

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

**MAY 4, 2022**  
**REGULAR MEETING – 7:00 PM**  
**MINUTES**

**1. CALL TO ORDER**

Council President Senatore called the meeting to order at 7:00 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 **May 4, 2022** 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, 2022** and was posted on the bulletin board in the Municipal Building on **January 6, 2022** 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**

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

Ms. Nevins called the roll. All Council members were present. Also in attendance were Mayor Eric Wilsusen and Administrator Debi Millikin.

**3. SALUTE TO THE FLAG**

Council President Senatore led the flag salute.

**4. SPECIAL PRESENTATIONS**

- **2021/2022 Lady Falcons Varsity Basketball Team**

Mayor Wilsusen and the Council congratulated the team on their achievements. Mayor Wilsusen read a proclamation and presented it to the team. Council also offered their congratulations.

**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 and address for the record.

Jeanne Howe – School Superintendent

Ms. Howe thanked the Mayor and Council for recognizing the school's athletic program and the team.

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

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

**ORDINANCE 22-12 - ORDINANCE AUTHORIZING THE SALE OF 189 PENNSYLVANIA AVENUE, BLOCK 40, LOT 1**

**WHEREAS**, the Township of Jefferson is the owner of 189 Pennsylvania Avenue, Block 40, Lot 1, Lake Hopatcong, Jefferson Township, New Jersey (the "Property") as herein after set forth in Schedule A, which land is not need or required for municipal use; and

**WHEREAS**, Wayne A. Osman and Sherry Osman, the owners of the contiguous property located at 188 S. Maryland Avenue have expressed an interest in purchasing the Property. The Osmans are the only contiguous property owner; and

**WHEREAS**, the Property is less than the minimum size required for development under the municipal ordinance and is without capital improvements thereon; and

**WHEREAS**, the Township Council of the Township of Jefferson has deemed it in the best interest of the Township of Jefferson to sell the lot to the owners of the contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

**WHEREAS**, the contiguous owners have offered to purchase the Property for \$16,500.00 as set forth in Schedule A for the sum set forth thereon; and

**WHEREAS**, the Municipal Tax Assessor of the Township of Jefferson has advised that the sum, taking into consideration all factors relative thereto, is fair and just.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Jefferson that:

**SECTION 1:**

1. The Township of Jefferson shall sell, pursuant to the provisions of N.J.S.A. 40A:12- 13(b)(5) and N.J.S.A. 40A:12-13.2, the lot known as 189 Pennsylvania Avenue (Block 40, Lot 1) to the contiguous property owners, Wayne A. Osman and Sherry Osman, for the amount as set forth in Schedule A attached hereto, subject to the right of other interested parties to offer an amount in excess of the amount offered as set forth in Schedule A. Pursuant to the provisions of the statutes, this conveyance shall be to an owner of adjoining property as the property to be sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon. The minimum sale price for the Property is \$16,500.00 as set forth in Schedule A, which sum is not less than the fair market value of the real property.

2. Upon final passage of this Ordinance as required by N.J.S.A. 40A12-13(b)(5) the list containing the Property being sold and the proposed sale price shall be published within five (5) days of adoption in the Township's official newspaper and this Ordinance shall also be posted on the bulletin board at the Municipal Building or other conspicuous space at the Municipal Building. Offers for the

property being sold may be made to the Township Council or its designee for a period of twenty (20) days following the advertisement, at not less than the minimum price.

3. The Property shall be sold subject to the following terms and conditions:

- (a) The Property shall be sold for not less than the amount set forth in Schedule A.
- (b) The sale shall be made by private sale, after legal advertisement of this Ordinance, and shall be made to the persons set forth in Schedule A or such higher offer as may be submitted within the twenty (20) day period as referenced in Paragraph 1 above, subject to the contiguous property owners rights under N.J.S.A. 40A:12-13.2. Since this is a sale to the owner of contiguous property, the existing property owned by the purchaser shall become consolidated with the property being sold herein, and become part of and merge with the contiguous property owned by the successful bidder.
- (c) The Township does not warrant or certify title to the property and in no event shall the Township of Jefferson be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to the property prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for the same, shall not be required to refund money or correct any defect in title or be held liable for damages.
- (d) Acceptance of the offer made as set forth in Schedule A or the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
- (e) Upon adoption of this Ordinance the purchaser will be required to pay within two (2) business days ten percent (10%) of the bid, in certified funds or check; the payment shall be returned to the purchaser, without interest, if the title to the property is legally determined to be unmarketable, providing claims made therefor within thirty (30) days from the date that this Ordinance is adopted.
- (f) A Quit Claim Deed will be delivered at the office of the Township Clerk or the Township Attorney's office on or before thirty (30) days after the date of the sale, at which time and place the balance of the purchase price, plus the legal fees and costs incurred by the Township in the amount of \$350.00, plus the actual costs that the Township incurs for publishing this Ordinance and any required notices, shall be required to be paid by certified or bank check. The Mayor and Clerk are hereby authorized to execute the Deed and any related documents.
- (g) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Jefferson and reserving an easement for all natural or constructed drainage systems, waterways and water easements on the property, if any, and the continued right of maintenance and flow thereof.
- (h) The property will be sold subject to 2022 taxes, prorated from the date of sale.
- (i) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.
- (j) The Property is sold "as is". No representations of any kind are made by the Township as to the conditions of the Property, and the description of the Property are intended as a general guide only and may not be accurate. The Property is being sold in the present "as is", "where is", with all faults.

