

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

**DRAFT – TO
THE EXTENT
KNOWN AS
OF 10.13.23**

OCTOBER 18, 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 **October 18, 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: Administrator Debi Millikin and Mayor Eric Wilsusen.

3. SALUTE TO THE FLAG – Presiding Officer

4. SPECIAL PRESENTATIONS – Township Clerk

- None for October 18, 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

ORDINANCE #23-18 - ORDINANCE AMENDING THE JEFFERSON TOWNSHIP MUNICIPAL CODE, CHAPTER 491, SECTION 7 – “FEES”

WHEREAS, the Township Council of the Township of Jefferson desires to amend the Jefferson Township Municipal Code, Chapter 491, Section 7 “Fees” in order to adjust the fees for short term rentals.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 491, Section 7 of the Jefferson Township Municipal Code is hereby amended as follows:

SECTION I.

Chapter 491, Section 7 - Fees, shall be amended, effective January 1, 2024, as follows:

Fees.

A. Registration and inspection: \$200

B. Amended registration: \$75

C. Reinspections: \$75

D. If any fee is not paid within 30 days of its due date, a late fee charge in the amount of \$50 applies.

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.

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

PUBLIC HEARING

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.

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

ORDINANCE #23-19 - ORDINANCE AMENDING THE JEFFERSON TOWNSHIP MUNICIPAL CODE, CHAPTER 320, SECTION 3 – “DAMAGE TO MAILBOX BY TOWNSHIP”

WHEREAS, the Township Council of the Township of Jefferson desires to amend the Jefferson Township Municipal Code, Chapter 320, Section 3, “Damage to Mailbox by Township”, in order to clarify the process for reimbursement requests.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 320, Section 3 of the Jefferson Township Municipal Code is hereby amended as follows:

SECTION I

Chapter 320, Section 3 - Fees, shall be amended as follows:

In the event that any privately owned mailbox and/or mailbox support is destroyed or damaged during the course of Township business by a Township vehicle(s) and/or Township employee(s), the Township shall pay no more than \$25 for replacement of a mailbox and no more than \$15 for replacement of a support; and in no circumstances more than a total of \$40.

The Township reserves the right to refuse any such payment if the damage is not reported in writing to the Superintendent of Public Works within seven (7) calendar days of its occurrence.

Residents are required to submit receipts within 45 (forty-five) days of the date of occurrence to the Superintendent of Public Works in order to be eligible for reimbursement.

In the event that the mailbox and/or support damaged do not comply with the requirements of this Chapter and the construction specifications outlined in 320-1, the Township reserves the right to refuse payment or to make a payment at a lower amount.

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.

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

PUBLIC HEARING

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.

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

ORDINANCE #23-20 - ORDINANCE REPEALING CHAPTER 103 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED “POLITICAL CAMPAIGN CONTRIBUTIONS AND CONTRACTING”

WHEREAS, the New Jersey Legislature repealed N.J.S.A. § 40A:11-51, which gave municipalities the authority to regulate political campaign contributions and contracting; and

WHEREAS, the New Jersey statutes, as amended, now preempt all local ordinances and rules governing political campaign contributions and contracting; 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 I

CHAPTER 103 REPEALED

Chapter 103, which governed Political Campaign Contributions and Contracting is hereby repealed in its entirety.

SECTION II.

NEW JERSEY STATUTES GOVERN

New Jersey Statute 19:44A-1 *et seq.* and 19:44-1 *et seq.* now exclusively govern political campaign contributions and contracting.

SECTION III

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

SECTION IV

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 V

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 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.

