

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

APRIL 19, 2023
REGULAR MEETING – 7:00 PM
MINUTES

1. CALL TO ORDER

Council President Senatore called the meeting to order at 7:01 pm and read the meeting statement as follows: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of **April 19, 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.

2. ROLL CALL

Ms. Reilly called the roll. All Council members were present. Also in attendance were Administrator Debi Millikin, Chief Financial Officer Bill Eagen, and Auditor Bud Jones.

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

3. SALUTE TO THE FLAG

Council President Senatore led the flag salute.

4. SPECIAL PRESENTATIONS

- Township Clerk Reilly administered the Oath of Office to:
 - Fire Company #1 – Mark DeRissio
 - Fire Company #2 – Gabriel Bird

5. PUBLIC COMMENT

Council President Senatore opened the public comment portion of the meeting with the consent of the members present and asked speakers to state their name for the record.

Luciana Cotten, Latasha Lovick, Michael Kahwaty – Beyond BeLeaf

Ms. Cotten said they returned to ask if Council had any questions about their request to allow a cannabis retail dispensary in Jefferson. She said they want to set up their business in Jefferson because they like the small town feel and would like to set up roots and a relationship with the community. She mentioned that their business will need a letter of support if they are chosen by Council for a license. Mr. Kahwaty stated that he represents Beyond BeLeaf as their realtor and that he brought them to Jefferson because he grew up in and went to school in the Township and feels it's a very welcoming place.

Mr. Ryan confirmed with Mr. Kahwaty that Beyond BeLeaf is seeking a retail license from Council.

Anne Augustyn –

Ms. Augustyn said she was concerned that the public comment appears too early on the agenda and that she has some questions about the Ordinances at the agenda. Council President Senatore explained that there are public hearings scheduled prior to the adoption of the Ordinances and Ms. Augustyn can ask her questions then. Ms. Augustyn mentioned some concerns about being tracked on the Jefferson website. Council members commented that the message she saw about the number of times she had visited the Township site was probably due to Google tracking.

With no one else wishing to be heard, Council President Senatore closed the public comment portion of the meeting.

6. ORDINANCES –PUBLIC HEARING AND VOTE FOR ADOPTION

ORDINANCE #23—06 - ORDINANCE AMENDING CHAPTER 47, "FIRE DEPARTMENT", SECTION 47-9, REGARDING SUSPENSION OR TERMINATION OF MEMBERSHIP

WHEREAS, Section 47-9 of the Township Code requires amendment regarding Suspension and Termination of Membership; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 47-9 is amended as follows:

SECTION I

Chapter 47-9 shall be amended as follows:

§47-9 Suspension or termination of membership

Except as otherwise provided under New Jersey Title 40A, any member may be suspended or terminated for violation of this chapter by the Director of Public Safety. Additionally, any member may be suspended or terminated for violations of respective company bylaws or company or department policy upon recommendation and advice of their respective Company Chief. All suspensions or terminations shall be reported, in writing, to the Director of Public Safety. A member that is terminated will not be permitted to apply for membership for any emergency service volunteer organization in the Township of Jefferson. Member appeals for termination may be brought to the Township Council within 30-days of termination.

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

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023

ADOPTED: APRIL 19, 2023

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

ORDINANCE #23-07 - ORDINANCE AMENDING CHAPTER 7 SUBSECTION 37 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED "DIVISION OF POLICE"

WHEREAS, the Township of Jefferson finds it in the best interest of the health and safety of its Residents to increase the number of Sergeants employed by the Township of Jefferson's Police Department; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 7 of the Jefferson Township Municipal Code entitled "Division of Police" is hereby amended by amending the following Subsection 7-37(e), as follows:

SECTION I

Delete:
 (e) Six Sergeants.

Add:
 (e) Seven Sergeants. The number will revert back to six (6) Sergeants upon the vacating of a Sergeant's position for any reason. Upon such occurrence, the Township may appoint up to six (6) Sergeants.

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

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

Anne Augustyn –

Ms. Augustyn quoted the Ordinance and asked why the Sergeant's rank is essential and how it speaks to the "best interest of the health and safety of its Residents". Council President Senatore commented that this Ordinance was simply increasing the number of Sergeants by one (1).

With no one else wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023

ADOPTED: APRIL 19, 2023

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

ORDINANCE #23-08 -ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$1,441,753 THEREFOR FROM VARIOUS FUNDS OF THE TOWNSHIP

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

SECTION 1.