4. Potential Bidders are advised:

- A. To conduct all necessary title searches prior to the date of the sale.
- B. That the description of the property is intended as a general guide only and may not be accurate. No representation of any kind are made by the Township of Jefferson as to the conditions of the property, including habitability or usability; the property is being sold in its present condition "as is".
- C. That the sale is made subject to all applicable laws, statutes, regulations and ordinances of the United States, State of New Jersey and the Township of Jefferson.
- D. That no employee, agent or officer of the Township of Jefferson has any authority to waive, modify or amend any of the conditions of the sale.
- E. The property will be conveyed subject to all covenants, restrictions, reservations and easements established of record or by prescription, and as set forth herein, and without representation as to character of title of the property to be conveyed.

5. Additional Terms the Purchaser must comply with:

- A. To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.
- B. That the failure to close title as agreed shall forfeit to the Township of Jefferson any and all money deposited with the Township.
- C. That the purchase price shall not be used before any County Board of Taxation, Tax Court of New Jersey, or in any court of this State as grounds to support a challenge of the existing assessments with regard to other property.
- D. The property being purchased shall be merged with purchaser's contiguous property and treated as one piece of property.

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

6. Repealer. 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.

7. 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 and address for the record.

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

INTRODUCED: APRIL 20, 2022

ADOPTED: MAY 4, 2022

Council Member	By	2 <sup>nd</sup>	Yes	No	Abstain	Absent	By	2 <sup>nd</sup>	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			

**7. COUNCIL AND MAYOR DISCUSSION**

There were no items for discussion listed on the May 4, 2022 agenda.

**8. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR**

Ms. Millikin reported that the police addition is progressing and the elevator has been inspected and approved for use by the DCA. She told Council that Fire Company #2 was approved for a road permit for a coin toss on June 5<sup>th</sup> and 6<sup>th</sup>, April 27<sup>th</sup> and 28<sup>th</sup> from 8 am to 3 pm. She said they have also applied to the County of Morris for Morris County permits.

Ms. Millikin said that the municipal building opened back up to the public on Monday. She said last Thursday was Take Your Child to Work Day and there were over thirty (30) children participating.

Mayor Wilsusen reported attending the Chamber of Commerce Awards Dinner where he awarded the Citizen of the Year to Terry Koontz. He said Gatwyn's was awarded the Business of the Year and the Jefferson Education Foundation was awarded the Non-Profit of the Year. He mentioned that the DPW was awarded the Public Servants of the Year Award and it was nice that they were recognized.

Mayor Wilsusen also reported attending the Skylands Open House on April 23<sup>rd</sup> at Kean University Jefferson campus. He said he and his wife participated in the town wide clean-up the same day and he wished there had been a better turnout. He said he contacted the Sheriff's Department SLAP program and he plans to utilize them to clean up some of the more remote areas in town. Mayor Wilsusen expressed his disappointment and amazement at the amount of garbage people throw on the ground.

Mayor Wilsusen said the Land Use Board approved the U Store-It on Route 15. He said he attended the Eagle Scout award ceremony for Matt Blanchard last Saturday. He mentioned that the Economic Development Committee (EDC) and Chamber of Commerce will be having a social event on May 19<sup>th</sup> at Alice's and the EDC will be having another meeting on June 9<sup>th</sup> at J Towne Tavern.

**9. COUNCIL REPORTS**

Councilman Birmingham said he had missed the last meeting and attended the Morris County League of Municipalities event in East Hanover. He said the event was very well attended and the President of Atlantic Health gave a presentation. He reported attending the Jefferson Ecofest at the High School. He mentioned the retirement of Dr. Fitzgerald, who he said was an amazing teacher, touched many lives, and helped found the environmental academy in Jefferson, and said she will be irreplaceable.

Councilman Birmingham asked Ms. Millikin about the electric aggregation program, and she said they are going out to bid June 9<sup>th</sup>. She said all residents in the Township are currently back as JCP&L customers since the last auction was unsuccessful.

