

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

SEPTEMBER 1, 2021
REGULAR MEETING – 7:00 PM
AGENDA

1. CALL TO ORDER – Presiding Officer

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of **September 1, 2021** was included in a list of meetings notice sent to the official newspapers of the Township, the Daily Record and the Star Ledger, on **January 8, 2021** and was posted on the bulletin board in the Municipal Building on **January 8, 2021** and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. The change in location was noticed on **June 11, 2021**.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of this meeting.

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.

3. SALUTE TO THE FLAG – Presiding Officer

4. SPECIAL PRESENTATIONS – Presiding Officer

- None for September 1, 2021

5. PUBLIC COMMENT – Presiding Officer

Please state and spell your name and address 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.

6. ORDINANCES –PUBLIC HEARING AND VOTE FOR ADOPTION – Township Clerk

ORDINANCE #21-20 - ORDINANCE AMENDING CHAPTER 403, SMOKING; SALE OF TOBACCO PRODUCTS, SPECIFICALLY SECTION 403-1 ENTITLED “DEFINITIONS” OF THE CODE OF THE TOWNSHIP OF JEFFERSON

WHEREAS, the Jefferson Township Council has reviewed the Township Code regarding smoking and has determined that revisions are necessary to include cannabis products in the smoking prohibition.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Jefferson Township Municipal Code is hereby amended to revise Section 401-1 “Definitions” as follows:

SECTION I Section 403-1 of the Jefferson Township Municipal Code is hereby amended by adding the following definitions:

HASHISH

The resin extracted from any part of the plant Genus Cannabis L. and any compound, manufacture, salt, derivative, mixture, or preparation of such resin.

MARIJUANA

All parts of the plant Genus Cannabis L., whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds, except those containing resin extracted from such plant; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

SMOKING

The burning of a cigar, cigarette, pipe or any other matter or substance which contains any form of tobacco, marijuana, or hashish. Said definition shall include the use of nicotine delivery systems, electronic cigarettes, or personal vaporizers using tobacco, marijuana, or hashish or their by-products.

SECTION II

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, chapter, subchapter, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, chapter, subchapter, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

If adopted this Ordinance shall take effect after publication and passage as provided by law.

PUBLIC HEARING

Please state and spell your name and address 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.

INTRODUCTION: AUGUST 4, 2021

ADOPTION:

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

7. COUNCIL AND MAYOR DISCUSSION – Presiding Officer
 - Add New Chapter, Short Term Rental Property
8. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR – Mayor Wilsusen
9. COUNCIL REPORTS – Presiding Officer
10. ORDINANCES – FIRST READING – Township Clerk

ORDINANCE #21-22 – ORDINANCE AMENDING CHAPTER 47 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED “FIRE DEPARTMENT”, SPECIFICALLY ARTICLE 9, “SUSPENSION OF TERMINATION OF MEMBERSHIP”

WHEREAS, the Jefferson Township Council has reviewed the Township Code regarding fire department suspension or termination or membership and has determined that revisions are necessary.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Jefferson Township Municipal Code is hereby amended to revise Sections 47-9 “Suspension or Termination of Membership” as follows:

SECTION I. 47-9, “Suspension or Termination of Membership” shall be amended with the following revision, as follows:

Any member may be suspended or terminated for violation of this article by the Director of Public Safety. Additionally, any member may be suspended or terminated for violations of respective company bylaws or company or department policy upon recommendation and advice of their respective Company Chief. All suspensions and termination shall be reported, in writing, to the Director of Public Safety. A member that is terminated will not be permitted to apply for membership for any emergency service volunteer organization in the Township of Jefferson. Member appeals for termination may be brought to the Township Council for its recommendation.

SECTION II.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III.

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV.

This Ordinance shall take effect immediately upon final publication as provided by law.