INTRODUCED: OCTOBER 4, 2003

ADOPTED:

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

7. **COUNCIL AND MAYOR DISCUSSION – Presiding Officer**
 - Camp Jefferson 2023 Report
 - Chapter 142, Alcoholic Beverages, specifically BYOB
8. **ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR – Presiding Officer**
9. **COUNCIL BUSINESS – Presiding Officer**
 - Change in Meeting Date – from November 1st to November 8th

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

- Change in Meeting Time – December 13th, Begin at 6 PM

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

**RESOLUTION #23-276
 RESOLUTION OF THE GOVERNING BODY CERTIFYING THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year **2022** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Township Council of the Township of Jefferson; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the Township Council of the Township of Jefferson have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the Group Affidavit Form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than **forty-five days** after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Township Council of the Township of Jefferson have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52:

A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

10. COUNCIL REPORTS – Presiding Officer

11. ORDINANCES – FIRST READING –Township Clerk

ORDINANCE #23-21

ORDINANCE PERMITTING CANNABIS BUSINESSES WITHIN THE TOWNSHIP, ADDING DEFINITIONS TO SECTION 490-5 OF THE TOWNSHIP CODE, DELETING SUBSECTION I OF CODE SECTION 490-27, AND ADOPTING NEW SECTIONS 490-13.D(6) 490-14.D.(4), 490.16.D(3), AND 490-35 N PERMITTING THE OPERATION OF CLASS 1 THROUGH CLASS 6 CANNABIS LICENSES AS CONDITIONAL USES WITHIN CERTAIN ZONES IN THE TOWNSHIP

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Jefferson Township adopted Ordinance 2021-14 on August 4, 2021, prohibiting cannabis businesses within the Township; and

WHEREAS, the Township of Jefferson Council has determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township of Jefferson's residents and members of the public who visit, travel, or conduct business in the Township of Jefferson, to amend the Township's zoning regulations to permit cannabis businesses within the geographic boundaries of the Township of Jefferson as a conditional use pursuant to Section 490-35.N, and subject to the requirements of New Jersey state statutes or administrative code regulations, as may be adopted and amended, including those of the Cannabis Regulatory Commission, and only if such cannabis establishment has first obtained a municipal cannabis license, pursuant to Township Code Section 170-1.

NOW THEREFORE, BE IT ORDAINED, by the Township of Jefferson Council, in the County of Morris, State of New Jersey, as follows:

SECTION ONE. The General Ordinance of the Township of Jefferson is amended by adopting new definitions to Code Section 490-5, "Definitions", as follows:

CANNABIS

All parts of the cannabis plant, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16, for use in cannabis products as set forth in the Act.

CANNABIS CULTIVATOR

Any licensed business or entity that grows, cultivates, or produces cannabis in this state and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 cannabis cultivator license.

CANNABIS DELIVERY

Any licensed business or entity involved in providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service includes the ability of a consumer to make a purchase directly through the cannabis delivery service to be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer. This person or entity shall hold a Class 6 cannabis delivery license.

CANNABIS DISTRIBUTOR

Any licensed business or entity involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator or cannabis items in bulk from any type of licensed cannabis business to another. This person or entity shall hold a Class 4 cannabis distributor license.

CANNABIS MANUFACTURER

Any licensed business or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 cannabis manufacturer license.

CANNABIS RETAILER

Any licensed business or entity that is involved in the sale of cannabis items and related supplies that are sold to consumers. This person or entity shall hold a Class 5 cannabis retailer license.

CANNABIS WHOLESALER

Any licensed business or entity that is involved in obtaining and selling cannabis items for later resale by other licensees. This person or entity shall hold a Class 3 cannabis wholesaler license.

GIFTING

Any individual, cannabis business or license holder providing free samples of marijuana or cannabis items, either independent of or in connection with the sale of other goods and/or services, from any commercial structure or movable vehicle or trailer.

SECTION TWO. The General Ordinance of the Township of Jefferson is amended by adding a new Subsection (6) to Section 490-13.D of the Code to allow for cannabis retail business and cannabis delivery service as a conditional use in the C-1 Neighborhood Business Zone, as follows:

D. Conditional uses (subject to Section 490-35). Conditional uses shall be as follows:

- (6) Cannabis retail business and cannabis delivery service

SECTION THREE. The General Ordinance of the Township of Jefferson is amended by adding a new Subsection (4) to Section 490-14.D of the Code to allow for cannabis retail business and cannabis delivery service as a conditional use in the C-2 Highway Business Zone, as follows:

D. Conditional uses (subject to Section 490-35). Conditional uses shall be as follows:

- (4) Cannabis retail business and cannabis delivery service

SECTION FOUR. The General Ordinance of the Township of Jefferson is amended by adding a new Subsection (3) to Section 490-16.D of the Code to allow for cannabis cultivator, manufacturer, wholesaler or distributor business as a conditional use in the IP Industrial Park Zone, as follows:

D. Conditional uses (subject to Section 490-35). Conditional uses shall be as follows:

- (3) Cannabis cultivator, manufacturer, wholesaler or distributor business

SECTION FIVE. The General Ordinance of the Township of Jefferson is amended by deleting subsection I of Code Section 490-27, "Prohibited Uses", which prohibited "I. All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service."

