

JEFFERSON TOWNSHIP COUNCIL

Regular Meeting

May 15, 2013

Camp Jefferson, Main Lodge

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Roll Call

Present	Absent
Mr. Dunham	
Mrs. Merz	Mr. Birmingham
Vice President Sanchelli	Arrived at 7:52 p.m.
President Yocum	
Lawrence Cohen, Township Attorney	
Lori Harvin, Township Clerk	

Mrs. Harvin said, "Let the record show that Mayor Felter and Administrator Leach are present. Also present is Township Auditor, Charles Ferraioli.

Notice of Presiding Officer

Council President Yocum said, "This Regular Council meeting for May 15, 2013, 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 May 9, 2013."

Salute to the Flag

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

Township Auditor, Charles Ferraioli

Ferraioli presented the Amendment to the 2013 Municipal Budget to the Council. Ferraioli advised that the Amendment will be moving items of appropriation from inside the cap to outside the cap. The Amendment will increase the amount under the appropriation cap by \$11,000. The Budget is under the appropriation cap by \$651,000 and under the Levy Cap by \$247,000.

Yocum asked the Council if they had any questions for Ferraioli and no Council members had any questions or comments.

Public Hearing of Municipal Budgets

- 2013 Municipal Budget for the Township of Jefferson

Yocum opened the meeting up to the public for questions or comments specific to the 2013 Municipal Budget and seeing no one come forward, he closed the public portion of the meeting.

- 2013 Solid Waste Collection District Municipal Budget for the Township of Jefferson

Yocum opened the meeting up to the public for questions or comments specific to the 2013 Solid Waste Collection District Budget and seeing no one come forward, he closed the public portion of the meeting.

Adoption of 2013 Municipal Budgets

Resolution #13-47: Amend Budget

(51-A)

Motion: Merz, second Dunham

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

Resolution #13-41: Authorize that Budgets be Read by Title Only

(51-B)

Motion: Dunham, second Merz

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

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Resolution #13-42: To Adopt Municipal Budget of the Township of Jefferson, County of Morris for the Fiscal Year 2013

(52-A)

Motion: Merz, second Dunham

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

Resolution #13-43: To Adopt Solid Waste Collection District Municipal Budget of the Township of Jefferson, County of Morris for the Fiscal Year 2013

(52-B)

Motion: Merz, second Dunham

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

Ferraioli left the meeting at 7:14 p.m.

PSE&G Construction Update with PSE&G Representative, George Sous

Yocum announced that George Sous is present this evening as a representative from PSE&G. Yocum said that Sous is here to be a conduit to bring comments and questions back to PSE&G. Sous said he has been on this project since it began back in 2007. Sous gave a history of the project along with the site analysis along the existing right-of-way. Sous said that construction on this 26 mile segment is nearing completion. This segment goes from the Andover Township to Montville Township. Sous explained the need to have this segment re-energized by June 13th or 15th in time for summer usage. Sous said the crews are in the process of pulling cable which utilizes small helicopters. Sous introduced Steve Nosik and Bill Cesario, who are both with the Construction and Contractors working on the construction. Sous explained that once the cable has been pulled, the crews will begin the process of demobilization, removal of the access roads; reforestation and replanting. Sous said they realize this has been an inconvenience and a disturbance to the residents. Sous said they are trying their best to be responsive to calls that have been received. There should be noticeably less construction activity.

Yocum asked Sous about the monopole versus the lattice tower construction and if it was an economic decision. Sous said at the beginning of the project both designs were investigated. There will be monopoles in the National Park property but for the balance of the project there will be lattice towers. Sous cited the engineering and geology. The structures would have to be the same height, whether monopole or lattice. Monopole design and the process to erect them would require much larger foundation work. Sous said that geology, aquifers and rock content were a major reason to go to lattice design. Lattice design requires 4 much smaller foundations and footings which are more conducive to building in a high rock content area. The amount of blasting and drilling would not be feasible in this area which included the Morris County Park property. Lattice towers can also be assembled in sections and are brought in as built. The basic determining factors were the ground conditions, the geology and the size of the access roads. Both designs were explored but the engineers made the determination.