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **September 14, 2021.**

INTRODUCTION:

ADOPTION:

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												

ORDINANCE #21-23 - ORDINANCE AMENDING SECTION 490-35, “CONDITIONAL USES”, OF THE TOWNSHIP OF JEFFERSON MUNICIPAL CODE BY ADDING SUBSECTION Q PROVIDING FOR THE CONDITIONAL USE OF APARTMENT UNITS ABOVE COMMERCIAL USES WITHIN THE C-1 AND C-2 DISTRICTS

WHEREAS, the Jefferson Township Council has reviewed the recommendations provided in the Township Reexamination Report, adopted by the Jefferson Land Use Board on February 22, 2021, and has determined that the proposed zoning changes to the C-1 Neighborhood Business District and the C-2 Highway Business District are advisable.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Jefferson Township Municipal Code is hereby amended to revise Section 490-35 “Conditional uses” as follows:

SECTION I Section 490-35 of the Jefferson Township Municipal Code is hereby amended to add new subsection Q as follows:

§490-35 Conditional uses.

Q.. Apartment units above ground floor of Commercial uses. Within the C-1 and C-2 Districts living and sleeping accommodations for households in conjunction with a permitted commercial use shall be permitted under the following conditions:

- (1) Only studio units, one-bedroom units and two-bedroom units are permitted.
- (2) The residential units shall have a separate and direct entrance via an unobstructed passageway from the ground.
- (3) The residential entrance shall provide adequate interior space for mail boxes and package deliveries.
- (4) No boarders shall be permitted to occupy such apartments, nor shall any portion of the space within the apartment be sublet or rented out for any period of time.
- (5) The residential use shall be incidental to the commercial use, shall be located in the principal building and shall only available above the ground floor of the permitted commercial use.
- (6) Off-street parking shall be in addition to the required parking for the commercial use and shall be provided in accordance with New Jersey Residential Site Improvement Standards.

SECTION II

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, chapter, subchapter, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, chapter, subchapter, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

Upon introduction of this Ordinance, it shall be referred to the Township's Planning Board for review pursuant to N.J.S.A 40:55D-26 & 64, prior to final adoption by the Township Council.

SECTION V

This Ordinance shall take effect immediately upon final publication as provided by law.

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **October 6, 2021**.

INTRODUCTION:

ADOPTION:

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

11. **NEW BUSINESS – Presiding Officer**
 - **Resolution to Oppose S-3810 & A-5862**

12. **OLD BUSINESS – Presiding Officer**

RESOLUTION #21-223 - “RESOLUTION CONSENTING (WITH RECOMMENDATIONS) TO THE MODIFICATION REQUEST TO THE MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN FOR JEFFERSON RECYCLING LLC, BLOCK 272, LOTS 8 AND 9, TO EXPAND ITS CLASS B RECYCLING PERMIT TO INCLUDE THE PROCESSING OF TIRES”

WHEREAS, the County of Morris received a letter from George D. Cascino, Consulting Engineer, representing Jefferson Recycling, LLC, requesting approval to make some modifications to their Class “B” Recycling Facility located at 710 State Route 15 North, Block 272, Lots 8 and 9 in Jefferson Township; and

WHEREAS, by letter dated May 17, 2021 the Morris County Municipal Utilities Authority requested that the Township review Jefferson Recycling’s proposed modification and adopt a resolution setting forth its position relative to the proposed revision to the existing plan of this recycling facility in the County’s Solid Waste Management Plan; and

WHEREAS, the revised modification would modify stockpile areas and add another Class B material, the processing of tires, to Jefferson Recycling’s permitted flow; and

WHEREAS, Jefferson Recycling’s proposed modification and supporting documents were reviewed by various Township Department Heads. These professionals have no objection to the modification of stockpile areas at Jefferson Recycling and their processing tires; however, there is concern with regard to the Site Plan that was submitted; and

WHEREAS, the Township of Jefferson’s professionals feel that the Morris County Municipal Utilities Authority should be made aware of the insufficient detail on the Site Plan provided dated 2013. There are no sanitary facilities shown and there is no septic permit on file for this facility. Additionally, there is no permanent water supply, dust control or fire protection for the workers. Since the last Site Plan on file is dated 2013 and there have been many changes to the site, it is recommended that an amended Site Plan be presented to the Land Use Board.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Township consents to the modification request to the Morris County Solid Waste Management Plan for Jefferson Recycling LLC, Block 272, Lots 8 and 9, to expand its Class B Recycling Permit to include the processing of tires; however, Jefferson Township would

like to go on record and bring it to the attention of the officials of the Municipal Utilities Authority that the Township does not approve the Site Plan that was submitted with the modification requested.