SECTION SIX. The General Ordinance of the Township of Jefferson is amended by adopting a new subsection N, Cannabis Businesses, of Code Section 490-35, "Conditional Uses", as follows:

N. Cannabis Businesses. A cannabis cultivator, manufacturer, wholesaler or distributor business shall be permitted as a conditional use in accordance with subsection 1, below. A cannabis retailer and/or cannabis delivery business shall be permitted as a conditional use in accordance with subsection 2, below. All cannabis businesses are subject to the requirements of New Jersey state statutes and/or administrative code regulations, as may be adopted and amended, including those of the Cannabis Regulatory Commission. All cannabis businesses shall first obtain a license from the Jefferson Township Council, in accordance with Jefferson Township Code Section 170-1 prior to making application for conditional use approval.

- (1) Cannabis cultivator, manufacturer, wholesaler or distributor. A cannabis cultivator, manufacturer, wholesaler, or distributor shall meet the following conditions and standards when permitted as a conditional use:
 - (A) Number of cannabis cultivator, manufacturer, wholesaler or distributor licenses. There shall be a maximum of two (2) cultivator, one (1) manufacturer, one (1) wholesaler and one (1) distributor facility within Jefferson Township. At least one (1) cultivator license shall be provided to microbusiness, per N.J.A.C. 17:30-6.7, provided all other eligibility requirements are met.
 - (B) Location. A cannabis cultivator, manufacturer, wholesaler or distributor business shall be permitted as a conditional use only within the IP Zone in Jefferson Township. Facilities shall be at least 500 feet from a school or state-licensed child-care or day-care facility, which distance shall be measured from the corners of each building that are closest to each other. All cannabis growing or manufacturing buildings shall be located at least 400 feet from the nearest dwelling unit located on a neighboring lot and a minimum of 1,000 feet from a school building, which distance shall be measured from the corners of each building that are closest to each other.
 - (C) Buildings. All facilities shall be fully indoors and enclosed in heated/air-conditioned permanent buildings, not trailers, hoop houses or greenhouses, etc.
 - (D) Minimum lot size: Five (5) acres.
 - (E) Access and Setback: Access shall be provided via a driveway located on a County or State road, with all growing, production and/or manufacturing structures setback a minimum of 400 feet from the road. All newly constructed cannabis growing, production and manufacturing structures shall abide by all setback and Code requirements in effect for the Zone in which the business is located, and shall provide any berms to shield the adjoining properties/roads, as determined by the Land Use Board.
 - (F) Landscaped Buffer: A minimum landscaped buffer at least 100 feet in width shall be established and maintained, adjacent to any road. In addition, a landscaped buffer shall be required in the event that there is not a natural buffer between the property and any dwelling unit.
 - (G) Fencing: All structures utilized for any growing, production or manufacturing shall be enclosed by a fence at least seven (7') feet high.
 - (H) Signage. Signs shall be limited to location one identification/name of business sign. Signage shall not promote consumption of any cannabis products.
 - (I) Site plan approval. When seeking site plan approval, the applicant shall submit a safety and security plan and emergency services access plan. All cannabis growing, production and manufacturing operations shall have a backup generator, which shall maintain all electronic security systems in the event of a power failure. No light generated by any cannabis cultivator, manufacturer, wholesaler or distributor structures shall result in measurable light changes at the nearest property boundary to each structure. Interior light shades may be required by the Board on greenhouse structures to manage potential lighting impacts. Lighting shall be subject to a Board engineer night lighting test. The Township Police Department shall review and approve of all security plans.
 - (J) Odor control. The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odor generated inside the facility and outside the facility shall not be detectable by a person of reasonable sensitivity at the property line of the subject property. Any and all odor control devices, needs, and systems shall be paid for by the facility owner and/or the facility tenant and shall not be the financial responsibility of the Township. Odor from the facility shall be monitored, on an annual basis, at the discretion of the Township, by a licensed, qualified contractor chosen by the Township and paid for by the facility owner, and/or the facility tenant, and shall not be the financial responsibility of the Township.
 - (K) Hours of operation. Hours of operations for cannabis cultivator, manufacturer, wholesaler, or distributor shall be from 9:00 a.m. to 8:00 p.m., Monday through Saturday.
 - (L) Compliance: All growing, production and manufacturing shall be in compliance with all applicable New Jersey State requirements, licenses and permits. All cannabis growing, production and manufacturing operations shall operate in compliance with State and local noise laws and regulations.
- (2) Cannabis retailer and cannabis delivery. Cannabis retailers and cannabis delivery services that operate from a business located within Jefferson Township shall meet the following conditions and standards when permitted as a conditional use:
 - (A) Number of retail business and cannabis delivery service licenses. There shall be a maximum of four (4) total cannabis retailers within Jefferson Township and a maximum of two (2) cannabis delivery service businesses within Jefferson Township. At least one (1) retail license shall be provided to a New Jersey certified women-owned, veteran-owned, disadvantaged business and/or minority-owned business, provided all other eligibility requirements are met.