Dunham said that one of the other issues that was brought to the attention of the Council was the start times, particularly on weekends. Sous said that during the winter months there were natural controls with shorter days. Sous said workers arriving at the site and starting up equipment, may be interpreted as starting construction. Dunham said that there are residents that live only a few hundred feet from the work sites.

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Yocum said that it is extremely important that the start time and end time be strictly adhered to. Work has started before it should have and it was not just workers arriving at a work site. Yocum said that the residents would like to hear that the Town's ordinance was violated and it will not happen again.

Merz said that the issues have been brought up here and by the residents. Merz commented that when residents approached crews with questions, the crews did not respond with a courteous attitude. Merz said when a resident questions an early start time, she would hope the residents are treated in a courteous manner.

Yocum opened the meeting up to the public.

Pat Barille of 54 Valley Trail came forward and asked Sous if PSE&G did an assessment of the homes near the towers and if they would be taking any responsibility for falling property values.

Sous said PSE&G did not do an assessment of any homes. Sous said the right-of-way was there prior to the homes with a handful of exceptions. Most of the homes were built at some point after the original line was constructed. The company has no position with regard to property values.

Barille spoke about information obtained from internet sites. Barille asked where they should go with their concerns.

Yocum asked the members of the public to speak one at a time.

Sous said he cannot speak to any information posted by other organizations. Sous said that wherever public input could be taken into consideration it has been. Sous said he has had one inquiry about well concerns and it is being addressed.

Joe Barille of 54 Valley Trail said he has a report from the BPU which said that PSE&G is supposed to assess properties along the right-of-way.

Barille said the helicopter was flying around 5 p.m. tonight working. Barille said the helicopter was flying about 50 feet above his house.

Yocum asked for a copy of the BPU document.

Mike Chirico of 5 Solar Road came forward and commented that he is currently trying to sell his home. Chirico said people come to see his house, see the tower and leave.

Phil Doyle of 58 Valley Trail came forward and said that construction began at 7 a.m. on Saturday. Doyle said the crews were gone well before sunset. Doyle said that they will call the Police when the crews start before 9 a.m. from now on. Doyle said that the towers could have been moved further down the road. Doyle said if monopoles are being put on certain land, why can't they be put on this land. Doyle spoke about the mitigation funds and said he feels the impacted residents should receive part of the mitigation funds. Doyle asked about the purpose of the money.

Yocum said the Administration can provide a copy of the Mitigation Agreement which outlines the specific purposes for which those funds can be used. Yocum said the funds are held specifically for emergency services; mitigation and restoration of the access road area; restoration of trees. Leach said one agreement was for emergency services and one for mitigation. Leach said when the project is complete, the town is to work with PSE&G for planning and restoration of the roads and infrastructure. Leach said that none of the money has been spent. Yocum commented that there is potential to use some money on buffering along the right-of-way.

Michael Sanchelli arrived at 7:52 p.m.

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Doyle said that he understands that an appeal must be filed by April 1 of next year. Doyle asked if some of that money can be used to compensate people who have lost value in their homes. The houses were constructed when the towers were 80 foot and now they are 120 feet.

Cohen said that he was at the County Board yesterday and there was one appeal based on a tower issue, however, he does not know the decision yet. Cohen said that the Assessor is powerless to do anything for this year under State Law. Cohen said that as far as the depreciation of the property value, that is a different issue than the lowering of an assessment because of large towers. Cohen said that an attorney should be consulted concerning that issue.

Doyle said he feels the town should give the residents compensation because their property values have been dramatically impacted. Yocum said that the town does not pick and choose what can be mitigated with those funds. Yocum said that a copy of the document will be provided to anyone who would like to see it. The town cannot change the appeal process or change property value losses. Yocum said that the Assessor's Office can offer assistance with the process. Doyle said that even if he appeals for 2014 forward, he has an impact for this year and why can he not get relief for this year. Doyle said the town has received relief from PSE&G and he should not have to pay because this was forced on his neighborhood. Yocum said he will get a copy of the mitigation Agreements for Doyle so he can read them and the restrictions placed on that money. Yocum said the town cannot go outside of the law. Doyle continued to argue for mitigation funds.