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

13. MINUTES – Township Clerk

August 4, 2021 - Regular

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

14. CONSENT AGENDA* – Township Clerk

*Matters listed on the Consent Agenda Resolution are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

*PERMITS/LICENSES

- 21-01 SunAir Campground – (License Valid Through 6/30/2022)
- Animal Care Facility License #21-01
 Jefferson Township Pound
 July 1, 2021 Through June 30, 2022
- Animal Care Facility License #21-02
 Clip Shoppe Groom & Board
 July 1, 2021 Through June 30, 2022

*APPOINTMENTS

- Fire Company #1 – Joshua Lee Cabrera

*CONSENT AGENDA RESOLUTIONS:

- 21-224 Resolution Authorizing the Payment of Bills
- 21-225 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 21-226 Resolution Authorizing the Reduction of Taxes Due to Approved State Tax Appeals
- 21-227 Resolution Requesting Approval of Item of Revenue and Appropriation Under N.J.S.A. 40A:4-87 for the 2021 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant in the Amount of \$6,000.00
- 21-228 Resolution Awarding Guiderail Through Morris County Contract To Road Safety Systems, LLC for Various Roads
- 21-229 Resolution Authorizing Change Order No. 1 and Approving Current Estimate No. 2 (Final) – Riverview Paving Inc. – For Improvements to Ridge Road Phase 1 (NJDOT 2021 Aid) – Contract No. RDE-20-10
- 21-230 Resolution Authorizing Change Order No. 1 and Approving Current Estimate No. 6(Final) – TSUJ Corp – For Generator Replacement Contract No. UTL-20-5
- 21-231 Resolution Authorizing Change Order No. 1 and Approving Current Estimate No. 2(Final) – American Asphalt & Milling Services, LLC – For 2021 Road Paving Program – Contract No. RDE-21-1
- 21-232 Resolution Authorizing An Extraordinary Unspecifiable Good and Services Agreement for A&A Concrete Products Inc. – For Period Ending December 31, 2021
- 21-233 Resolution Authorizing Contract for New Roof at Municipal Complex – Contract BLD-71-1K – Laumar Roofing Co, Inc.

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

15. PUBLIC COMMENT – Presiding Officer

Please state and spell your name and address 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.

16. EXECUTIVE SESSION – Township Clerk

- None for September 1, 2021

17. ADJOURNMENT AT _____ PM - Presiding Officer

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

- Tuesday, September 14th
- Wednesday, October 6th
- Wednesday, October 20th
- Wednesday, November 10th
- Wednesday, December 1st
- Wednesday, December 15th
- Wednesday, January 5th, 2022 - Reorganization

CONSENT AGENDA RESOLUTION #21-224

“RESOLUTION AUTHORIZING THE PAYMENT OF BILLS”

WHEREAS, the Business Administrator has reviewed and approved purchase orders requested by the Township Department Heads; and

WHEREAS, the Finance Office has certified that funds are available in the proper account; and

WHEREAS, the Finance Office has approved payment, upon certification from the Township Department Heads that the goods and/or services have been rendered to the Township; and

WHEREAS, purchases under State Contract or under Morris County Cooperative Purchasing Agreement were made where applicable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the current bills, dated September 1, 2021 and on file and available for public inspection in the Office of the Treasurer and approved by him/her for payment, be paid.

