

JEFFERSON TOWNSHIP COUNCIL

Regular Meeting

April 6, 2011

Municipal Building, Council Chambers

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Roll Call

Present	Absent
Mr. Dunham	
Mrs. Merz	Mr. Sanchelli
Vice President Birmingham	
President Yocum	
Lori Harvin, Township Clerk	

Mrs. Harvin said, "Let the record show that Mayor Felter and Administrator James Leach are present."

Salute to the Flag

President Yocum asked everyone to rise for the Pledge of Allegiance.

Moment of Silence

Yocum asked everyone to rise and join the Council in a Moment of Silence for Floyd Sisco who passed away on Monday, March 14, 2011. Mr. Sisco was a lifelong member of the Jefferson Township Fire Company No. 1 as well as a Special Officer of the Jefferson Township Police Department.

Mayor's Presentation of Proclamation for Autism Awareness Month

Mayor Felter read his Proclamation for Autism Awareness Month and presented the Proclamation to Melissa and Taylor Senatore.

Notice of Presiding Officer

President Yocum said, "This Regular Council meeting for April 6, 2011, 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 March 31, 2011."

Approval of Minutes of Previous Meetings

March 2, 2011	Regular	President Yocum Absent
March 9, 2011	Regular	President Yocum Absent

Motion: Dunham, second Merz

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

March 16, 2011	Regular	All Members Present
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Motion: Birmingham, second Dunham

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

Public Hearing Upon Adoption for Ordinances on Second Reading and Final Hearing:

Ordinance No. 4-11: To Exceed the Municipal Cap Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45:14)

Yocum announced that this Ordinance will have to be tabled until the April 20 meeting so the Ordinance can be re-advertised.

Motion: Table Ordinance No. 4-11 to April 20, 2011 Meeting

Motion: Dunham, second Merz

Mr. Dunham	Aye
Mrs. Merz	Aye
Mr. Sanchelli	Absent

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Vice President Birmingham Aye
President Yocum Aye

Yocum commented that the reality of where the Budget stands in Jefferson Township is \$351,837.00 under the 2% Cap. There was speculation that this Ordinance was being done so the Cap could be exceeded and that is not the case.

Unfinished Business

- **Lake Swannanoa Dam Restoration**

Yocum announced that the Council will be going into Executive Session at the end of this meeting tonight to discuss the direction that the town will take on this matter. This matter will be placed on a future agenda for discussion and postcards will be sent out for that meeting to all the affected residents. Yocum said this was listed on the Agenda to ensure that all the Council members have all the information needed in order to go into Executive Session.

Miscellaneous/Public Portion

Yocum opened the meeting up to the public.

Dan Mullen of 10 Hopi Trail came forward and said he feels that the matter has been handled very professionally by the Council.

Yocum closed the public portion of the meeting.

New Business

Resolution #11-32: Authorizing Mayor to Sign Shared Services Agreement With Board of Education Providing for Drummond School Conversion Project

Cohen commented that this item must be removed from the agenda pending the receipt of a revised Agreement from the Board of Education.

Resolution #11-33: Authorize 2011 Temporary Capital Budget

(43-A)

Motion: Birmingham, second Yocum

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

Ordinances for First Reading

ORDINANCE #5-11: ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$161,320 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR APRIL 20, 2011.

Motion: Dunham, second Birmingham

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

ORDINANCE #6-11: ORDINANCE PROVIDING FOR VARIOUS RECREATIONAL IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$65,100 THEREFOR FROM THE RECREATION TRUST FUND OF THE TOWNSHIP

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IS OFFERED FOR ADOPTION ON FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR APRIL 20, 2011.

Motion: Merz, second Dunham

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

ORDINANCE #7-11: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$170,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$161,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION IS OFFERED FOR ADOPTION ON FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR APRIL 20, 2011.

Motion: Birmingham, second Merz

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

ORDINANCE #8-11: BOND ORDINANCE APPROPRIATING \$2,889,000, AND AUTHORIZING THE ISSUANCE OF \$2,763,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY IS OFFERED FOR ADOPTION ON FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR APRIL 20, 2011.

Motion: Merz, second Dunham

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

ORDINANCE #9-11: BOND ORDINANCE APPROPRIATING \$262,000, AND AUTHORIZING THE ISSUANCE OF \$249,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON FIRST READING WITH SECOND READING AND FINAL HEARING SCHEDULED FOR APRIL 20, 2011.

Motion: Merz, second Dunham

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

Council Reports

- Change Start Time of April 20, 2010 Meeting to 7:30 p.m.

Motion: Birmingham, second Dunham

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

Yocum commented that there have been increased black bear sightings, however, no reports of incidents.

