

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

<p><b>DRAFT – TO THE EXTENT KNOWN AS OF 9.01.23</b></p>
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**SEPTEMBER 6, 2023**  
**REGULAR MEETING – 7:00 PM**  
**AGENDA**

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

**1. CALL TO ORDER – Presiding Officer**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of **September 6, 2023** 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 6, 2023** and was posted on the bulletin board in the Municipal Building on **January 6, 2023** 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.

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, Administrator Debi Millikin, Chief Financial Officer Bill Eagen.

**3. SALUTE TO THE FLAG – Presiding Officer**

**4. SPECIAL PRESENTATIONS – Township Clerk**

- None for September 6, 2023

**5. 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.

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

- None for September 6, 2023

**7. COUNCIL AND MAYOR DISCUSSION – Presiding Officer**

- Finance Update – Chief Financial Officer

**8. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR – Presiding Officer**

- Chapter 320-3 – Mailboxes (Damage to Mailbox by Township)

**9. COUNCIL REPORTS – Presiding Officer**

**10. ORDINANCES – FIRST READING –Township Clerk**

- None for September 6, 2023

**11. COUNCIL BUSINESS – Presiding Officer**

- Repeal Chapter 103 – Political Campaign Contributions and Contracting
- Cannabis Conditional Use Zoning Ordinance (Amend Chapter 490)
- Cannabis Tax Ordinance (Amend Chapter 446)
- Cannabis Municipal License Ordinance (New chapter 170)

**12. 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**

- Animal Care Facility License #23-06  
Masonhaus  
July 1, 2023 Through June 30, 2024

**\*APPOINTMENTS:**

- None for September 6, 2023

**\*CONSENT AGENDA RESOLUTIONS:**

- 23-238 Resolution Authorizing the Payment of Bills
- 23-239 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 23-240 Resolution Authorizing the Refund of Overpayment(s) of Building Department Fees
- 23-241 Resolution Authorizing the Refund of Overpayment(s) of Police Department Fees
- 23-242 Resolution Cancelling Grant Appropriations and Receivables
- 23-243 Resolution Requesting Approval of Item of Revenue and Appropriation Under N.J.S.A. 40A:4-87 For the National Opioid Settlement Funds in the Amount of \$14,372.50
- 23-244 Resolution Requesting Approval of Item of Revenue and Appropriation Under N.J.S.A. 40A:4-87 For the Community Benefit Payment per Redevelopment Agreement in the Amount of \$10,000.00

- 23-245 Resolution Requesting Approval of Item of Revenue and Appropriation Under N.J.S.A. 40A:4-87 For the 2023 Department of Agriculture Spotted Lantern Fly Grant in the Amount of \$15,000.00
- 23-246 Resolution Adopting the Township of Jefferson Police Department Rules & Regulations
- 23-247 Resolution of the Township Council of the Township of Jefferson, County of Morris, Approving Payment of Attorney’s Fee and Cost for the Kratzel OPRA Litigation
- 23-248 Resolution Authorizing Change Order No. 1 and Approving Current Estimate No. 1 – Bulk Storage, Inc. – Furnish and Construction of 61’ Diameter Geodesic Domed Salt Shed, Contract – BLD-72-1L
- 23-249 Resolution Approving Current Estimate No. 1 – Riverview Paving, Inc. – For Minnisink Road Improvements, Contract No. RDE-23-2
- 23-250 Resolution Authorizing Contracts with Certain Approved NJ State Vendor & ESCNJ Contract Vendor for Contracting Units – CDW-G
- 23-251 Resolution Authorizing Award of Non-Fair and Open Contract for Payroll Services to Action Data Services, Inc.
- 23-252 Resolution Authorizing Award of Non-Fair and Open Contract for Water & Sewer Equipment, Supplies & Parts To HD Supplies Facilities Maintenance, LTD DBA USA Bluebook
- 23-253 Resolution Authorizing H2M Architects and Engineers for Design, Funding, Bidding and Construction Related Services For PFAS Treatment at Moosepac Well to Comply with the PFAS Requirements for the Milton Water System
- 23-254 Resolution of the Township Council of the Township of Jefferson, County of Morris, Recommending Submission of the Township of Jefferson’s Housing Element and Fair Share Plan, Dated March 27, 2023, and Spending Plan Dated June 2023, Prepared by J. Caldwell & Associates, LLC to the Superior Court

