

JEFFERSON TOWNSHIP COUNCIL
MEETING LOCATION: JEFFERSON TOWNSHIP MUNICIPAL BUILDING
1033 WELDON ROAD
LAKE HOPATCONG, NJ 07849
CONTACT: 973-208-6132/33
www.jeffersontownship.net

FINAL

FEBRUARY 8, 2023
SPECIAL MEETING – 6:00 PM
AGENDA

**** **PLEASE SILENCE ALL CELL PHONES**

1. CALL TO ORDER – Presiding Officer

This Special Meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was sent to the official newspapers of the Township, the Daily Record and the Star Ledger, on **January 25, 2023**. In addition, notice was posted on the bulletin board in the Municipal Building on **January 25, 2023** and is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of this meeting, as well as the purpose of this meeting, which is to hold a discussion regarding the 2023 budget as well as to discuss or act upon public business.

2. ROLL CALL –Township Clerk

	Present	Absent
Mr. Birmingham		
Mr. Kalish		
Mr. Smith		
Vice President Dunham		
President Senatore		
Mr. Ryan, Township Attorney		
Ms. Reilly, Township Clerk		

Let the record reflect the following members of the Administration are present: Mayor Eric Wilsusen, Administrator Debi Millikin, Chief Financial Officer Bill Eagen.

3. SALUTE TO THE FLAG – Presiding Officer

4. PUBLIC COMMENT – Presiding Officer

Please state and spell your name for the record. Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

5. ORDINANCES – FIRST READING –Township Clerk

ORDINANCE #23-01 - ORDINANCE OF THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGULATING OUTDOOR WOOD-BURNING HEATING FURNACES AND BOILERS

WHEREAS, certain Residents of the Township of Jefferson utilize outdoor wood-burning furnaces and/or boilers to heat their buildings and/or to heat water; and

WHEREAS, the Township Committee of the Township of Jefferson in the County of Morris finds it in the best interest of the health and safety of its Residents to regulate the usage of outdoor wood-burning furnaces and boilers; and

NOW, THEREFORE, BE IT ORDAINED BY the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that a new Ordinance is adopted as follows:

Section-1 Outdoor Wood-Burning Heating Furnaces and Boilers.

All wood-fired hydronic (hot water) heating furnace and boiler systems not located within a residential dwelling and whether unenclosed by a roof and/or walls, while permitted as accessory uses in all zone districts, shall be subject to the following requirements and limitations.

Section-2 Compliance Required.

Such heating system shall be designed, manufactured, installed and operated in accordance with all State, Federal, County and Jefferson Township laws, statutes, codes, ordinances and regulations, including the provisions of this section.

Such systems shall be designed and operated so as to be compliant with the provisions of N.J.A.C. 7:27-3 which provides for the control and prohibition of smoke from combustion of fuel and which requires (subject to amendment or revision) that such systems: produce no smoke except for three minutes in any thirty-minute time period.

All installations and users shall comply with all state laws and regulations, including New Jersey Department of Environmental Protection regulations, New Jersey Department of Community Affairs and New Jersey State health regulations, as well as local and county Board of Health ordinances and regulations.

Section-3 Permit and Site Plan Required.

No person shall cause, allow or maintain the use of a wood-burning hydronic heating furnace or boiler system within the Township of Jefferson without first having obtained a permit from the Zoning Officer and all other requisite permits (plumbing, electrical, etc.) from the Jefferson Township Subcode Officials. Pursuant to Jefferson Ordinance §490-55, a \$50 permit fee is required for all zoning permit applications.

In order to demonstrate compliance with the provisions of § 4 herein, a site plan of the lot, which can be prepared by the applicant based upon a survey, tax map or other reliable information, shall be prepared showing the subject property and those located within 200 feet thereof and the approximate location of the residences on all properties located within 200 feet of the subject property. Said site plan shall be reviewed by the Zoning Officer and Construction Official to assure compliance, to the greatest extent practicable, with this and all other provisions of this section.

Section-4 Minimum Lot Size/Location on the Lot.

All such wood-burning hydronic furnaces, boilers and accessory and appurtenant structures, including the enclosure, if any, protecting same shall be located in the rear yard area of the lot, only, and shall have a minimum setback of 300 feet from any property line. It may not be located in either the front yard setback area or in front of the principal structure located upon the lot and it may not be located within the side yard setbacks.

No such wood-fired hydronic heating furnace or boiler system shall be located on any lot which contains an area less than two acres. The location of such system shall, (in addition to being located outside the side yard and in compliance with side and rear yard setbacks applicable to principal structures) be situated on the lot so as to assure, to the greatest extent practicable, that the prevailing winds direct the smoke generated away from the nearest residences(s).

Section-5 Chimney Height.

All chimneys attending such systems shall have a diameter and height compliant with the manufacturer's requirements and/or recommendations. In addition, the top of the smoke stack or chimney must extend at least 20 feet above the top roofline of any neighboring residential building.

Section-6 Time Limitations of Use.

The use of all wood-fired hydronic (hot water) heating furnaces or boilers shall be allowed only during the period of October 15 to April 30. Any use outside this use period, whether to produce domestic hot water or for any other purpose, is specifically prohibited

Section-7 Prohibited Fuels.