The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Township of Jefferson, in the County of Morris, New Jersey. For the said improvements or purposes stated in said Section 2, there is hereby appropriated the sum of \$1,441,753, to the extent of \$829,103, from moneys available in the Capital Improvement Fund of the Township, to the extent of \$139,000, from moneys available in the Police Outside Employment Trust Funds of the Township, to the extent of \$99,000, from moneys available in the combined Open Space/Recreation Trust Funds of the Township, and to the extent of \$374,650, from funds received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Minnisink Road.

SECTION 2.

The improvements hereby authorized and the several purposes for which said appropriation is made are as follows: the acquisition of new and additional communications and computer equipment for use by various departments of the Township; the acquisition of new and additional equipment including, various equipment for use by Fire Company #1 and Fire Company #2 of the Township, communication equipment, software, computer equipment, weapons; and a vehicle, for use by the Police Department of the Township, cameras for installation at municipal parks, shop equipment and a roller trailer for use by the Department of Public Works of the Township, and defibrillator equipment for use by the Office of Emergency Management of the Township; the improvement of municipally-owned facilities and locations in and by the Township including the Municipal Building by the upgrade of the front door and the renovation of the bathrooms, the Department of Public Works facilities by the improvement of the wash bay and the upgrade of the heating, ventilation and air conditioning system, Camp Jefferson by the upgrade of the cabins, the redevelopment thereof, the installation of new flooring on the pavilion deck and the movie theater by the installation of a new deck; and the upgrade of the radio receivers in and by the Township; the improvement of Minnisink Road; and the improvement of various roads by the installation of guiderails and sineage, together with, for all of the foregoing, all necessary and appurtenant equipment, accessories, attachments, work and materials, and all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

SECTION 3.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services are on file with the Township Clerk and are available for public inspection.

SECTION 4.

This ordinance shall take effect after publication after final adoption, as provided by law.

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

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

Anne Augustyn –

Ms. Augustyn asked for the breakdown of the \$99,000 allocated for open space/recreation. Mr. Eagen replied that the tax levy is combined between space and recreation based on the referendum passed in 2014 or 2015.

Ms. Millikin told Ms. Augustyn that the \$99,000 will pay for a replacement floor at Camp Jefferson and the movie theater decking, improvements to the cabins, and that \$30,000 will be put towards a redevelopment plan for capital improvements for Camp Jefferson. Ms. Augustyn asked if combining open space and recreation meant the Township would no longer be able to apply for Green Acres funding. Mr. Eagen said there aren't that many active vacant tracts of land any available for purchase.

With no one else wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023 ADOPTED: APRIL 19, 2023

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

ORDINANCE #23-09 - ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWER SYSTEM IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$110,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

SECTION 1.

The improvements described in Section 2 of this ordinance are hereby authorized to be made or acquired by The Township of Jefferson, in the County of Morris, New Jersey, as general improvements, and there is hereby appropriated therefor the sum of \$110,000 from moneys available in the Sewer Capital Improvement Fund of the Township.

SECTION 2.

The improvements hereby authorized and the several purposes for which said the appropriation is made are as follows: the acquisition by purchase, and installation, as necessary, of safety equipment; and the improvement of the sanitary sewerage system in and by the Township by the upgrade of the wastewater treatment plant, together with all structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

SECTION 3.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

SECTION 4.

This ordinance shall take effect after publication after final adoption, as provided by law.

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

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED:

APRIL 5, 2023

ADOPTED:

APRIL 19, 2023

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

ORDINANCE #23-10 - BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1.

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Jefferson, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$450,000, said sum being inclusive of all appropriations heretofore made therefor.

SECTION 2.

For the financing of said improvement or purpose, including for the purposes of applicable United States Treasury Regulations, the reimbursement of expenditures heretofore or made therefor, and to meet the said \$450,000 appropriation, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$450,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$450,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3.

a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the sanitary sewerage system in and by the Township, including by upgrades to the wastewater treatment plant and the pump station, together with all equipment, appurtenances, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$450,000.

c) The estimated cost of said purpose is \$450,000.

SECTION 4.

The following additional matters are hereby determined, declared, recited and stated:

a) The said purpose described in Section 3 of this bond ordinance is not current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Township determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Township as defined in

said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$450,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d) Amounts not exceeding \$50,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

e) This bond ordinance authorizes obligations of the Township solely for a purpose described in subsection h of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is "self-liquidating" within the meaning and limitation of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to subsection (c) of section 40A:2-44 of said Local Bond Law, from gross debt of the Township.

SECTION 5.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

SECTION 6.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from the revenues of the sanitary sewerage system of the Township, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

SECTION 8.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023 ADOPTED: APRIL 19, 2023

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

ORDINANCE #23-11 - BOND ORDINANCE APPROPRIATING \$830,000, AND AUTHORIZING THE ISSUANCE OF \$788,500 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE TOWNSHIP

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1.