ORDINANCE #23-22

ORDINANCE AMENDING CHAPTER 446 ENTITLED "TAXATION" OF THE CODE OF THE TOWNSHIP OF JEFFERSON TO ADD A NEW ARTICLE TWO, SECTION 446-20, ET SEQ. SETTING FORTH A CANNABIS TAX

WHEREAS, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A 24:61-31 et seq., allows municipalities to enact by ordinance a method by which the local government may collect the local cannabis tax and to whom the local holder of any authorized cannabis license is to pay said tax; and

WHEREAS, Jefferson Township has determined that it is in the best interests of the Township of Jefferson to allow for the collection of a cannabis tax within the Township of Jefferson.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Jefferson, County of Morris and State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Township of Jefferson, Chapter 446 entitled "Taxation."

Section 1. Chapter 446 of the Code of the Township of Jefferson, "Taxation" is hereby amended by adding a new Article II, entitled Cannabis Tax, as follows:

Article II Cannabis Tax

§ 446-20. Purpose.

It is the purpose of this Article to implement the provisions of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A 24:61-31 et seq., which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment.

§ 446-21. Definitions.

Unless otherwise defined herein, as used herein, the Township adopts by reference the terms and definitions established by Section 40 of Public Law 2021- 16 (N.J. S. A. 24: 61- 33).

§ 446-22. Tax Established.

A. There is hereby established a local cannabis transfer tax in the Township of Jefferson which shall be fixed at a uniform percentage rate of two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer for every occupancy of a cannabis establishment in the Township of Jefferson.

B. In addition to the tax established in paragraph A of this section, a user tax, at the equivalent transfer tax rates, is hereby established on any concurrent license holder, as permitted by N.J.S.A. 24: 61- 46, operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to paragraph A of this subsection, from the license holder' s establishment that is located in Jefferson to any of the other license holder's establishments, whether located in this Township or another municipality.

C. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the " Sales and Use Tax Act," N.J.S.A. 54: 32B- 1 et seq.

§ 446-23. Tax in addition to other taxes or fees.

The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

§ 446-24. Collection.

A. The transfer tax or user tax imposed by this Article shall be collected or paid, and remitted to Township of Jefferson by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the Township by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

B. Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the Chief Financial Officer of Jefferson Township shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

C. No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

D. All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Jefferson Township Chief Financial Officer on a quarterly basis payable for the prior three month' s activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues

due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§ 446-25. Payment; vendor violations and penalties.

- A. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.
- B. The municipality shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this section in the same manner as provided for municipal real property taxes.
- C. In the event that the transfer tax or user tax imposed by this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.
- D. A municipality shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

§ 446-26. –Suspension/revocation of license.

