

JEFFERSON TOWNSHIP COUNCIL

Regular Meeting

January 15, 2014

Municipal Building, Council Chambers

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Roll Call

Present

Mr. Dunham
Mr. Sanchelli
Vice President Birmingham
President Yocum
Township Attorney, Lawrence Cohen
Lori Harvin, Township Clerk

Absent

Mrs. Merz

Mrs. Harvin said, "Let the record show that Administrator James Leach is present."

Notice of Presiding Officer

President Yocum said, "This Regular Council meeting for January 15, 2014, commencing at 7:00 p.m. has been properly noticed in accordance with the Open Public Meetings Act by notice to the official newspapers of the Township on January 9, 2014."

Salute to the Flag

Yocum asked everyone to rise to salute the flag.

Public Hearing Upon Adoption For Ordinances On Second Reading and Final Hearing

ORDINANCE #1-14: ORDINANCE AMENDING CHAPTER 256 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED "FIRE PREVENTION" AND MORE PARTICULARLY SECTION 256-9 ENTITLED "ACCESS TO THE KEY BOX IN AN EMERGENCY" IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING

Yocum opened the meeting up for question or comments specific to proposed Ordinance 1-14 and seeing no one come forward, he closed the public portion.

Motion: Sanchelli, second Dunham

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

Council Reports

Sanchelli had no report.

Birmingham had no report.

Dunham said he would like to thank the Administration for the tour of the new Dial A Ride bus. Dunham thanked the Police Department for the quick response to the recent accident that took place on Ridge Road.

Administrative Reports of Mayor and Administrator

Leach reported that the new Dial A Ride van is outside the Municipal Building tonight. Leach reported that \$58,000 was received from a Grant from the NJDOT. The Recreation Department filed for the Grant and did a great job.

Township CFO, William Eagen, arrived at 7:05 p.m.

- Presentation of 2014 Budget

Eagen distributed copies of the 2014 Municipal Budget to the Council and Leach said that this is a working draft. Leach said the subcommittee will begin meeting on a Saturday and then report back to the Council. Leach reported that as the Budget stands right now it is up 3.8 percent. There are some places where it will be cut, there are no

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new employees. Leach said that they do not expect to have too much trouble with the Cap Law.

Yocum said that the reason for setting the first meeting date for February 5 was based on the ability for the Council Budget Sub-Committee to meet with the Administration prior to the first Budget Meeting. Yocum said that the process of having the Sub-Committee has worked extremely well. Yocum said that the Council is looking to introduce the Budget by March 14 and the State is looking for Adoption by April 25.

Leach said that the Administration appreciates the extra time that the Council Sub-Committee devotes to the Budget. Eagen explained that the binders contain an overview of the current operating fund; capital; salary & wages; and up front are some informational sheets. Eagen said that he will send out the electronic copies tomorrow. Yocum advised the Council to contact the Administration with specific questions. Leach said that questions are welcomed.

Miscellaneous/Public Portion

Yocum opened the meeting up to the public for questions or comments.

James Perrier, Chief of the Milton First Aid Squad came forward. Perrier said he would like to present some statistic for 2013 that they have compiled. In 2013:

747 Emergency calls
117 Fire calls
864 Emergency Calls
2.3 Averaging Calls Per Day
Ambulances Traveled 2500 Miles
Volunteers (Cadets to Sr. Members) – Accumulated: 32,941 Volunteer Hours
3,091 Hours on Training Alone

Perrier said he would just like to let the Council and Administration know what the Squad is up to and what they have accomplished. Perrier said that 6 new EMTs have joined the Squad along with a couple new drivers and first responders. This year there will be a new membership drive beginning on February 27 with a new membership orientation. A new ER class will begin March 3. Perrier thanked the Council and Administration for all the support.

Arthur Higgins of 12 Puddingstone Lane came forward. Higgins stated that he is here with regard to issues he has with the way a project is proceeding at 26 October Hill Road. Higgins said he is asking for help and guidance.