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Jefferson, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as described below, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$830,000 including the aggregate sum of \$41,500 as the several down payments for said improvements or purposes required by law and more particularly described in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2.

For the financing of said improvements or purposes, including for the purposes of applicable United States Treasury Regulations, the reimbursement of expenditures heretofore or made therefor, and to meet the said \$830,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$788,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily

finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$788,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition, by purchase and installation, as necessary, of new and additional safety equipment for use by the water utility of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby	\$10,000	\$9,500
(b) Improvement of the water supply and distribution system in and by the Township, including by and the upgrade of the pump station, the acquisition and installation of a PFOA treatment system, and the upgrade of the water meters, together with all structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>\$820,000</u>	<u>\$779,000</u>
Totals	\$830,000	\$788,500

SECTION 4.

The following additional matters are hereby determined, declared, recited and stated:

- a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 39.69 years.
- c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Township determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$788,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- d) Amounts not exceeding \$80,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

SECTION 5.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

SECTION 6.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from the revenues of the water supply and distribution system of the Township, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

SECTION 8.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023 ADOPTED: APRIL 19, 2023

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

ORDINANCE #23-12 - BOND ORDINANCE APPROPRIATING \$3,713,075, AND AUTHORIZING THE ISSUANCE OF \$3,527,421 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY, (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1.

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Jefferson, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as described below, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$3,713,075 including the aggregate sum of \$185,654 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2.

For the financing of said improvements or purposes, including for the purposes of applicable United States Treasury regulations the reimbursements or expenditures heretofore or hereafter made therefor, and to meet the part of said \$3,713,075 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,527,421 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$3,527,421 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE

APPROPRIATION AND ESTIMATED COST

ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES

(a) Improvement of municipally-owned properties and facilities in and by the Township, including Lakeside Field by the installation of new artificial turf, the municipal playground by the installation of a new creative playground, initial costs associated with the improvement of the Three Rivers Bridge, and the Department of Public Works facility by the upgrade of the exterior thereof and the installation of new fencing, together with for all the aforesaid all paving, line striping equipment, structures, site work, furnishings, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

\$1,493,000

\$1,418,350

(b) Improvement of various roads in and by the Township by the reconstruction and resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway surface of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including, but not limited to, Garnett Drive, Partridge Run, Forest Ridge Terrace, Squirrelwood Road, Bear Drive, Eagle Drive, Fox Drive, Moose Drive, Elk Drive, East Elk Drive, Redman Drive, Indian Drive, Longwood Lake Road, Valley Trail, Aldrin Road, Solar Road, Talor Road, Maryann Road, Lorna Lane, Mackenzie Lane, Wroblewski Road, including also, the improvement of the Municipal Building parking lot, and the improvement of various roads in and by the Township by the crack sealing and microsealing thereof including Sparta Mountain Road, Elizabeth Court, Jessica Court and Taylor Road, together with for all the aforesaid all oil and chipping, reflectors, dividers, paving, curbing, line striping, milling, drainage, structures and improvements, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

	\$1,930,075	\$1,833,571
(c) Acquisition by purchase of new and additional vehicular equipment, including one (1) mason dump truck and one (1) pickup truck for use by the Department of Public Works of the Township, and one (1) utility vehicle for use by Fire Company #2 of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>\$290,000</u>	<u>\$275,500</u>
Totals	\$3,713,075	\$3,527,421

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

SECTION 4.

The following additional matters are hereby determined, declared, recited and stated:

- a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.6 years.
- c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$3,527,421, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- d) Amounts not exceeding \$575,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

SECTION 5.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

SECTION 6.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

SECTION 8.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

INTRODUCED: APRIL 5, 2023

ADOPTED: APRIL 19, 2023

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

7. COUNCIL AND MAYOR DISCUSSION
 • Budget Presentation

Ms. Millikin gave the budget presentation, which she stated had also been transmitted to Council and posted on the Township website. She reviewed the total budget summary for 2023, and included a five (5) year budget history. She and Mr. Eagen reviewed debt service and reminded Council that the policy is to aggressively pay down debt and to try to fully fund capital projects. Ms. Millikin highlighted some of the capital projects and pointed out which will be fully funded this year.

Ms. Millikin announced that the Township received a \$75,000 grant from the DCA to help fund improvements at the Creative Playground, which reduces the Township cost to \$275,000. She stated that the 2023 Municipal Tax Rate will be \$.937, which is a net change of 3.602% from 2022. She said the municipal tax increase will be \$106.34 on the average home assessed at \$326,500. She commented that eighty percent (80%) of the Township is in the Highlands, which continues to be a major issue and really hinders the growth of the tax base.