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

- 13. **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.
- 14. **EXECUTIVE SESSION –Township Clerk**
  - **None for September 6, 2023**

**RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Council of the Township of Jefferson is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Council of the Township of Jefferson to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Jefferson, in the County of Morris and State of New Jersey, assembled in public session on \_\_\_\_\_ at **7:00 P.M.** in the Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey, that the Township Council shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

**BE IT FURTHER RESOLVED** that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

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

15. ADJOURNMENT AT \_\_\_\_\_ PM - Presiding Officer

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

Michele Reilly, RMC, CMR  
 Township Clerk  
 973-208-6133 [mreilly@jeffersontownship.net](mailto: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**

Tuesday, September 19	
Wednesday, October 4	Wednesday, October 18
Wednesday, November 1	Wednesday, November 29
Wednesday, December 13	Wednesday, January 3, 2024 - Reorganization

**CONSENT AGENDA RESOLUTION #23-238**

**“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 **August 16, 2023** 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 #23-239**

**“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
303	12	PRO CAP 8 FBO FIRSTRUST BANK	\$1,031.70	5	2023
303	12	PRO CAP 8 FBO FIRSTRUST BANK	\$1,000.00	10	2023
55	13.01	TOWER DB XII TRUST	\$4,264.35	5	2023
55	13.01	TOWER DB XII TRUST	\$3,000.00	10	2023
		<b>TOTAL</b>		<b>\$9,296.05</b>	

**CONSENT AGENDA RESOLUTION #23-240**

**“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT(S) OF BUILDING DEPARTMENT FEES”**

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

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

**WHEREAS**, the Construction Official 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**

<b>1. Incorrect Payment</b>	<b>2. Duplicate Payment</b>	<b>3. Project Cancelled</b>
<b>4. Contractor Submitted in Error</b>		

BLOCK/LOT	NAME	AMOUNT	CODE
277/10.02 29 High View Terrace	Vision Solar	\$389.20	3

**CONSENT AGENDA RESOLUTION #23-241**

**“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT(S) OF POLICE DEPARTMENT FEES”**

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

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

**WHEREAS**, the Chief of Police 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**

<b>1. Incorrect Payment</b>	<b>2. Duplicate Payment</b>

	NAME	AMOUNT	CODE
	Ian Bates	\$75.00	1

**CONSENT AGENDA RESOLUTION #23-242**

**“RESOLUTION CANCELLING GRANT APPROPRIATIONS AND RECEIVABLES”**

**WHEREAS**, there is a need to cancel the following Grant/Budget Appropriations and Receivables:

FUND	ACCOUNT No.	ACCOUNT TYPE	DESCRIPTION	AMOUNT
CAPITAL	C-04-55-921-013-914	BUDGET	RIDGE ROAD PHASE 1 DOT GRANT	35,450.24
CAPITAL	N/A	REVENUE/RECEIVABLE	RIDGE ROAD PHASE 1 DOT RECEIVABLE	33,980.22
GRANT	G-01-41-865-000-001	BUDGET	RIDGE ROAD PHASE 2 DOT GRANT	46,539.40
GRANT	G-01-41-865-001	REVENUE/RECEIVABLE	RIDGE ROAD PHASE 2 DOT RECEIVABLE	50,734.08

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Jefferson, Morris County, New Jersey, that the above referenced Appropriations and Receivables be cancelled.

**CONSENT AGENDA RESOLUTION #23-243**

**“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE NATIONAL OPIOID SETTLEMENT FUNDS IN THE AMOUNT OF \$14,372.50”**

**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 National Opioid Settlement Funds in the amount of **\$14,372.50** and wishes to amend its **2023** 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 **2023** in the total amount of **\$14,372.50**, 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:  
**National Opioid Settlement Funds** **\$14,372.50**

**BE IT FURTHER RESOLVED** that a like sum of **\$14,372.50** 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:  
**National Opioid Settlement Funds** **\$14,372.50**

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

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**CONSENT AGENDA RESOLUTION #23-244**

**“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE COMMUNITY BENEFIT PAYMENT PER REDEVELOPMENT AGREEMENT IN THE AMOUNT OF \$10,000.00”**

**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 **COMMUNITY BENEFIT PAYMENT** in the amount of **\$10,000.00** and wishes to amend its **2023** 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 approve the insertion of an item of revenue in the budget of the year **2023** in the total amount of **\$10,000.00**, 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:  
**COMMUNITY BENEFIT PAYMENT** **\$10,000.00**