CONSENT AGENDA RESOLUTION #21-225

“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT(S) OF TAXES”

WHEREAS, there appears on the tax records overpayment(s) as shown below; and

WHEREAS, said overpayment(s) were created by the reasons indicated; and

WHEREAS, the Collector of Taxes recommends the refund(s) of such overpayment(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the proper officers are hereby authorized and directed to issue checks to refund such overpayment(s) as hereafter shown below:

CODE OF REASONS

- | | | | | |
|-----------------------|-----------------------------|------------------------------|------------------------------------|---------------------|
| 1. Incorrect Payment | 2. Adjustment of Assessment | 3. Homestead Rebate | 4. Overbilled | 5. Third Party Lien |
| 6. Duplicate Payment | 7. Exempt | 8. County/State Board Appeal | 9. Overpayment | |
| 10. Return of Premium | 11. New Jersey Saver | 12. Return of Recording Fee | 13. Vets, Senior Citizen Deduction | |

BLOCK	LOT	NAME	AMOUNT	CODE	YEAR
63	2	LOPEZ	\$ 1,352.13	6	2021
362	28.01	ALVAREZ	\$ 2,644.43	6	2021
444	23	SUSNOSKY	\$ 2,401.54	7	2021
		CORELOGIC	\$13,097.81	6	2021
		B233 L29.25 KINNEY	\$2,159.71		
		B233.02 L29.06 MARTINO	\$3,221.75		
		B250.06 L77 GOSAIN	\$3,880.52		
		B260 L11 CERVERA	\$1,770.16		
		B573 L20 KIRSE	\$2,065.67		
142	35	BITTIGER ELIAS & TRIOLO	\$ 1,464.40	8	2021
			TOTAL	\$20,960.31	

CONSENT AGENDA RESOLUTION #21-226

“RESOLUTION AUTHORIZING THE REDUCTION OF TAXES DUE TO APPROVED STATE TAX APPEALS”

WHEREAS, the Tax Collector of the Township of Jefferson has determined that action is required as a result of the 2017 and 2021 tax reductions granted by the Tax Court of New Jersey; and

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations, which are set forth along with the Name and Block and Lot of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the required tax cancellations be made:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>TAX CANCELLATION</u>
142	25	Zurka, Stephen, Tammy & Shannon	\$1,464.40 - 2017
142	25	Zurka, Stephen, Tammy & Shannon	\$ 592.33 – 2021

CONSENT AGENDA RESOLUTION #21-227

**“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION
UNDER N.J.S.A. 40A:4-87 FOR THE 2021 DRIVE SOBER OR GET PULLED OVER STATEWIDE LABOR DAY CRACKDOWN
GRANT IN THE AMOUNT OF \$6,000.00”**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Jefferson, has been awarded a **2021 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant** in the amount of **\$6,000.00** and wishes to amend its **2021** budget to include this amount as an item of revenue.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2021** in the total amount of **\$6,000.00**, which will be available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services – Public
And Private Revenues Offset with Appropriations:

**2021 Drive Sober or Get Pulled Over Statewide
Labor Day Crackdown Grant**

\$6,000.00

BE IT FURTHER RESOLVED that a like sum of **\$6,000.00** be and the same is hereby appropriated under the caption of:

General Appropriations

A. Operations – Excluded from CAPS

Public and Private Programs Offset by Revenues:

**2021 Drive Sober or Get Pulled Over Statewide
Labor Day Crackdown Grant**

Police Department: Salaries and Wages

BE IT FURTHER RESOLVED that the Chief Financial Officer submit one copy of the Chapter 159 certification form and two copies of this resolution to the Director of the Division of Local Government Services.

CONSENT AGENDA RESOLUTION #21-228

**“RESOLUTION AWARDED GUIDERAIL THROUGH MORRIS COUNTY CONTRACT TO ROAD SAFETY SYSTEMS, LLC
FOR VARIOUS ROADS”**

WHEREAS, the Township of Jefferson may by resolution and without advertising for bids, in accordance with N.J.S.A. 40A:11-11 of the Local Public Contracts Law, purchase goods or services under the Morris County COOP; and

WHEREAS, the Township of Jefferson requires the purchase of guiderail for various roads; and

WHEREAS, **MCCP #26** was awarded to **Road Safety Systems, LLC., 12 Park Drive, Shamong, New Jersey 08088**; and

WHEREAS, the Township of Jefferson desires to purchase the guiderail for various roads, through Road Safety Systems, LLC., in the amount of **\$131,782.50 through MCCP #26**, through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the Morris County contracts; 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 **\$131,782.50**.