Merz had no report this evening.

Birmingham reported that he attended the Rockaway River Watershed meeting which was well represented by the 15 towns that are part of that coalition. Birmingham said that Jefferson's tire ordinance was reviewed as there is a problem downstream with the dumping of tires and it impedes the water flow. Birmingham asked if the fines could be more stringent for this type of dumping. Cohen commented that the maximum fine is currently \$2,000.00. Cohen suggested a minimum fine of \$100.00 if the littering involves tires. Yocum suggested that the Clerk's Office check with the League of Municipalities to see if other towns have different degrees of fines for littering in environmentally sensitive areas. Birmingham commented on the success of the collection of the e-waste in the Township. Birmingham reported that Berkshire Valley Road is now the biggest County project this year and he suggested sending a letter of thanks. Yocum suggested waiting until the paving is completed.

Dunham reported that he attended a Sustainable NJ meeting in Sparta; the Library Trustees' meeting; and the Board of Education Budget meeting. Dunham commented that he spent 2 days riding with Rich Tuttle, Director of Utilities, visiting the Water and Sewerage Utilities throughout the town. Dunham commented that he participated in the White Collar Mediation meeting. Dunham gave a talk about the different forms of government at the Morris County Library to the People to People Organization which is a foreign exchange program. Dunham attended the Mayor's Lakeland Seniors Luncheon and served food with Leach and the Mayor's son Jeff.

Birmingham commented that he attended the Library Trustees' meeting also and they have more attendees going to the Library in the month of February than they had the previous year. The Library would like to expand their accessibility through e-books and they are exploring the removal of the old non-functioning solar system. Birmingham said that there are plans to fix the awning over the front of the building and for the installation of new solar panels.

Administrative Reports of Mayor and Administrator

Mayor Felter had no report.

Leach reported that the Police Chief would like to appoint a new Chaplin. Leach said that after research it has come to his attention that this must be a police appointment and not a civil service title. Leach requested that Cohen draft an amendment to the Police Ordinance establishing the position of Chaplin by ordinance. The recommendation is to have the Chaplin serve a term of 3 years so the term will never run consecutive with any elections.

Leach advised that there is a "No Smoking in Parks" ordinance and Prospect Point Park was inadvertently omitted when the ordinance was passed. Since that time Ashley Cove Park was purchased. There is also a request to include the Senior Center. Yocum polled the Council and asked Cohen to prepare the ordinance amendment.

Leach advised that the energy audit was approved by the BPU. All 6 authorized engineering firms were solicited and 2 responses were received, one did not want to do the project. The price received was a little over \$24,000 and the BPU granted authorization to award the contract. The contract will be awarded the first meeting in May as a Chapter 159 expense and revenue.

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Leach reported that the derelict building on State Green Acre property at the corner of Taylor Road and Berkshire Valley Road is scheduled to be demolished by the end of the week. Senator Bucco's staff has been working on this and has taken the matter to the Commissioner of the DEP.

Resolutions

Resolution #11-34: Temporary Budget Amendment for 2011 (46-A)

Motion: Dunham, second Birmingham

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

Resolution #11-35: Approval of Bills (46-B)

Motion: Dunham, second Birmingham

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

Resolution #11-36: Authorize Passage of Consent Agenda (46-C)

Motion: Birmingham, second Yocum

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

Resolution #11-37: Authorize Executive Session: Potential Litigation (46-D)

Discussion regarding Lake Swannanoa Dam Project

Motion: Yocum, second Birmingham

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

Miscellaneous/Public Portion

Yocum opened the meeting up to the public.

Anne Augustyn of 41 Paderewski Road came forward and asked about the Ordinances introduced and the specific projects involved. Leach explained that the ordinances provide for the money funding capital projects and he will provide complete copies listing all the projects.

Augustyn commented that the Library just ran a therapy dog program and the shooting from the Police Range was distracting. Augustyn asked if schedules could be coordinated. Leach said that the Library can always contact the Chief when a program is going to be taking place so the range can be closed during that time.

Augustyn asked if Jefferson has submitted plans conforming the local zoning to the requirements of the Highlands Act. Yocum asked Leach to check with Hartmann on the status of the plan for the preservation area of the Township.

Yocum closed the public portion of the meeting.

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Recess

The Council adjourned into Executive Session at 7:51 p.m. and reconvened into Open Session at 8:40.

Adjournment at 8:41 p.m.

Motion: Merz, second Yocum

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

Dated: April 6, 2011

Attested:

Approved:

Lori Harvin, Township Clerk

Richard W. Yocum, Council President