**BE IT FURTHER RESOLVED** that a like sum of **\$10,000.00** 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:  
**COMMUNITY BENEFIT PAYMENT** **\$10,000.00**

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

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**CONSENT AGENDA RESOLUTION #23-245**

**“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2023 DEPARTMENT OF AGRICULTURE SPOTTED LANTERN FLY GRANT IN THE AMOUNT OF \$15,000.00”**

**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 **2023 Department of Agriculture Spotted Lantern Fly Grant**, in the amount of **\$15,000.00** and wishes to amend its **2023** 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 **2023** in the total amount of **\$15,000.00**, 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:

**2023 Department of Agriculture Spotted Lantern Fly Grant      \$15,000.00**

**BE IT FURTHER RESOLVED** that a like sum of **\$15,000.00** be and the same is hereby appropriated under the caption of:

**General Appropriations**

Operations – Excluded from CAPS  
Public and Private Programs Offset by Revenues:

**2023 Department of Agriculture Spotted Lantern Fly Grant      \$15,000.00**

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

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**CONSENT AGENDA RESOLUTION #23-246**

**“RESOLUTION ADOPTING THE TOWNSHIP OF JEFFERSON POLICE DEPARTMENT RULES AND REGULATIONS”**

**WHEREAS**, pursuant to the Township of Jefferson Code, Chapter 7, Section 37-D, the Mayor is designated as the Appropriate Authority and is vested with the powers and duties of the Appropriate Authority; and

**WHEREAS**, pursuant to the Township of Jefferson Code, Chapter 7, Section 37-D, the Appropriate Authority Shall be responsible for promulgation and adoption of the rules and regulations for the government of the Police Department and for the discipline of its members, and

**WHEREAS**, the Appropriate Authority has amended and adopted the rules and regulations for the Township of Jefferson Police Department; and

**WHEREAS**, the Township is desirous of confirming the amended rules and regulations for the Township of Jefferson Police Department.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council and Mayor hereby confirm the Appropriate Authority's amended Township of Jefferson Police Department Rules and Regulations and directs the Chief of Police to administer and enforce the amended rules and regulations of the Police Department.

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**CONSENT RESOLUTION #23-247**

**“RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS,  
APPROVING PAYMENT OF ATTORNEY’S FEE AND COST FOR THE KRATZEL OPRA LITIGATION”**

**WHEREAS**, the Township of Jefferson and Michele Reilly are named Defendants in the lawsuit captioned “*Joseph Kratzel, on behalf of M.K., a minor v. Township of Jefferson and Michele Reilly*”, filed in the Superior Court of New Jersey, County of Morris, bearing Docket No. MRS-L-823-23; and

**WHEREAS**, the litigation relates to the Township of Jefferson’s responses to an Open Public Records Act request; and

**WHEREAS**, the Court, in an Order dated June 30, 2023, ordered that Mr. Kratzel, as a prevailing party, is entitled to an award of reasonable attorneys’ fees and costs, to be paid by Jefferson Township; and

**WHEREAS**, the parties desire to resolve the issue of the amount of Mr. Kratzel’s counsel fees and costs by agreeing to payment by Jefferson Township to Mr. Kratzel’s attorney, CJ Griffin, Esq. in the amount of \$7,500.00, subject to Court approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, hereby authorizes the payment of \$7,500.00 payment to CJ Griffin, Esq., for payment in full for Mr. Kratzel’s attorney’s fee and cost, subject to Court approval.

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**CONSENT AGENDA RESOLUTION #23-248**

**“RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND APPROVING CURRENT ESTIMATE NO. 1 –  
BULK STORAGE, INC. – FURNISH AND CONSTRUCTION OF 61’ DIAMETER GEODESIC DOMED SALT SHED,  
CONTRACT- BLD-72-1L”**

**WHEREAS**, a contract was awarded to Bulk Storage, Inc. for Furnish and Construction of 61’ Diameter Geodesic Domed Salt Shed, Contract BLD-72-1L; and

**WHEREAS**, the Township Engineer has submitted and recommended **Change Order No. 1** dated **8/21/2023** in the amount of **\$22,400.00** to reflect an adjusted price for structural repairs to existing reinforced concrete dome wall, increasing the contract total to **\$269,061.00 (an overall adjustment of 9.08% to the original contract amount;** and

**WHEREAS**, the Township Engineer has submitted **Current Estimate No. 1** in the amount of **\$35,574.00** for work completed and accepted; 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 **\$22,400.00**.