Kelly Higgins came forward and read a prepared letter describing the background of the situation and the development of the issues with the installation of the driveway at 26 October Hill Road and the millings. Higgins requested that the Council recommend that the Zoning Board reopen the application due to substitution of the millings. Mr. Higgins said that the Engineer represented at the Board Hearing that quarry process would be used.

Sanchelli asked about the stop work order. Higgins said that 2 notices of violations were issued: Morris County Soils Conservation and Morris County Health Department. Higgins said that he does not want to be responsible for an easement that has solid waste on it.

Yocum said that the Council has been copied on every communication during this process. Yocum said the Council does not have the authority to do some of things that Mr. Higgins is requesting. This matter was in front of the Zoning Board and then the County became involved along with the State and Town inspectors; those are the officials that control the destiny of this project. Yocum explained that the Council should be aware of what is going on and obviously the Administration will keep the Council updated as to what is happening. Yocum reiterated that the Council does not have the

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authority to intervene. Yocum asked Leach to speak about the next immediate steps and what the Township is going to do.

Higgins said the Zoning Board Resolution says that it enforceable as such. Higgins asked who the enforcing authority would be? Yocum said that the answer would probably be a combination of agencies. Yocum said that they must let those agencies do what they are required to do.

Leach said there are 2 issues; one is the Board of Adjustment Resolution and the other is the millings. The milling issue is not a criminal violation or a violation of the law. It is a violation of a DEP Administrative Regulation. Leach said that the DEP is the only one that has the power to enforce that regulation. Leach said that the use of millings in this manner only became a violation after March of 2013. Leach said that normally the DEP will issue a Notice of Violation and that requires the responsible party to come up with a remediation plan. Leach said the Mayor will be in tomorrow and he will meet with the Town Engineer about a plan to make inspections. Yocum asked that the report be provided to Mr. Higgins when it is completed. Yocum said that until there is a mitigation proposal from the DEP, nothing can be done.

Higgins said that the Zoning Board did not approve the use of the millings and Mr. Kimble did not put millings on his plans. Leach said he will contact Mr. Senesky and get a legal opinion. Leach said he will ask the Board Attorney if the Board approved the use of Quarry Process in the engineering specs and millings were used, is that acceptable or does this have to go back to the Board of Adjustment.

Higgins said he would go for a building permit, get his excavator and remove the millings.

Cohen advised that the Council is out of this matter as far as their jurisdiction and abilities. The Council can intervene if something is not being done and then this is a proper forum and the Council can ask for an investigation. Cohen said this matter was heard before another Body with different jurisdictions and it is up to the Board of Adjustment. Cohen said Leach is going to get an opinion from the Board of Adjustment.

Yocum closed the public portion of the meeting.

New Business

- **Budget Meeting Dates for 2014**

Motion to Approve:

- February 5 at 6:00 p.m.**
- February 12 at 7:00 p.m.**
- February 26 at 7:00 p.m.**
- March 5 at 6:00 p.m.**
- March 12 at 7:00 p.m.**

Motion: Yocum, second Sanchelli

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

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Resolutions

Resolution #14-6: Authorize Professional Services Contracts with Courter Kobert & Cohen, Township Attorney & Labor Attorney for the period ending December 31, 2014 (Cert Avail Funds) **(10-A)**

Motion: Dunham, second Yocum

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Not Voting
President Yocum	Aye

Resolution #14-8: Approval of Bills **(10-B)**

Motion: Sanchelli, second Yocum

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

Resolution #14-9: Authorize Passage of Consent Agenda Removal of Item #4 **(10-C)**

Motion: Sanchelli, second Dunham

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

Motion to Approve Consent Agenda Item #4

Motion: Sanchelli, second Birmingham

Mr. Dunham	Not Voting
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

Miscellaneous/Public Portion

No one came forward.

Adjournment at 7:47 p.m.

Motion: Sanchelli, second Dunham

Mr. Dunham	Aye
Mrs. Merz	Absent
Mr. Sanchelli	Aye
Vice President Birmingham	Aye
President Yocum	Aye

Dated: January 15, 2014

Attested:

Approved:

Lori Harvin, Township Clerk

Robert Birmingham, Council Vice President