C-04-55-920-013-917

C-04-55-921-013-913

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson that the Township Administrator is authorized to enter into a contract for guiderail for various roads through **Road Safety Systems, LLC., 12 Park Drive, Shamong, New Jersey 08088 through MCCP # 26 in an amount \$131,782.50**.

CONSENT AGENDA RESOLUTION #21-229

**“RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND APPROVING CURRENT ESTIMATE NO. 2 (FINAL) – RIVERVIEW
PAVING, INC.– FOR IMPROVEMENTS TO RIDGE ROAD PHASE 1 (NJDOT 2021 AID) -
CONTRACT NO. RDE-20-10”**

WHEREAS, a contract was awarded to Riverview Paving, Inc. for Improvements to Ridge Road Phase 1 (NJDOT 2021 AID), **Contract RDE-20-10**; and

WHEREAS, the Township Engineer has submitted and recommended **Change Order No. 1 dated 8/18/2021** in the amount of **\$3,431.54** **to reflect an adjusted price for a change in as-built quantities,** increasing the contract total to **\$314,488.15 (an overall adjustment of 1.10% to the original contract amount);** and

WHEREAS, the Township Engineer has submitted **Current Estimate No. 2 and FINAL** in the amount of **\$103,005.96** for work completed and accepted; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said payment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby approves **Change Order No. 1 in the amount of \$3,431.54 and Current Estimate No. 2 and FINAL for a payment in the amount of \$103,005.96 to Riverview Paving, Inc., 859 Willow Grove Street, Hackettstown, NJ 07840.**

BE IT FURTHER RESOLVED that this payment will be made pending receipt of the State of New Jersey Monthly Project Manning Report and certified payroll records.

CONSENT AGENDA RESOLUTION #21-230

“RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND APPROVING CURRENT ESTIMATE NO. 6(FINAL) - TSUJ CORP – FOR GENERATOR REPLACEMENT CONTRACT NO. UTL-20-5”

WHEREAS, a contract was awarded to **TSUJ Corp** for **Generator Replacement Contract UTL- 20-5;** and

WHEREAS, the Township Engineer has submitted and recommended **Change Order. No. 1 dated 8/17/2021 in the amount of -\$2000.00 to reflect an adjusted price for costs to repair Circuit Protection Equipment on Ultraviolet Treatment Equipment;** and

WHEREAS, the Township Engineer has submitted **Current Estimate No. 6 and FINAL** in the amount of **\$6,020.58** for work completed and accepted; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said payment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby approves **Change Order No. 1 in the amount of -\$2000.00 for the repairs as detailed.**

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby approves **Current Estimate No. 6 and FINAL for a payment in the amount of \$6,020.58 to TSUJ Corp, P.O. Box 4621, Wayne, New Jersey, 07470.**

BE IT FURTHER RESOLVED that this payment will be made pending receipt of the State of New Jersey Monthly Project Manning Report and certified payroll records.

CONSENT AGENDA RESOLUTION #21-231

“RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND APPROVING CURRENT ESTIMATE NO. 2 (FINAL) – AMERICAN ASPHALT & MILLING SERVICES, LLC. – FOR 2021 ROAD PAVING PROGRAM – CONTRACT NO. RDE-21-1”

WHEREAS, a contract was awarded to American Asphalt & Milling Services, LLC. for the 2021 Road Paving Program, **Contract RDE-21-1;** and

WHEREAS, the Township Engineer has submitted and recommended **Change Order No. 1 dated 8/23/2021** in the amount of **\$95,191.22, in light of the low bid pricing, additional streets to be paved were added to the contract and Change Order No. 1 reflects an adjusted price for a change in as-built quantities,** increasing the contract total to **\$906,605.72 (an overall adjustment of 11.73% to the original contract amount);** and

WHEREAS, the Township Engineer has submitted **Current Estimate No. 2 and FINAL** in the amount of **\$111,814.75** for work completed and accepted; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said payment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby approves **Change Order No. 1 in the amount of \$95,191.22 and Current Estimate No. 2 and FINAL for a payment in the amount of \$111,814.75 to American Asphalt & Milling Services, LLC., 96 Midland Avenue, Kearny, NJ 07032.**

BE IT FURTHER RESOLVED that this payment will be made pending receipt of the State of New Jersey Monthly Project Manning Report and certified payroll records.