- A. Any cannabis establishment that has not made the required tax payment or has not provided the required financial documents within ten (10) days of the due date shall have their municipal license suspended and shall not be eligible to renew a municipal license. The Chief Financial Officer shall immediately report any delinquencies to the Township Clerk, Township Council, and Business Administrator once such payment is ten (10) days late.
- B. The Township Council shall not consider any application for renewal any cannabis establishment that has not timely paid all required municipal cannabis taxes.

Section 2. All ordinances, resolutions, and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this action, paragraph, article, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect 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 **November 8, 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												

**ORDINANCE 23-23
 ORDINANCE ADOPTING A NEW CHAPTER 170 ENTITLED "CANNABIS LICENSE REQUIREMENTS" OF THE CODE OF THE TOWNSHIP OF JEFFERSON TO ADD MUNICIPAL LICENSURE REQUIREMENTS FOR CANNABIS FACILITIES**

WHEREAS, it is in the best interest of the Township of Jefferson to be proactive in establishing a municipal licensing system to regulate and authorize cannabis facilities within the Township of Jefferson, prior to application of a cannabis business for a conditional use, as required by Jefferson Township Code Section 490-35.N.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Jefferson, County of Morris and State of New Jersey, a new Chapter 170 "Cannabis License Requirements" is hereby added to the Revised General Ordinances of the Township of Jefferson.

Section 1. A new Chapter 170 "Cannabis License Requirements" is hereby added to the Revised General Ordinances of the Township of Jefferson, as follows:

**Chapter 170
 Cannabis License Requirements.**

170-1. Jefferson Township Municipal Cannabis License Requirements.

- A. Any person, business or organization, prior to commencing the cultivation of cannabis and/or engaging in cannabis manufacturing activities, cannabis wholesale activities cannabis distribution activities, and/or a cannabis retailer or cannabis delivery business within Jefferson Township, shall first apply for and secure from the Township of Jefferson Council an annual local Class 1 cannabis cultivator license, annual local Class 2 cannabis manufacturer license, annual local Class 3 cannabis wholesaler license, annual local Class 4 cannabis distributor license, annual local Class 5 cannabis retailer license or annual local Class 6 cannabis delivery license, or any permitted combination thereof. A copy of the application shall be approved and may be amended by the Township Council.

- B. The Township of Jefferson, through its Municipal Clerk, shall begin accepting applications for any class of annual local cannabis license 15 days following final passage of this article. The initial local annual license shall be valid until December 31, 2023. Thereafter, the period of each annual local cannabis establishment license shall commence January 1, and expire on December 31 of the calendar year.
- C. The number of licenses available for each class of cannabis business shall be as established by Jefferson Township Code Section 490-35.N, as may be amended.
- D. A cannabis establishment shall be required to maintain a license from the State of New Jersey, Cannabis Regulatory Commission for each applicable class of concurrently held local annual cannabis license(s) as a condition of holding a local annual cannabis license. An applicant is permitted to apply for a municipal cannabis license so long as the applicant shall have submitted a complete application to the Cannabis Regulatory Commission prior to submitting an application for a municipal cannabis license. The municipal cannabis license shall be displayed at all times.
- E. By no later than December 1 of the license year, all licensees shall be required to again file an application for a local annual cannabis license to be authorized to continue operation as a cannabis establishment within the Township of Jefferson.
- F. All local cannabis establishments' licenses shall be conditional, and shall remain subject to all laws and regulations of the Township of Jefferson and the State of New Jersey. Failure of any licensee to comply with such applicable laws shall be grounds for revocation and/or nonrenewal by the Township of Jefferson. Upon receiving conditional approval for a municipal cannabis license from the Jefferson Township Council, all cannabis establishments shall obtain approval from the Jefferson Township Land Use Board via application for a conditional use, as required by Jefferson Township Code Section 490-35.N, prior to commencing operations. Once Land Use Board approval is obtained, the Township Council shall review the application for issuance of a final license.
- G. The initial application fee for each local cannabis establishment license shall be \$5,000.00 and the renewal application fee shall be \$2,500.00. Such fees shall be non-refundable. An escrow in the initial amount of \$1,000.00 shall be established and replenished upon request for administrative and professional fees and costs relating to the application and oversight during the term.
- H. Applicants granted a local cannabis establishment license shall pay a non-refundable annual fee of \$10,000.00 prior to any license being issued, with such payment to be made to the Township Clerk by January 1 of each calendar year, or within ten (10) days of the date the license is granted by the Township Council.
- I. Applicants shall be required to comply with all municipal cannabis tax requirements, pursuant to Township Code Chapter 446, Article II.
- J. All local cannabis establishment licenses shall be non-transferrable. All local cannabis establishment licenses shall be specific to the property location authorized and approved by the Township.
- K. All local cannabis establishments shall be subject to unannounced inspections by a designated representative of the Township. Access shall be permitted to the designated representative.