Ms. Millikin mentioned notable 2023 increases to the budget. She reminded Council that the Township shopped for benefits back in July 2022 and joined the Health Insurance Fund (HIF) in January 2023, which saved money for both the Township and its employees. She stated that by joining the HIF, health care costs only increased by about ten percent (10%), versus the twenty-two percent (22%) increase levied by State Health Benefits. She said some employees are opting out of the plan, which also saves money for Jefferson, as the maximum opt out waiver is \$5,000. Ms. Millikin also mentioned the increase in the cost of vehicles, particularly police cars.

Ms. Millikin reviewed the top five (5) expenses for 2023: public safety, employee health & pension, debt service, road repair and maintenance, and the RUT (Reserve for Uncollected Taxes). She discussed the fund balance and history, as well as the tax levy CAP and appropriations CAP.

Mr. Millikin discussed the Water & Sewer Utility budget summary, which is based off the rents collected each year, and the Solid Waste Collection budget, as well as the payments due each year of the five (5) year garbage contract. She reminded Council that there will be no increase to the garbage contract in 2025. Ms. Millikin concluded her presentation by showing the breakdown of the Municipal Tax Levy for 2023, as well as the breakdown of taxes paid by Jefferson residents, including the percentage of tax paid to the schools, the county, the library, garbage, and open space, as well as to the municipality.

Ms. Millikin introduced Mr. Jones, the Township Auditor.

8. 2023 MUNICIPAL BUDGETS
 RESOLUTION #23-109

Resolution Authorizing Reading of the 2023 Municipal Budget and 2023 Solid Waste Collection District Municipal Budget by Title

WHEREAS, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the Adoption of the 2023 Municipal Budget and Solid Waste Collection District Municipal Budget for the Township of Jefferson have been met.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that the 2023 Municipal Budget and Solid Waste Collection District Municipal Budget shall be read by title at this Adoption for same.

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

RESOLUTION #23-110
 Resolution Authorizing the Self-Examination of the Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 5:30-7.5 the Township of Jefferson has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Jefferson meets the necessary conditions to participate in the program for the 2023 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

PUBLIC HEARING – 2023 MUNICIPAL BUDGET

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

RESOLUTION #23-111
Adoption of 2023 Municipal Budget

BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of **\$22,760,606.94 for Municipal Purposes tax levy, \$286,769.00 for combined Open Space & Recreation levy, and \$1,030,960.00 for the Minimum Library Levy.**

INTRODUCED: MARCH 15, 2023

ADOPTED: APRIL 19, 2023

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

PUBLIC HEARING – 2023 SOLID WASTE COLLECTION DISTRICT MUNICIPAL BUDGET

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.

PUBLIC HEARING

Council President Senatore opened the public hearing with the consent of the members present and asked speakers to state their name for the record.

With no one wishing to be heard, Council President Senatore closed the public hearing.

RESOLUTION #23-112
Adoption of 2023 Solid Waste Collection District Municipal Budget

BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of **\$2,775,740.00 for amount to be raised by taxation for Solid Waste Collection District.**

INTRODUCED: MARCH 15, 2023

ADOPTED: APRIL 19, 2023

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

9. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR

Mr. Jones left the meeting.

Ms. Millikin gave the Mayor's report. She mentioned that the Mayor has been approached by a middle school student regarding a town flag and that the Mayor has invited the student to the May 10th Council meeting.

Ms. Millikin talked about the progression of the sewer project for Jefferson and said Councilwoman Sherrill has chosen this as one of the fifteen (15) community funding projects she is proposing, and that Senators Booker and Menendez are also offering support for this project. Ms. Millikin said \$750,000 will be set aside for the design phase of the project. She said that once the project is in the development phase, the Township will be required to match twenty percent (20%), and that they will be looking at other sources to get those funds.

Ms. Millikin reported that the Mayor went to the Mayor's Conference in Atlantic City last week. She said the Township cleanup will be held April 22nd in conjunction with Kean University. She said the quarterly meeting with the Mayors and DEP will be held on April 26th. She mentioned that the Police will be hosting a meeting with the State Marine Police, Sheriff's Department and the surrounding lake towns in order to prepare for the summer season.

Ms. Millikin reported the following events: Chamber of Commerce dinner and Citizen of the Year event will be held April 26th, the Alstede Farms ribbon cutting will be held at 11 am on April 27th, the Touch the Trail event will be held on May 6th at 9 am at Camp Jefferson, the ribbon cutting for Heart and Paw will take place on May 6th at 11 am, and the police and recreation Bike and Trike event will take place at White Rock on May 6th.

Ms. Millikin gave her administrator's report. She mentioned the \$75,000 grant from the DCA again. She said the franchise agreement with Altice has expired effective March 10th and that she, the Mayor, Mr. Ryan, and the Police Chief met last week to discuss a new agreement. She said Council will be kept in the loop. Councilman Birmingham commented that there is a Cable Franchise Committee in the Township Code.