Michael Sanchelli of 6 Solar Road came forward and said he was upset that work went on all day on Sunday, Mother's Day. Sanchelli said the helicopter was 25 feet above all day and the noise was deafening. Sanchelli commented that the crews have been very professional.

Will Peters of 43 Aldrin Road came forward and said that his well has been affected by this process. Peters said that it has taken PSE&G 5 weeks to acknowledge the problem with their well. Peters said they notified the town on March 1. Peters said the pounding and the blasting may have disturbed the aquifers. There is residue and black soot coming out of their faucets.

Yocum asked about the response from the town and Peters said that the Health Department came out and took water samples three weeks ago. Yocum asked Sous when an engineering firm will be arriving on the scene to deal with this situation. Sous said he was alerted to the situation and he has reached out to an engineer who will be in contact with Mr. & Mrs. Peters. Yocum asked Sous and Peters to keep the Council and the town updated on the situation. Felter said he will have Tuttle contact the homeowners to see if a filter is needed on the well.

Michael Weir of 5102 Berkshire Valley Road came forward and said he is familiar with the original plans for the construction. Weir asked if there are any other changes that have been made to those plans and will the stakes on the towers be utilized by cell phone companies. Sous said there is nothing planned that he is aware of and if a communications company would like to attach their equipment, an application must be submitted to the town. Sous said the approval would come through the town and there is a process. Weir said that he was not notified during this process and he would appreciate being notified regarding future work or projects.

Weir said he would like to know what kind of chemicals are being used at the construction site and he is concerned for his well. Weir asked why all the surrounding residents were not notified about the well problem. Weir asked why a Pennsylvania construction company was awarded the construction project.

Sous explained the reason for the contractor working on the construction project and the amount of people being put to work on the project. Sous said the project does benefit this area even though the immediate area is not serviced by PSE&G. Sous

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explained about the generation of electricity and the need to transmit electricity over distances. Sous explained that the power traveling over these transmission lines does feed substations owned and operated by JCP&L.

Weir asked if monitors will be set up once the towers are complete and operational. Sous said that any resident that would like testing done on their property can contact him and testing will be done near their property. The results will then be made available to them. Yocum asked Felter to make that information available to the residents in that area.

Anne Augustyn of 41 Paderewski Road came forward and said she is sad to hear all these issues because these are the concerns that were raised when the project was first proposed.

Doyle said this is the first he heard of a well problem in the neighborhood and why wasn't everyone in the neighborhood notified and all the wells tested.

Yocum said he does not have the information about the correct protocol for this type of well problem. Yocum commented that the well problem is being addressed through the Administration and Health Department at this time. Yocum announced that anyone who would like their water tested, it is always available through the Health Department.

Yocum thanked Sous for attending the meeting.

Recess

The Council adjourned for Recess at 8:36 p.m. and reconvened at 8:48 p.m.

The Council, Mayor and public went outside to participate in the sky lantern lift off to symbolize and mark the need for Mental Health Awareness and mark May as Mental Health Awareness Month.

Proclamation Declaring May Mental Health Awareness Month

Felter read the Proclamation Declaring May Mental Health Awareness Month and he presented the Proclamation to Councilwoman Debi Merz who accepted it on behalf of the Jefferson Township Mental Health Project.

Approval of Minutes of Previous Meeting

April 17, 2013 Budget/Regular Meeting All Members Present

Motion: Yocum, second Dunham

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

May 1, 2013 Regular Meeting Sanchelli Absent

May 1, 2013 Executive Session Sanchelli Absent

Motion: Yocum, second Dunham

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

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

ORDINANCE #5-13: ORDINANCE TO AMEND ORDINANCE 20-08 WHICH WAS AMENDING ORDINANCE 10-05, ESTABLISHING SALARIES, HOLIDAYS, BENEFITS AND CERTAIN JOB REGULATIONS OF OFFICERS AND EMPLOYEES OF THE

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TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS, STATE OF NEW JERSEY IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #5-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Dunham, second Merz

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

ORDINANCE #6-13: 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 \$190,700 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #6-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Yocum, second Merz

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

ORDINANCE #7-13: ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE WATER UTILITY OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$25,000 THEREFOR FROM THE WATER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #7-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Merz, second Sanchelli