Section 2. All ordinances, resolutions, and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this action, paragraph, article, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect 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 **November 8, 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												

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**

- None for October 18, 2023

***APPOINTMENTS:**

- None for October 18, 2023

***CONSENT AGENDA RESOLUTIONS:**

- 23-277 Resolution Authorizing the Payment of Bills
- 23-278 Resolution Authorizing the Refund of Overpayment(s) of Taxes

- 23-279 Resolution Authorizing Refund for a Road Opening Bond and Permitting Fees – Permit #23-61R, Block 164, Lot 70, 43 Reservoir Road
- 23-280 Resolution Authorizing Contracts with Certain Approved NJ State & Morris County Cooperative Pricing Council Contract Vendors for Contracting Units – Turn Out Fire & Safety/Turn Out Uniforms, Inc.
- 23-281 Resolution Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website
- 23-282 Resolution Authorizing Bid Award of Snow Plow Contract for Period of Two (2) Years Commencing November 2023

Council Member	By	2 nd	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**

RESOLUTION #23-283
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.
 - Litigation – Newark Watershed Tax Appeal
- (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 **October 18, 2023 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 nd	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 nd	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

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, November 1 (re-scheduled to November 9th)
 Wednesday, December 13

Wednesday, November 29
 Wednesday, January 3, 2024 - Reorganization

CONSENT AGENDA RESOLUTION #23-277

“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 **October 18, 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 #23-278

“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
136	6	BALA PARTNERS LLC	\$1,290.81	5	2023
136	6	BALA PARTNERS LLC	\$2,200.00	10	2023
449	27	BALA PARTNERS LLC	\$3,665.05	5	2023
449	27	BALA PARTNERS LLC	\$2,800.00	10	2023
473.01	4	TOWER DB XII TRUST	\$5,981.12	5	2023
473.01	4	TOWER DR XII TRUST	\$3,500.00	10	2023
250.05	2	BALA PARTNERS LLC	\$2168.80	5	2023
250.05	2	BALA PARTNERS LLC	\$3,000.00	10	2023
204	7	KSC INVESTMENT GROUP LLC	\$871.62	5	2023

CONSENT AGENDA RESOLUTION #23-279

**“RESOLUTION AUTHORIZING REFUND FOR A ROAD OPENING BOND AND PERMITTING FEES -
PERMIT NO. 23-61R, BLOCK 164, LOT 70, 43 RESERVOIR ROAD”**

WHEREAS, the Township Engineer recommends a refund of \$100.00 received as permitting fees for a road opening permit for connecting to the town water line at 43 Reservoir Road are not required as stated in **Permit No. 23-61R**, and

WHEREAS, the Township Engineer recommends a refund of \$500.00 received as a bond for a road opening permit, **as the need for the required infrastructure to connect to public water was already available at Block 164, Lot 70** and the request for **Road Opening Permit No. 23-61R**, at 43 Reservoir Road was not required, and

WHEREAS, the Township Engineer, has certified that the necessary improvements needing to be satisfactorily completed, were not required.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Chief Financial Officer (CFO) be and is hereby authorized to issue a check in the amount of \$600.00 to Applicant, 43 Reservoir Road, Lake Hopatcong, New Jersey 07849.