Ms. Millikin announced that the Police Department is holding a drug take back day on Saturday from 10 am – 2 pm.

Ms. Millikin told Council that she and the Mayor are working with the Canning Group, who has been hired to study the Fire Department apparatus and to review and inventory equipment in order to produce an updated capital plan with current pricing and funding opportunities. She said she feels it's well worth the money and there is a sixty to ninety (60-90) day turnaround for their report.

10. COUNCIL REPORTS

Councilman Kalish said he had no report but wanted to make a few comments. He said he liked what the ladies from Beyond Beleaf brought to the table and asked if Council was going to move forward. He said he was ready to open up the conversation about cannabis licensing.

Council President Senatore said she had asked Mr. Ryan to get information for the Council on the different categories of licensing. Mr. Ryan said licenses involved either cultivation, manufacturing, or sales of cannabis and that Council can permit one or more of these types of licenses. He said there are also a range of limitations Council could put on a retailer.

Councilman Kalish said he hoped that Council would move forward and Council President Senatore said she agreed. Council Vice President Dunham suggested putting this item on the agenda for discussion at a future meeting.

Councilman Birmingham had questions for Mr. Eagen regarding the American Rescue fund monies and how much will be left over. Mr. Eagen said the Township received about \$700,000 last year and would receive about \$400,000 this year. Councilman Birmingham mentioned that the schools had received an additional million dollars in State Aid. Councilman Smith said this money might not be recurring revenue and therefore the use of the funds is limited. Councilman Birmingham said he was pleased to know that School Resource Officers are included in the school budget.

Councilman Smith said he attended the Rescue Squad fundraiser, dine to donate, and that ten percent (10%) of the proceeds is given to the EMS Squad. He said there is another dine to donate event tomorrow night at Mason Street. Ms. Millikin said there will also be one held at Gatwyn's next week.

Council Vice President Dunham said he attended Frank Wilpert's viewing and funeral.

Council Vice President Dunham asked Ms. Millikin for a status on the Utility Director's position. Ms. Millikin said there are not many people out there right now and she is hearing that everywhere. She said the Township is managing right now and the DPW is overseeing the Utility Department employees. Council Vice President Dunham said he was interested in doing something in-house with current employees and asked if there was any interest. Ms. Millikin said there was.

Council Vice President Dunham said Saturday 22nd is Drug Take Back day. He told Ms. Millikin that the cable service provided by Altice is horrible and terrible and Ms. Millikin said she is aware. Mr. Ryan said Altice can be called in before the Council and unfortunately they have no competition.

Council Vice President Dunham offered accolades to Fire Company #1 for their efforts with the fire on Berkshire Valley Road.

Council President Senatore thanked the fire department and the mutual aid from surrounding towns for their efforts with the West Milford fire. She also mentioned the recent school threat incident in Mt. Olive.

Council President Senatore reminded everyone that April 22nd is Earth Day and said she is glad Jefferson schedules events and participates.

11. ORDINANCES – FIRST READING

There were no Ordinances listed for Introduction/First Reading on the April 19, 2023 agenda.

12. NEW COUNCIL BUSINESS

- Discussion – Sample Resolution Supporting the Establishment of a VA Center in Northwest NJ

Council Vice President Dunham mentioned the Veterans Association is considering the placement of a Center in Northwest New Jersey and is asking for a resolution of support. Council consensus was to support this idea and to place a resolution on the next Council meeting agenda.

- Discussion – Chapter 142, Liquor Licensing – BYOB and Transfer of License to New Premises

Mr. Ryan said he spoke to West Milford’s attorney regarding the distance issue and their change to the Ordinance. He said West Milford has not encountered any particular problems or negatives from changing the distance between liquor license establishments, and that the change has encouraged economic development.

In reference to BYOB, Mr. Ryan said there are no regulations in the Township Code at this current time, however, BYOB can only take place where food or refreshments are sold.

Council discussed the one-mile distance rule. Council President Senatore said she didn’t think this was needed. Council Vice President Dunham said he saw no reason to change the law for one or two people. He also voiced concerns about increasing the number of licenses. Councilman Kalish said he believes changing the rule is something Council should look into. Councilman Birmingham said the one-mile rule actually has the impact of 3.26 miles if a circle is drawn, and Council needs to consider the overall impact of the rule to the Township. Councilman Smith said there is no harm in looking at changing the rule.

Mr. Ryan said he will draft an Ordinance for Council to consider.

