

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

1

### Township Clerk Called the Meeting to Order

### Salute to the Flag

### Township Clerk Calls for Nominations for Council President

Sanchelli nominated Yocum, Birmingham seconded the nomination.

**Motion:** Merz made a motion to close the nominations

**Motion:** Merz, second Sanchelli

Mr. Dunham	Aye
Mrs. Merz	Aye
Mr. Sanchelli	Aye
Mr. Birmingham	Aye
Mr. Yocum	Aye

**Motion:** Yocum as Council President

**Motion:** Sanchelli, second Birmingham

Mr. Dunham	Aye
Mrs. Merz	Aye
Mr. Sanchelli	Aye
Mr. Birmingham	Aye
Mr. Yocum	Aye

### Council President Yocum Conducted the Remainder of the Meeting

### Roll Call

Present	Absent
Mr. Dunham	
Mrs. Merz	
Mr. Sanchelli	
Mr. Birmingham	Present on Telephone
President Yocum	
Township Attorney, Lawrence Cohen	
Lori Harvin, Township Clerk	

Mrs. Harvin said, "Let the record show that Mayor Felter and Township CFO, William Eagen are present. Also present is Senator Pennachio; Freeholders Tom Mastrangelo; John Krikus; John Cesaro; County Clerk Ann Grassi and Former Mayor Horace Chamberlain.

### Notice of Presiding Officer

President Yocum said, "This Reorganization/Regular Council meeting for January 6, 2014, commencing at 7:00 p.m. has been rescheduled from January 2, 2014 due to inclement weather and it has been properly noticed in accordance with the Open Public Meetings Act by notice to the official newspapers of the Township on December 27, 2013."

### Yocum Called for Nominations for Council Vice President

Dunham nominated Birmingham, Merz seconded the nomination.

**Motion:** Sanchelli made a motion to close the nominations

**Motion:** Sanchelli, second Merz

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

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

2

**Motion:** Birmingham as Council Vice President

**Motion:** Dunham, second Merz

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

### Invocation by Councilman Dunham

Councilman Dunham presented the Invocation for the evening.

### Proclamation & Resolution: Eagle Scout Timothy Nicholas Luciano (2-A)

Timothy Nicholas Luciano came forward along with his parents. Mayor Felter presented the Proclamation congratulating Timothy on the achievement of his Eagle Scout award. Council President Yocum read the Resolution commending Timothy on his Eagle Scout Award. Yocum presented Timothy with a Township pin and pen. Timothy received individual congratulations from the Council members.

### Proclamation & Resolution: Eagle Scout Andre J. Remus (2-B)

Andre J. Remus came forward along with his parents. Mayor Felter presented the Proclamation congratulating Andre on the achievement of his Eagle Scout award. Council President Yocum read the Resolution commending Andre on his Eagle Scout Award. Yocum presented Andre with a Township pin and pen. Andre received individual congratulations from the Council members.

### Mayor's Appointments (2-C)

Felter read his Appointments followed by the Appointments requiring the Council's Advice and Consent.

The Council voted on the Advice and Consent portion of the Mayor's Appointments

Mayor's Appointments with Advice and Consent: Township Attorney, Lawrence Cohen, Esq.

**Motion:** Merz, second Sanchelli

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

Mayor's Appointments with Advice and Consent: Township Labor Attorney, Richard Wenner, Esq.

**Motion:** Yocum, second Sanchelli

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

Mayor's Appointments with Advice and Consent

**Motion:** Merz, second Sanchelli

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

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

3

### Council's Appointments

Yocum read the Council's appointments and Council President's Appointments.

(3-A)

### Recess

The meeting adjourned for Recess at 7:27 p.m. and reconvened at 7:40 p.m. Birmingham did not return to the meeting.

### Approval of Minutes of Previous Meetings

• December 18, 2013	Regular	Sanchelli Absent
Motion: Dunham, second Yocum		
Mr. Dunham		Aye
Mrs. Merz		Aye
Mr. Sanchelli		Not Voting
Vice President Birmingham		Absent
President Yocum		Aye

### Ordinances for Adoption on Second Reading and Final Hearing

ORDINANCE #19-13: ORDINANCE VACATING A ROADWAY KNOWN AS HILL STREET, IN THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS AND STATE OF NEW JERSEY IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING

Yocum opened the meeting up for question or comments specific to proposed Ordinance 19-13.

Mrs. Saunders of 19 Abbott Drive came forward with an objection to the vacation of Hill Street. Saunders presented a letter from Mrs. DeFilippo of 25 Abbott Drive stating that she does not wish to see Hill Street vacated. Mrs. Saunders stated that there are drainage problems on Hill Street and a drainage pipe that comes to an abrupt end on Hill Street directly behind her property. Mrs. DeFilippo presented photographs for the Council to view.

Yocum said the Engineer recommended the vacation of the entire length of the right of way. Yocum said that the 4 abutting properties would split the right of way. Yocum said that if the Council is not comfortable with the information that is present this evening, a request can be sent to the Administration for further information regarding the storm drainage. Yocum said he would like to know how long the storm drainage has been there; exactly what it is connected to and its condition.