**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 \$22,400.00 and Current Estimate No. 1 for a payment in the amount of \$35,574.00** to Bulk Storage, Inc., 2801 South Yates Avenue, Beecher, IL 60401.

**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.

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**CONSENT AGENDA RESOLUTION #23-249**

**“RESOLUTION APPROVING CURRENT ESTIMATE NO. 1 – RIVERVIEW PAVING, INC.  
FOR MINNISINK ROAD IMPROVEMENTS, CONTRACT NO. RDE-23-2”**

**WHEREAS**, a contract was awarded to Riverview Paving, Inc. for Minnisink Road Improvements, **Contract RDE-23-2**; and

**WHEREAS**, the Township Engineer has submitted **Current Estimate No. 1** in the amount of **\$344,825.74** 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 **Current Estimate No. 1 for a payment in the amount of \$344,825.74** 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.

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**CONSENT AGENDA RESOLUTION #23-250**

**“RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED  
NJ STATE CONTRACT VENDOR & ESCNJ CONTRACT VENDOR FOR CONTRACTING UNITS – CDW-G”**

**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 New Jersey State Cooperative Purchasing Program contracts entered into on behalf of the State Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Township of Jefferson has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the New Jersey State Cooperative Purchasing Program contracts, **M-0438, 89980 & 40166, #21-TELE-01517, 20-TELE-01511, 21-TELE-01506** and the Educational Services Commission of New Jersey contract **ESCNJ/AEPA-22G** were awarded to **CDW-G, 230 N. Milwaukee Avenue, Vernon Hills, IL 60061** for Data Communications Equipment, Software Licensing, Technology Supplies & Services; and

**WHEREAS**, the Township of Jefferson desires to purchase, in an **amount not to exceed \$150,000.00 for Data Communications Equipment, Software Licensing, Technology Supplies & Services** through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current New Jersey State Cooperative Purchasing Program and the Educational Services Commission of New Jersey 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 \$150,000.00.

3-01-20-140-140-268  
3-01-25-250-250-267  
C-04-55-921-008-915  
C-04-55-923-008-915  
C-04-55-923-008-916

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Jefferson that the Township Administrator is authorized to purchase **Data Communications Equipment, Software Licensing, Technology Supplies & Services from the approved New Jersey State Cooperative Purchasing Program M-0438, 89980 & 40166, #21-TELE-01517, 20-TELE-01511, 21-TELE-01506 and the Educational Services Commission of New Jersey contract ESCNJ/AEPA in an amount not to exceed \$150,000.00 from CDW-G, 230 N. Milwaukee Avenue, Vernon Hills, IL 60061**.

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**CONSENT AGENDA RESOLUTION #23-251**

**“RESOLUTION AUTHORIZING AWARD OF NON-FAIR AND OPEN CONTRACT FOR  
FOR PAYROLL SERVICES TO ACTION DATA SERVICES, INC.”**

**WHEREAS**, the Township of Jefferson has a need for payroll services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, as appropriate; and

**WHEREAS**, **ACTION DATA SERVICES, INC.**, has submitted a proposal dated **August 11, 2023** indicating that **Payroll Services** will be provided for a fee **not to exceed \$36,000**; and

**WHEREAS**, **ACTION DATA SERVICES, 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 **ACTION DATA SERVICES, 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 the services will **exceed \$17,500 but will not to exceed \$36,000.00** and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5 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 \$ 36,000.00.**

**3-01-20-130-130-234**

**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 Non-Fair and Open 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 **ACTION DATA SERVICES, INC., 17 Sherwood Lane, Fairfield, NJ 07004** for **Payroll Services** to the Township of Jefferson for a fee **not to exceed \$36,000.00.**
- Section 2.** The Business Entity Disclosure Certification and the Determinations of Value be placed on file with this resolution.
- Section 3.** The term of this agreement shall be for 24 months, with an option to terminate at 12 months with 90-day notice prior to termination date.