13. MINUTES –Township Clerk

April 5, 2023 (Regular)

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

14. CONSENT AGENDA*

*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 April 19, 2023

*APPOINTMENTS:

- None for April 19, 2023

*CONSENT AGENDA RESOLUTIONS:

- 23-113 Resolution Authorizing the Payment of Bills
- 23-114 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 23-115 Resolution of the Township Council of the Township of Jefferson, County of Morris, Adjusting Customer’s Water Bill
- 23-116 Resolution Authorizing Final Payment (Return of Retainage) and Accepting Completion of the Township of Jefferson Police Department Addition to North Creek, LLC
- 23-117 Resolution Authorizing the Purchase of One (1) Wacker Trench Roller with Related Equipment from Foley Incorporated Under the Sourcewell National Service Cooperative
- 23-118 Resolution Authorizing a Professional Services Agreement for Wastewater Treatment Plan Assessment 2 – H2M Associates
- 23-119 Resolution Authorizing and Approving Execution of an Inter-Local Agreement Between the Township of Jefferson and the Board of County Commissioners for the Minnisink Road Improvements from Berkshire Valley Road to the Intersection of Espanong Road and Howard Boulevard in the Township of Jefferson

Prior to the vote on the Consent Agenda, Council Vice President Dunham asked that Resolution #23-120, Resolution Approving the Modification Request to the Morris County Solid Waste Management Plan for Jefferson Recycling LLC, Block 272, Lots 8 and 9, to Expand Its Class B Recycling Permit to Include the Additional Processing of Tires, be removed for separate consideration and vote.

CONSENT AGENDA

Council Member	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			

RESOLUTION #23-120

Resolution Approving the Modification Request to the Morris County Solid Waste Management Plan for Jefferson Recycling LLC, Block 272, Lots 8 and 9, to Expand Its Class B Recycling Permit to Include the Additional Processing of Tires

Ms. Millikin stated that the Township received everything it had requested from Jefferson Recycling. She said a walk through with the Fire Department, EMS, and inspectors will take place in the spring. She said any redevelopment plan will have to go back to the Land Use Board.

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

15. PUBLIC COMMENT

Council President Senatore opened the public comment portion of the meeting with the consent of the members present and asked speakers to state their name for the record.

Anne Augustyn –

Ms. Augustyn mentioned that speed limit signs don't seem to be productive on side streets and she sees a lot of speeding on her road. She asked about the Trench Roller and Ms. Millikin said this is a remote controlled roller which compacts the trench better than manual compacting.

With no one else wishing to be heard, Council President Senatore closed the public comment portion of the meeting.

16. EXECUTIVE SESSION

There was no Executive Session listed on the April 19, 2023 agenda.

17. ADJOURNMENT AT 9:07 PM

Motion made by Councilman Smith, second by Council Vice President Dunham, to adjourn the meeting at 9:07 pm, with all members in favor signifying by "Aye."

April 19, 2023

Michele Reilly, RMC, Township Clerk

Melissa Senatore, Council President

CONSENT AGENDA RESOLUTION #23-113

"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 April 19, 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 #23-114

"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

292	2	PRO CAP 8 FBO FIRST TRUST BANK	\$ 500.82	5	2023
292	2	PRO CAP 8 FBO FIRST TRUST BANK	\$1,300.00	10	2023
250.04	15	US BANK C/F TOWER DB XII TRUST	\$3,240.27	5	2023
250.04	15	US BANK C/F TOWER DB XII TRUST	\$3,300.00	10	2023
453.03	19	US BANK C/F TOWER DB XII TRUST	\$3,574.23	5	2023
453.03	19	US BANK C/F TOWER DB XII TRUST	\$3,100.00	10	2023
453.04	1.113	US BANK C/F TOWER DB XII TRUST	\$4,601.45	5	2023
453.04	1.113	US BANK C/F TOWER DB XII TRUST	\$3,600.00	10	2023
			TOTAL	\$23,216.77	

CONSENT AGENDA RESOLUTION #23-115

“RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS, ADJUSTING CUSTOMER’S WATER BILL”

WHEREAS, the owner of the property located at 2 Sandy Point Drive, Lake Hopatcong, New Jersey (Block 133, Lot 1.01) (the “Property”), is serviced by the Township’s water utility and in 2022 was impacted by a water leak that resulted in bills dated November 7, 2022 in the amount of \$5,843.98 and February 6, 2023 in the amount of \$21,438.35, the total bills of these two (2) quarters is \$27,287.33. The Property Owner has requested relief from these bills that are inconsistent with the typical water use; and

WHEREAS, Township personnel are recommending that the two (2) bills totaling \$27,282.33 be waived, provided that the Property Owner pays the August 5, 2022 bill in the amount of \$100.33, and adjusted bills for November 7, 2022 in the amount of \$100.33 and February 6, 2023 in the amount of \$100.33.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Township Council, that the Property Owner’s November 7, 2022 bill in the amount of \$5,843.98 and February 6, 2023 bill in the amount of \$21,438.35, totaling \$27,282.33, will be waived provided that the Property Owner pays within thirty (30) days from the date of this Resolution the August 5, 2022 bill in the amount of \$100.33 and revised bills for November 7, 2022 in the amount of \$100.33 and February 6, 2023 in the amount of \$100.33.