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

ORDINANCE #8-13: ORDINANCE PROVIDING FOR IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$15,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

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Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #8-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Yocum, second Dunham

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

ORDINANCE #9-13: ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$35,000 THEREFOR FROM THE RECREATION TRUST FUND AND THE CAMP RESERVE FUND OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #9-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Yocum, second Sanchelli

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

ORDINANCE #10-13: BOND ORDINANCE APPROPRIATING \$65,000, AND AUTHORIZING THE ISSUANCE OF \$61,000 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 SANITARY SEWERAGE SYSTEM OF THE TOWNSHIP IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #10-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Yocum, second Sanchelli

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

ORDINANCE #11-13: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$50,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$47,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION IS OFFERED FOR ADOPTION ON SECOND READING AND FINAL HEARING.

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Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #11-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Merz, second Sanchelli

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

ORDINANCE #12-13: BOND ORDINANCE APPROPRIATING \$2,450,000, AND AUTHORIZING THE ISSUANCE OF \$2,333,000 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 SECOND READING AND FINAL HEARING.

Yocum opened the meeting up to the public for any questions specific to proposed Ordinance #12-13 and seeing no one come forward, he closed the public portion of the meeting.

Motion: Yocum, second Dunham

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

Council Reports

Merz thanked the Administration for the timely response to the Council's request for the prioritizing, information and recommendation on the Open Space question from the Council.

Sanchelli reported that this Sunday, May 19, is the Hazardous Waste Disposal Day being held in Jefferson Township. The Day is being put on by the Morris County Municipal Utilities Authority.

Administrative Report of Mayor and Administrator

Leach reported that the Township currently has an e-waste contract with DonJon and the Recycling Coordinator was notified that they will begin charging for the pick up. Leach advised that another Recycling Contractor has sent an offer to pick up e-waste at no charge and that would have to start June 1. Leach said the formal resolution would be on the June 12 Agenda.

Miscellaneous/Public Portion

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

Glenn DelGrosso came forward and said that he is representing Jefferson Highlights Community Television. DelGrosso said he would like to thank the Mayor and Council for the continued support. DelGrosso said he would like to invite everyone to enjoy the 2013 Summer Concerts at the Camp Jefferson Amphitheatre. Jefferson Highlights will be celebrating its 30th anniversary in 2014. It was founded by Jack Kelly and Brooke Hardy. DelGrosso said they are in the stages of converting to digital and look forward to many fantastic projects. DelGrosso thanked the Mayor, Council and Cablevision for all the support.

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New Business

Vacation Request: ROW Mason Street (formerly known as Sioux Trail) Which runs from Prospect Point Road to Mason Street between Block 97, Lots 10 and 8 and Block 94.02, Lot 1 (Reports from Administration and Police)

Leach said if the Council would like to move forward, the Administration has no objection. Cohen said the property owner would have to provide a metes and bounds description. Yocum asked that the property owner be notified to provide that description for this vacation ordinance to move forward.

Resolutions:

Resolution #13-44: Approval of Bills (59-A)

Motion: Dunham, second Sanchelli

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

Motion to Approve: PO 13-01136 Headley Lumber - \$195.23
PO 13-01330 Headley Lumber - \$467.44
PO 13-01407 Headley Lumber - \$264.75

Motion: Merz, second Sanchelli

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

Resolution #13-45: Authorize Passage of Consent Agenda (59-B)

(With Removal of Item No. 1)

Motion: Merz, second Dunham

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

Resolution #13-45 – Consent Agenda Item No. 1

Motion: Dunham, second Sanchelli

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

Resolution #13-46: Authorize Tax Collector to Prepare and Mail (59-C)

Estimated Tax Bills

Motion: Dunham, second Sanchelli

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

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Miscellaneous/Public Portion

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

Anne Augustyn came forward and asked what a TWA is. Leach explained that it is a Treatment Works Application which is a DEP permit for a Septic System.

Yocum closed the public portion of the meeting.

Adjournment at 9:06 p.m.

Motion: Yocum, second Dunham

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

Dated: May 15, 2013

Attested:

Approved:

Lori Harvin, Township Clerk

Richard W. Yocum, Council President