locate within said Public Rights-of-Way of the Township for this purpose.

Section 4. Scope of Use.

Any and all rights expressly granted hereby shall be exercised at Cross River Fiber’s sole cost and expense, and shall be subject to the prior and continuing right of the Township under applicable laws to use any and all parts of the Public Rights-of-Way exclusively or concurrently with any other person or persons, and shall by further subject to all deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record which may affect such Public Rights-of-Way. Nothing in this Ordinance shall be deemed to grant, convey, create or vest in Cross River Fiber a real property interest in land, including any fee, leasehold interest, easement, or any other form of interest or ownership.

Section 5. Location and Relocation of Facilities and Equipment.

Cross River Fiber’s facilities and equipment shall be located and relocated in accordance with applicable standards, including, but not limited to, Township ordinances, as may be mutually agreed upon with the Township. Underground facilities shall be placed at least eighteen (18) inches below the surface of the public streets. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities and shall be constructed to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles. Cross River Fiber shall reimburse the Township for costs or fees incurred for engineering, legal or other review of its plans.

Section 6. Construction Requirements.

Cross River Fiber shall comply with the street opening or excavation permit requirements of the Township. Any area affected by the construction shall be restored to as good condition as it was before commencement of the work. No public streets or ways shall be encumbered for a period longer than reasonably needed to execute the work.

Section 7. No Obligation to Accept or Open Street.

Nothing contained herein shall be construed as an acceptance by the Township of any unaccepted street nor impose an obligation on the part of the Township to open any street not dedicated or opened to the public use.

Section 8. Maintenance of Facilities and Equipment.

Cross River Fiber shall maintain its facilities and equipment within the Township.

Section 9. Copies of Maps and Plans

Cross River Fiber agrees to provide to the Township, free of charge, copies of such maps and/or plans of its facilities and equipment as may be necessary or helpful to the Township in connection with any of its construction projects. This Section does not impose any obligation to create maps and plans specifically for the Township's use. Any maps or plans provided pursuant to this section shall be for general information purposes only and are not to be relied upon as an indication of the exact location of the facilities and equipment.

Section 10. Liability Insurance

Cross River Fiber shall at all times maintain a comprehensive liability insurance policy with a single amount of at least One Million Dollars (\$1,000,000.00) covering liability for any death, personal injury, property damage or other liability arising out of the construction and operation contemplated herein, and an excess liability policy (or "umbrella") policy amount in the amount of Five Million Dollars (\$5,000,000.00).

Cross River Fiber shall file with the Township Certificates of Insurance with endorsements evidencing the coverage provided by said liability and excess liability policies prior to the commencement of any work in the Public Rights-of-Way.

The Township shall notify Cross River Fiber within thirty (30) days after the presentation of any claim or demand to it, either by suit or otherwise, made against the Municipality on account of any of Cross River Fiber or its sub-contractors, agents, employees, officers, servants, designees, guests and invitees, activities pursuant to the rights granted in this municipal consent.

Section 11. Indemnification

Cross River Fiber, its successors, assigns, sub-contractors, agents, servants, officers, employees, designees, guests and invitees, hereby indemnify, defend and hold harmless the Municipality, its successors and assigns, elected officials, officers, employees, servants, contractors, designees and invitees from and against any and all personal injury and property damage claims, demands, suits, actions at law or equity or otherwise, judgments, arbitration determinations, damages, liabilities, decrees of any person(s) or entities claiming to be or being harmed as a result of Cross River Fiber actions under this Use Agreement and costs in connection therewith. This indemnification shall specifically include, but not be limited to, any and all costs, reasonable attorneys fees, court costs and any other expenses that may be incurred by the Municipality in connection with any and all claims, demands, suits, actions at law or equity or otherwise and/or arbitration proceedings which may arise in connection with Cross River Fiber activities pursuant to the rights hereby granted.

Section 12. Taxes, Fees and Charges

Cross River Fiber shall pay reasonable fees imposed by the Township for actual services made and provided in connection with this municipal consent and its non-exclusive use of the Public Rights-of-Way. This municipal consent does not affect the ability of the Township to impose real property taxes on the telecommunications facilities and equipment under current law. Further, in the future should applicable law change so as to enable the Township to impose a franchise fee or other fee, tax, charge, or other monetary obligation on Cross River Fiber's operations or facilities, it

agrees that the provisions of this municipal consent shall not preclude the Township from imposing or collecting such fee, tax, charge or other monetary obligation as may be permitted by law.

Section 13. Successors and Assigns.

The terms and conditions herein contained shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

Section 14. Severability.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is for any reason declared to be unconstitutional or invalid by any court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

Section 15. Effective Date

This Ordinance shall take effect upon notice, publication and adoption as required by law.

COUNCIL BUSINESS

Council Member Lynch had the following items:

- Congratulated Mr. Rizzuto for the birth of his grandchildren this evening.
- The Colorado firefighters – he addressed the affect of heat and carrying @120 pounds of equipment, with all the added stress. He thanked all volunteers – EMS, Police, Fire, as well as all Boards and Commission members.

Council Member Kadish had nothing to report at this time.

Council Member Dunn:

- thanked the Cliffwood Lakes parade with the Fire Department, noting that it was a wonderful parade and related festivities.
- advised about how much fun he had in his first ride in a fire engine. He advised that the Buy Local campaign was up and running. He noted there was still a lot to do, but there was a lot of interest, and it was picking up speed. He noted there would soon be a resolution by the Council. He advised that he would love to hear feedback on the program.

Council President Rizzuto had nothing to add at this time.

ADJOURNMENT

There being no further items of business to be conducted at the Regular Meeting, a motion for Adjournment was made by Council President Rizzuto. Motion seconded by Council Member Dunn, with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 8:08pm.

Respectfully submitted,

Susan S. Nelson, RMC
Municipal Clerk

Minutes approved: August 15, 2013

Patrick Rizzuto, Council President