CONSENT AGENDA RESOLUTION #21-231

“RESOLUTION AUTHORIZING AN EXTRAORDINARY UNSPECIFIABLE GOOD AND SERVICES AGREEMENT FOR A&A CONCRETE PRODUCTS INC. - FOR PERIOD ENDING DECEMBER 31, 2021”

WHEREAS, the Township of Jefferson has a need for **Pre-Cast Catch Basins;** and

WHEREAS, the Township of Jefferson has decided to award the contract for this service as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, **A&A Concrete Products, Inc..** has submitted a proposal for **Pre-Cast Catch Basins** will be provided; and

WHEREAS, an annual fee for **\$30,000.00 per year;** shall not be exceeded; and

WHEREAS, **A&A Concrete Products, Inc.** 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 **A&A Concrete Products, Inc.** 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 each acquisition will **not exceed \$30,000.00**; 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 \$30,000.00**.

C-04-55-919-011-907
C-04-55-920-013-916

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 **A&A Concrete Products, Inc., 2 South Corporate Drive, Sparta, NJ 07457** for **Pre-Cast Catch Basins** to the Township of Jefferson for an annual fee **not to exceed \$30,000.00 per year**.
- Section 2.** This is awarded as an Extraordinary Unspecifiable goods and services contract in accordance with N.J.S.A. 40A:11-6.1(b) of the Local Public Contracts Law.
- Section 3.** The term of this agreement shall be for one year, from **January 1, 2021 through December 31, 2021**.
- Section 4.** A notice of this action shall be printed once in the legal newspaper of the Township of Jefferson.
- Section 6.** The resolution authorizing the award of contract for "Extraordinary Unspecifiable goods and services" and the contract itself must be available for public inspection per the requirement of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)
- Section 7.** The Business Entity Disclosure Certification and the Determinations of Value be placed on file with this resolution.

CONSENT AGENDA RESOLUTION #21-233

**"RESOLUTION AUTHORIZING CONTRACT FOR NEW ROOF AT MUNICIPAL COMPLEX -
CONTRACT- BLD-71-1K- LAUMAR ROOFING CO., INC."**

WHEREAS, the Township of Jefferson received bids for **the New Roof at Municipal Complex, Contract BLD-71-1K, on August 24, 2021**; and

WHEREAS, nine (9) bids were received as listed; and

BIDDER	BASE BID AMOUNT
Laumar Roofing Co., Inc.	\$270,300.00
VMG Group	\$346,500.00
Northeast Roof Maintenance, Inc.	\$369,950.00
Frank Cyrwus, Inc.	\$388,711.00
TNT Construction Group, LLC.	\$400,600.00
Journey Contracting, Co., Inc.	\$419,900.00
Mak Group, LLC.	\$434,758.00
Duga Construction, LLC.	\$543,300.00
D.A. Nolt, Inc.	\$564,974.00

WHEREAS, **Laumar Roofing Co., Inc. of Passaic, New Jersey** was the lowest apparent bidder with a bid of **\$270,300.00**; and

WHEREAS, **Laumar Roofing Co., Inc. of Passaic, New Jersey** had the lowest responsible bid of **\$270,300.00 which is 21.81% below the Engineer's estimate**; and

WHEREAS, the Township Engineer recommends the Township Council award the contract as the new roof will complete the repairs that started with the new HVAC units on the existing Municipal Building; 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 the funds for said contract are available and are designated to a line item appropriations designated below and totaling **\$270,300.00**.

C-04-55-920-013-901 \$270,300.00 Bldg Grounds- Roof Replacement

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby awards the contract for **the New Roof Municipal Complex, Contract BLD-71-1K to Laumar Roofing Co., Inc. of 426 Gregory Avenue, P.O Box 1504, Passaic, New Jersey in the amount of \$270,300.00**.

BE IT ALSO RESOLVED that the Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and other necessary documents in order to effectuate the purpose of this resolution and that the Certificate of Availability of Funds supplied by the Chief Financial Officer (CFO) of this Township shall be attached to the original copy of this resolution.