This Resolution shall take effect immediately; however, it shall be void and of no effect in the event that the Property Owner fails to pay the bills as stated above. If any section, subsection, sentence, clause or phrase in this Resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

CONSENT AGENDA RESOLUTION #23-116

“RESOLUTION AUTHORIZING FINAL PAYMENT (RETURN OF RETAINAGE) AND ACCEPTING COMPLETION OF THE TOWNSHIP OF JEFFERSON POLICE DEPARTMENT ADDITION TO NORTH CREEK, LLC.”

WHEREAS, a contract was awarded to North Creek, LLC, through Resolution 21-99 for the Jefferson Township Police Department Addition in the amount of \$1,087,000.00; and

WHEREAS, the Township of Jefferson approved Change Order #1 on May 19, 2021 through Resolution #21-129 to North Creek LLC for a total contract price of \$1,136,596.02; and

WHEREAS, the Township of Jefferson approved Change Order #2 on August 4, 2021 through Resolution #21-216 to North Creek LLC for a total contract price of \$1,206,037.92; and

WHEREAS, the Township of Jefferson approved Change Order #3 on October 20, 2021 through Resolution #21-253 to North Creek LLC for the total contract price of \$1,208,037.92; and

WHEREAS, the Township of Jefferson approved Change Order #4 on June 15, 2022 through Resolution #22-133 to North Creek LLC for the total contract price of \$1,228,943.29; and

WHEREAS, the Township Architect, Fredrick T. Wawra, of Fox Architectural recommends return of the final payment (retainage) in the amount of \$12,289.43. The required scope of work has been completed successfully and in conformance with the construction documents and a two-year maintenance bond has been submitted as per contract documents; and

WHEREAS, the Township of Jefferson accepts **FINAL COMPLETENESS** of the Jefferson Township Police Department Addition and recommends returning the **FINAL PAYMENT (RETAINAGE)** of \$12,289.43 to North Creek, LLC.; 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 release of **FINAL PAYMENT (RETAINAGE)** in the amount of \$12,289.43 to North Creek, LLC, P.O. Box 112, Essex Fells, New Jersey 07021.

CONSENT AGENDA RESOLUTION #23-117

“RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) WACKER TRENCH ROLLER WITH RELATED EQUIPMENT FROM FOLEY INCORPORATED UNDER THE SOURCEWELL NATIONAL SERVICE COOPERATIVE”

WHEREAS, pursuant to P.L. 2011, c. 139 all contracting units are permitted to use contracts awarded by national or regional cooperatives that were already competitively bid without competitively bidding the goods or services themselves; and

WHEREAS, on July 18, 2018, the Township Council authorized the Township to enter into an agreement with the Sourcewell National Cooperative to purchase goods and/or services in order to make the procurement process more efficient and to provide cost savings to the Township; and

WHEREAS, the Sourcewell National Service Cooperative awarded Contract No. 041719-WAC to Wacker Neuson, N92 W15000 Anthony Avenue, Menomonee Falls, WI, 53051; and

WHEREAS, the Township of Jefferson wishes to purchase one (1) Wacker Trench Roller with related Equipment from **Foley Incorporated, 855 Centennial Avenue. Piscataway, NJ 08855** for an amount not to exceed **\$37,000.00**; and

WHEREAS, Foley Incorporated. is an authorized Wacker dealer under the Sourcewell Contract; and

WHEREAS, the Township is in receipt of the requisite documentation required in order to award this contract through the Sourcewell National Cooperative contract; and

WHEREAS, the use of the Sourcewell National Cooperative shall result in cost savings, after all factors, including charges for service, material and delivery, have been considered; and

WHEREAS, the Sourcewell National Cooperative's bidding process for contractors meets the requirements of the "fair & open" definition required by N.J.S.A. 19:44A-20.7; and

WHEREAS, the determination by the Township to award this contract under this National Cooperative was previously advertised in both The Daily Record and on the Township of Jefferson website; 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 as designated below and totaling **\$37,000.00**:

C-04-55-922-010-907

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Township Administrator is authorized to one (1) Wacker Trench Roller with related Equipment from **Foley Incorporated, 855 Centennial Avenue. Piscataway, NJ 08855** for an amount not to exceed **\$37,000.00**.