CONSENT AGENDA RESOLUTION #23-280

**“RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
NJ STATE & MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT VENDOR FOR CONTRACTING UNITS –
“TURN OUT FIRE & SAFETY/TURN OUT UNIFORMS, INC.”**

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 & Morris County Cooperative Pricing Council contracts entered into on behalf of the State Division of Purchase and Property in the Department of the Treasury & and the Township of Randolph; and

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

WHEREAS, the New Jersey State Cooperative Purchasing Program contracts #FLEET-00813, 17-FLEET-00752, 17-FLEET-00762 & the Morris County Cooperative Pricing Council contract #40 were awarded to Turn Out Fire & Safety/Turn Out Uniforms, Inc. 195 Paterson Avenue, Little Falls, NJ 07424; and

WHEREAS, the Township of Jefferson desires to purchase, in an amount not to exceed \$30,000.00 Police Uniforms and Personal Protection Equipment New Jersey State Cooperative Purchasing Program contracts #FLEET-00813, 17-FLEET-00752, 17-FLEET-00762 & the Morris County Cooperative Pricing Council contract #40 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current 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 the funds for said contract are available and are designated to a line item appropriations designated below and totaling \$30,000.00.

3-01-25-240-240-242
3-01-25-255-255-242
3-01-25-255-256-242
G-01-41- 752-000-001
G-01-41-755-000-001

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson that the Township Administrator is authorized to purchase Police Uniforms and Personal Protection Equipment in an amount not to exceed \$30,000.00 from Turn Out Fire & Safety/Turn Out Uniforms, Inc., 195 Paterson Avenue, Little Falls, NJ 07424.

CONSENT AGENDA RESOLUTION #23-281

**“RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON
AN ONLINE AUCTION WEBSITE”**

WHEREAS, the Township of Jefferson has determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Township of Jefferson intends to utilize the online auction services of Municibid located at 1635 Market Street Suite 1600, Philadelphia, Pennsylvania 19103; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson in the County of Morris, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled municibid.com.

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between Municibid and the Township of Jefferson are available at municibid.com and in the Township Clerk's office.

SCHEDULE A

Vehicle Description	VIN #
2017 Ford Explorer	1FM5K8AR5HGA24160
2017 Ford Explorer	1FM5K8AR6HGC66679
2017 Ford Explorer	1FM5K8AR2HGC66677
2018 Ford Explorer	1FM5K8AR3JGB46716
2015 Ford Explorer	1FM5K8ARXFGC68240
2013 Ford Explorer	1FM5K8B88DGB21188
2013 Chevy Tahoe	1GNSK2E0XDR327649
2012 GMC Canyon	1GTJ6LF97C8126484
2009 Ford Ranger Pickup	1FTYR15E59PA44129
2013 Chevy Tahoe	1GNSK2E04DR329462
2011 Ford F250	1FTBF2B65BEC58119
2008 Chevy Bus	1GBJG316581174662
2014 Chevy Tahoe (FC#2 - Chief)	1GNSK2E06ER140085
2002 SMEAL HME (FC#2 - #711)	44KFT42862WZ19958
2004 Seagrave TB 50DA (FC#1 - #722)	1F9EE28T04CST2106

CONSENT AGENDA RESOLUTION #23-282

“RESOLUTION AUTHORIZING BID AWARD OF SNOW PLOW CONTRACT FOR PERIOD OF TWO YEARS COMMENCING NOVEMBER 2023”

WHEREAS, this Township has heretofore, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for **Snow Plow Contract 2023-2025**; and

WHEREAS, attached is a list of the lowest bidders, and therefore, the contract should be awarded to said **contractors based on attached memo** pending inspection of equipment by the Department of Public Works as follows: #1 V.E.S. Construction, #2 Riverview Paving, Inc., #3 C.M. Reilly, #4 Chamberlain Landscape & Design, LLC., #5 All American Environmental; 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 \$50,000.00** for the 2023 budget year.

3-01-26-260-292-264
4-01-26-260-292-264
T-15-56-860-000-846

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that the **Snow Plow Contract 2023-2025** is hereby awarded to the following contractors: #1 V.E.S. Construction, #2 Riverview Paving, Inc., #3 C.M. Reilly, #4 Chamberlain Landscape & Design, LLC., #5 All American Environmental as per the attached list and as per the bid tabulation sheet in the amounts as listed.

BE IT FURTHER 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.

COPIES OF THE BILLS LIST MAY BE OBTAINED BY EMAILING JEFFERSONCLERK@JEFFERSONTOWNSHIP.NET