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**CONSENT AGENDA RESOLUTION #23-252**

**“RESOLUTION AUTHORIZING AWARD OF NON-FAIR AND OPEN CONTRACT FOR WATER & SEWER EQUIPMENT, SUPPLIES AND PARTS TO HD SUPPLIES FACILITIES MAINTENANCE, LTD DBA USA BLUEBOOK”**

**WHEREAS**, the Township of Jefferson has a need to acquire Water, Sewer & Public Works Equipment, Supplies and Parts as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, as appropriate; and

**WHEREAS**, **HD SUPPLIES FACILITIES MAINTENANCE, LTD DBA USA BLUEBOOK**, has submitted a proposal dated **June 23, 2023** indicating that **Equipment, Supplies and Parts** will be provided for a fee **not to exceed \$25,000.**; and

**WHEREAS**, **HD SUPPLIES FACILITIES MAINTENANCE, LTD DBA USA BLUEBOOK**, 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 **HD SUPPLIES FACILITIES MAINTENANCE, LTD DBA USA BLUEBOOK** 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 will **exceed \$17,500 but will not to exceed \$ 25,000.00** and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5 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 \$ 25,000.00.**

**3-05-55-500-000-552**  
**3-05-55-500-000-556**  
**3-05-55-500-000-563**  
**3-07-55-500-000-561**  
**3-07-55-500-000-571**

**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 Non-Fair and Open 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 **HD SUPPLIES FACILITIES MAINTENANCE, LTD DBA USA BLUEBOOK, 3400 Cumberland Blvd. SE, Atlanta, GA 30339, 07029** for **Water, Sewer & Public Works Equipment, Supplies and Parts** to the Township of Jefferson for a fee **not to exceed \$25,000.00.**
- Section 2.** The Business Entity Disclosure Certification and the Determinations of Value be placed on file with this resolution.
- Section 3.** The term of this agreement shall be for 24 months.

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**CONSENT AGENDA RESOLUTION #23-253**

**“RESOLUTION AUTHORIZING H2M ARCHITECTS AND ENGINEERS FOR DESIGN, FUNDING, BIDDING AND CONSTRUCTION RELATED SERVICES FOR PFAS TREATMENT AT MOOSEPAC WELL TO COMPLY WITH THE PFAS REQUIREMENTS FOR THE MILTON WATER SYSTEM”**

**WHEREAS**, the Township of Jefferson has a need to install filtration treatment at the Moosepac Well location for the Milton Water System in order to comply with NJDEP Requirements for PFAS; 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-20.4 or 20.5; and



**WHEREAS**, the Township of Jefferson received a proposal from H2M Architects and Engineers, revised August 21, 2023 for the cost to complete the Design, Funding, Bidding, and Construction related services for the PFAS Treatment, in an amount not exceed **\$383,300.00**; and

**WHEREAS**, **H2M Architects and Engineers**, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political 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 **H2M Architects and Engineers**, 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 acquisition by the firm **H2M Architects and Engineers 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 \$383,300.00**.

**C-06-55-523-011-504**

**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 and agreement **with H2M Architects and Engineer** for **Engineering** services to the Township of Jefferson for the Milton Water System as set forth in a proposal revised **August 21, 2023** for an annual fee **not to exceed \$383,300.00**.
- 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 for entire project period starting, **September 6, 2023 until completion**.
- 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 Entity Disclosure Certification and the Determination of Value be placed on file with the resolution.

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**CONSENT AGENDA RESOLUTION #23-254**

**"RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS, RECOMMENDING SUBMISSION OF THE TOWNSHIP OF JEFFERSON'S HOUSING ELEMENT AND FAIR SHARE PLAN, DATED MARCH 27, 2023, AND SPENDING PLAN DATED JUNE 2023, PREPARED BY J. CALDWELL & ASSOCIATES, LLC TO THE SUPERIOR COURT"**

**WHEREAS**, the Township of Jefferson, County of Morris, State of New Jersey, desires to file a declaratory judgment action in the Superior Court of New Jersey, seeking, *inter alia*, judicial approval of its March 27, 2023 Housing Element and Fair Share Plan and June 2023 Spending Plan, and immunity from builder's remedies suits; and

**WHEREAS**, the Planning Board of the Township of Jefferson has reviewed the March 27, 2023 Housing Element and Fair Share Plan, prepared by Jessica Caldwell & Associates, LLC and finds that the Plan is consistent with the goals and objectives of the Township of Jefferson 2008 Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

**NOW THEREFORE BE IT RESOLVED** that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, hereby approves of filing of a declaratory judgment action for approval of the March 27, 2023 Housing Element and Fair Share Plan and June 2023 Spending Plan, for approval by the Superior Court of New Jersey.

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**\*\*COPIES OF THE BILL LIST MAY BE OBTAINED BY EMAILING JEFFERSONCLERK@JEFFERSONTOWNSHIP.NET**