CONSENT AGENDA RESOLUTION #23-118

**"RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
FOR WASTEWATER TREATMENT PLANT ASSESSMENT 2"**

WHEREAS, the Township of Jefferson has a need for professional **Wastewater Treatment Plant Assessment 2** services; and

WHEREAS, the Township of Jefferson solicited request for proposals through a fair and open process per N.J.S.A.40A: 11-4.5, receiving such proposals on **February 28th, 2023 at 11:00 a.m.**; and

WHEREAS, **H2M Associates, Inc., 1250 Route 23 North, Butler, NJ 07405** has submitted a proposal for Wastewater Treatment Plant Assessment 2, proposals A & B totaling \$73,000.00; and

WHEREAS, **H2M Associates, 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 **H2M Associates, 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 acquisition by the firm **H2M Associates, Inc. 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 **total not to exceed \$73,000.00**.

3-01-40-857-000-203
3-07-55-500-000-555
C-08-55-521-012-599
C-08-55-522-008-599

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 Associates, Inc., 1250 Route 23 North, Butler, NJ 07405** for Wastewater Treatment Plant Assessment 2 services to the Township of Jefferson as set forth in a proposal dated **February 28th, 2023 not to exceed \$73,000.00**.

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. A notice of this action shall be printed once in the legal newspaper of the Township of Jefferson.

Section 4. 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 5. The Business Entity Disclosure Certification and the Determination of Value be placed on file with the resolution.

CONSENT AGENDA RESOLUTION #23-119

“RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN THE TOWNSHIP OF JEFFERSON AND THE BOARD OF COUNTY COMMISSIONERS FOR THE MINNISINK ROAD IMPROVEMENTS FROM BERKSHIRE VALLEY ROAD TO THE INTERSECTION OF ESPANONG ROAD & HOWARD BOULEVARD IN THE TOWNSHIP OF JEFFERSON”

WHEREAS, the Township of Jefferson has received funding from the New Jersey Department of Transportation to resurface Minnisink Road in the Township of Jefferson; and

WHEREAS, Minnisink Road is under the jurisdiction of the Township of Jefferson; and

WHEREAS, the Township of Jefferson has prepared the project plans and the New Jersey Department of Transportation requires guiderail within project limits be replaced to conform to today’s standards; and

WHEREAS, the County of Morris owns and maintains the bridge structures 1400-828, 1400-829 and 1400-830 which are located with the project limits; and

WHEREAS, the County of Morris will fund the guiderail replacement at all for corners of each of the County bridge structures and the guiderail will be galvanized; and

WHEREAS, the estimated cost of the County guiderail replacement will be \$45,360; and

WHEREAS, the Township of Jefferson will undertake the project and the County of Morris shall reimburse and pay the Municipality their respective share of the costs for said guiderail; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk of this Township be and are hereby authorized and directed to execute the agreement and other necessary documents in order to effectuate the purpose of this resolution execution of the Inter-Local Agreement between the Township of Jefferson and the Board of Commissioners of the County of Morris for the Minnisink Road Improvements Project, a copy of which is incorporated herein by reference as if set forth at length.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to sign the agreement.

CONSENT AGENDA RESOLUTION #23-120

“RESOLUTION APPROVING THE MODIFICATION REQUEST TO THE MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN FOR JEFFERSON RECYCLING LLC, BLOCK 272, LOTS 8 AND 9, TO EXPAND ITS CLASS B RECYCLING PERMIT TO INCLUDE THE ADDITIONAL PROCESSING OF TIRES”

WHEREAS, the County of Morris received a letter from George D. Cascino, Consulting Engineer, representing Jefferson Recycling, LLC, requesting approval to allow additional processing of tires within their previously permitted 700 tons per day (TBD) of incoming flows to their Class “B” Recycling Facility located at 710 State Route 15 North, Block 272, Lots 8 and 9 in Jefferson Township; and

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

WHEREAS, the revised modification would change the location, not storage capacity, for processed and unprocessed concrete, brick and block materials and unprocessed and processed whole trees, tree trunks, tree parts, tree stumps and leaves; and

WHEREAS, Jefferson Recycling’s proposed modification and supporting documents were reviewed by various Township Department Heads. These professionals feel that before they can approve this request, a new, updated site plan needs to be submitted to the Township; and

WHEREAS, the Township of Jefferson did not consent to the modifications to this request based on Resolution #22-272 which was adopted on December 14, 2022; and

WHEREAS, the Township of Jefferson professionals have been working with Jefferson Recycling to get the necessary information and plans in order to support the application. Based on the email of the Township of Jefferson Engineer dated March 31, 2023, the requested information has been met.

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