Cohen explained that the street is being vacated subject to the town's right to maintain a drainage easement and nothing can be done with this property. Yocum said that if the drainage pipe is not functioning properly as it currently exists and this is the end of a drainage pipe on the property, perhaps this drainage pipe needs to be extended.

Motion: Table Ordinance 19-13 to February 5, 2014.

Motion: Sanchelli, second Dunham

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

### Miscellaneous/Public Portion

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

Arthur Higgins of 12 Puddingstone Lane came forward. Higgins stated that it is his opinion that Tilcon has not been doing the right thing with millings on certain resurfacing projects. Higgins said he would like the Mayor and Council to look into this issue and he would like a letter sent out to them to conform to the guidelines regarding

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

4

recycling of solid waste. Higgins said he is building a house at the end of October Hill Road and there have been drainage issues. Higgins said his neighbor had an application approved for a driveway, however, he does not feel it is being constructed in compliance with the conditions of the Zoning Board approval. Higgins detailed the drainage conditions that were approved on the engineer's specifications. Higgins stated that the DEP is involved in this issue along with the County regarding the millings issue. Higgins spoke about losing access to his property due to the drainage issues.

Yocum commented that this has been an ongoing construction issue and it is not a particularly good experience for any of the people in that neighborhood. Yocum asked the Mayor to have his office coordinate a meeting between the Township Engineer, the Zoning Board Attorney, a representative from the County and a representative from the DEP to resolve this issue. Yocum said that nothing that gets resolved is going to make everyone that is affected by this happy but the Council and Administration's job is not to make everyone happy but to make sure that things are done the correct way. Felter said that not only is the County involved but he believes there is a Court Order. It is a complicated matter. Yocum said he would like Mr. Senesky to be involved in those issues that pertain to what the approvals actually mean.

Higgins asked what the Court Order was about. Felter said he was not sure and the matter is still in litigation. Higgins said he would like to be involved with the meeting. Yocum said that he is looking to the Mayor's Office to set up the meeting.

Yocum closed the public portion of the meeting.

### Council Reports

Merz wished everyone a Happy New Year.

Sanchelli wished everyone a Happy New Year.

Dunham wished everyone a Happy, Healthy and Safe New Year.

Dunham said he would like to thank everyone for the outstanding work during the fire at Sars Wrecking Yard. Dunham thanked the Police for the portable signs that go out around town welcoming the returning Veterans back to town. Dunham said he hopes and prays for a better 2014 for everyone and particularly for Jefferson.

Sanchelli said that people in town are already organizing donations for the family that lost everything in the house fire the other night by Lake Swannanoa. Sanchelli said that now that he is driving for the First Aid Squad he has a new appreciation for all the volunteers do.

### Administrative Reports of Mayor and Administrator

Felter reported that a list is being put together of all the Fire Companies that were in town responding to the fire at Sars and a thank you letter is being sent to the Mayors and Chiefs. Felter thanked the DPW for the job they did during the storm the other day.

Eagen reported that the Finance Office is working on the 2014 Budget and the Budget will be presented to the Council at the next Council Meeting.

Eagen said he would like to ask the Council for a Motion to approve a Purchase Order that did not make it to the Bills List.

- Motion for Approval of PO 13-03003 for Candoris Technology - \$15,612.15

**Motion:** Yocum, second Sanchelli

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

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

5

Yocum said he would like to thank the Fire and Police who are always on site along with OEM.

### New Business

#### Ordinance for First Reading

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 FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR JANUARY 15, 2014.

**Motion:** Merz, second Dunham

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

### Resolutions

**Resolution #14-1:** Temporary Budget for 2014

(5-A)

**Motion:** Sanchelli, second Dunham

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

**Resolution #14-2:** Appropriation Transfer for 2013

(5-B)

**Motion:** Sanchelli, second Yocum

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

**Resolution #14-3:** Approval of Bills

(5-C)

**Motion:** Sanchelli, second Dunham

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

**Motion** to Approve PO 13-04341

**Motion:** Sanchelli, second Merz

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

# JEFFERSON TOWNSHIP COUNCIL

## Reorganization/Regular Meeting

January 6, 2014

Municipal Building, Council Chambers

6

**Resolution #14-4:** Authorize Passage of Consent Agenda

**(6-A)**

**Motion:** Merz, second Sanchelli

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

**Resolution #14-5:** Authorize Professional Services Contracts with:

**(6-B)**

- (1) Ferraioli, Wielkotz, Cerullo & Cuva, Auditor for the period ending December 31, 2014;
- (2) Hawkins, Delafield & Wood LLP, Bond Counsel for a period ending December 31, 2014
- (3) Kenneth Fox, Architectural Services, for the period ending December 31, 2014
- (4) Integra Realty Resources-Northern New Jersey, for the period ending December 31, 2014;

**Motion:** Dunham, second Sanchelli

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

### Miscellaneous/Public Portion

No one came forward.

**Adjournment** at 8:18 p.m.

**Motion:** Dunham, second Sanchelli

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

**Dated:** January 6, 2014

Attested:

Approved:

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Lori Harvin, Township Clerk

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Robert Birmingham, Council Vice President