Only seasoned firewood and untreated lumber shall be permitted to be burned in any such heating furnace or boiler. The burning of any and all other materials in such a furnace or boiler is specifically prohibited.

Section 8. Enforcement.

Pursuant to Jefferson Ordinance §7-7, the Code Enforcement Officer is empowered to enforce all provisions of the Jefferson Township Code, including this provision. This provision may also be enforced by the Jefferson Township Board of Health, the Jefferson Township Health Officer or the Jefferson Township Police Department.

Section 9. Violations and Penalties

Any person who shall violate any provision of this article shall, upon conviction thereof, be subject to a penalty of a maximum fine not more than \$100 for each violation. Each day that a violation continues shall be considered as a separate violation.

Section 10. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 11. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

Section 12. This Ordinance shall take effect immediately upon passage and publication as required by law.

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **March 1, 2023.**

Council Member	By	2 nd	Yes	No	Abstain	Absent	By	2 nd	Yes	No	Abstain	Absent
Mr. Birmingham												
Mr. Kalish												
Mr. Smith												
Vice President Dunham												
President Senatore												

**6. MINUTES –Township Clerk
 February 1, 2023 (Regular – Kalish Absent)**

Council Member	By	2 nd	Yes	No	Abstain	Absent
Mr. Birmingham						
Mr. Kalish						
Mr. Smith						
Vice President Dunham						
President Senatore						

**7. NEW BUSINESS
 RESOLUTION #23-73 - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AUDITING SERVICES –
 NISIVOCIA LLP – FOR PERIOD ENDING DECEMBER 31, 2023**

WHEREAS, the Township of Jefferson has a need for professional **Auditing** services; and

WHEREAS, the Township of Jefferson solicited request for proposals through a fair and open process per N.J.S.A.40A: 11-4.5, receiving such proposals on **January 5, 2023 at 11:00 a.m.**; and

WHEREAS, Nisivoccia LLP has submitted a proposal indicating that **Auditing** services will be provided for an annual fee **not to exceed \$99,500**; and

WHEREAS, Nisivoccia LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate, committee or employee for those positions listed on the Business Entity Disclosure Certification Form in the previous one year, and that the contract will prohibit **Nisivoccia LLP** from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer (CFO) of the Township has determined and certified in writing that the value of the services by the firm **Nisivoccia LLP will exceed \$17,500**; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b) a certificate showing availability of funds has been provided to the Township by the Chief Financial Officer of the Township, certifying that funds for said contract are available and are designated to a line item appropriations designated below and **totaling \$99,500**.

<u>Line Item No.:</u>	<u>Fund</u>	<u>Amount Certified:</u>
3-01-20-130-130-260	Current	31,000
3-05-55-500-000-570	Water Op	10,000
3-07-55-500-000-567	Sewer Op	4,500
T-16-56-860-000-804	Garbage	2,500
T-19-56-860-000-801	Open Space	4,500
3-01-25-265-268-260	Current - LOSAP	2,500
Paid Directly By Library	n/a	2,500
Various bond ordinances	Capital	<u>42,000</u>
		99,500

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Jefferson, in the County of Morris, State of New Jersey that this professional contract is hereby authorized and approved by the Township Council.

BE IT ALSO RESOLVED:

- Section 1.** The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with **Nisivoccia LLP, 200 Valley Road, Suite 300, Mt. Arlington, New Jersey, 07856** for **Auditing** services to the Township of Jefferson as set forth in a proposal dated **January 4, 2023** for an annual fee **not to exceed \$99,500** per remainder of year.
- Section 2.** This contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A: 11-5 (1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- Section 3.** The term of the agreement shall be from time of appointment **through December 31, 2023**.
- Section 4.** A notice of this action shall be printed once in the legal newspaper of the Township of Jefferson.
- Section 5.** The resolution authorizing the award of the contract for "Professional Services" and the contract itself must be available for public inspection per the requirement of the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq).
- Section 6.** The Business Entit

Council Member	By	2nd	Yes	No	Abstain	Absent
Mr. Birmingham						
Mr. Kalish						
Mr. Smith						
Vice President Dunham						
President Senatore						

8. **COUNCIL AND MAYOR DISCUSSION – Presiding Officer**
- Budget Overview
9. **ADJOURNMENT AT _____ PM - Presiding Officer**

Michele Reilly, RMC, CMR
 Township Clerk
 973-208-6133 mreilly@jeffersontownship.net

FUTURE MEETINGS will **begin at 7:00 p.m.** on each of the dates set forth below, at the **Jefferson Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey**, unless otherwise noticed below or as amended during the year by a vote of the Township Council.

REGULAR MEETING SCHEDULE

Wednesday, February 15 – 6 pm start	
Wednesday, March 1	Wednesday, March 15
Wednesday, April 5	Wednesday, April 19
Wednesday, May 10	Wednesday, May 24
Wednesday, June 14	Wednesday, June 28
Wednesday, July 19	Wednesday, August 16
Wednesday, September 6	Tuesday, September 19
Wednesday, October 4	Wednesday, October 18
Wednesday, November 1	Wednesday, November 29
Wednesday, December 13	Wednesday, January 3, 2024 - Reorganization