Councilman Birmingham mentioned that tomorrow, May 5<sup>th</sup> is the National Day of Prayer, and talked about how Jefferson used to have an acknowledgement of this day. He said he knows Covid has affected public events but maybe next year Jefferson could host something or at least do a proclamation. Mayor Wilsusen said he is recognizing the day on social media and mentioned that he has not been approached by any clergy in town regarding any type of public event celebrating this day for the past three (3) years.

Councilman Birmingham asked some questions about the RFP for planner. Ms. Millikin said the RFP was done last year, it was advertised in the paper and on the website and three or four people responded with proposals. Councilman Birmingham asked about the housing element and Ms. Millikin said this was a separate project and not included in the RFP for Township Planner. She explained that administration had earmarked funds from the Housing Trust Fund for Habitat for Humanity but weren't able to donate the funds since there was no Housing Spending Plan in place. Ms. Millikin said the Township awarded a non-fair and open contract for this project to Jessica Caldwell and Mayor Wilsusen said Ms. Caldwell had been hired for this project before she was appointed as the Township Planner. Councilman Birmingham said the Township has always been told that because of the Highlands, Jefferson doesn't have the ability to do what the State wants it to do. Ms. Millikin said Ms. Caldwell is looking into this and the Township may still have obligations, and definitely needs a spending plan in order to be able to utilize the funds in the trust.

Councilman Birmingham reported that the Lake Hopatcong Federation is having a plant sale and there are twenty-four (24) hours left in the fundraiser.

Councilman Kalish offered condolences to the family of Lake Shawnee resident Ron Wolf and said this is a big loss to the community.

Councilman Smith said Mr. Wolf was a great neighbor and very active in Lake Shawnee. He reported attending the Chamber of Commerce Dinner, the open house at Kean University, and that he took a tour of the refurbished fire boat.

Council Vice President Dunham said he attended Fire Company #1's plant sale, Matt Blanchard's Eagle Scout ceremony with the Mayor and Police Chief, and the Statewide Insurance accident training program.

Council President Senatore reported attending the Chamber of Commerce dinner, Kean University open house, the Bingo event, and the tour of the fire boat.

**10. ORDINANCES – FIRST READING**

**ORDINANCE #22-13 - “ORDINANCE AMENDING CHAPTER 146 ANIMALS, SECTION 146-7 D IMPOUNDMENT OF DOGS AND CHAPTER 235, FEES, GENERAL, SECTION 235-16 HEALTH DEPARTMENT FEES OF THE CODE OF THE TOWNSHIP OF JEFFERSON “**

**BE IT ORDAINED** by the Township Council of the Township of Jefferson as follows: Section 146-7 D Impoundment of Dogs and Section 235-16 Health Department Fees amend to include the following new fees as follows:

**146-7 D Impoundment Fee**

Pick up Fee	<b>\$25.00</b>
Detention Fee	<b>\$25.00/day</b>
Maintenance Fee	<b>\$ 4.00/day</b>

**235-16 Health Department Fee**

C. Dog Adoption Fee Under 1 year:	<b>\$ 200.00</b>
D. Dog Adoption Fee Over 1 year to 5 year:	<b>\$ 150.00</b>
E. Dog Adoption Fee Over 5 years:	<b>\$ 100.00</b>
F. Cat Adoption Kittens under 1 year:	<b>\$ 150.00</b>
G. Cat Adoption Over 1 year to 6 year:	<b>\$ 125.00</b>
H. Cat Adoption Over 6 year:	<b>\$ 100.00</b>

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

**SECTION V**

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

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **May 18, 2022**.

**INTRODUCED: MAY 4, 2022**

**ADOPTED:**

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

**11. NEW BUSINESS**

There was no new business listed on the agenda for May 4, 2022.

**12. MINUTES – April 20, 2022 (Birmingham Absent)**

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

**13. 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

**\*APPOINTMENTS**

- None

**\*CONSENT AGENDA RESOLUTIONS:**

22-106 Resolution Authorizing the Payment of Bills

22-107 Resolution Authorizing a Memorandum of Understanding Between New York-New Jersey Trail Conference and Township of Jefferson

Prior to the vote on the Consent Agenda, Councilman Birmingham requested that Resolution #22-108, Resolution Authorizing the Issuance of Not Exceeding \$15,871,143 Bond Anticipation Notes of the Township of Jefferson, In the County of Morris, New Jersey be removed for separate consideration and vote.

**CONSENT AGENDA**

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

**RESOLUTION #22-108**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$15,871,143 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY**

Councilman Birmingham said last year's note was twelve (12) million dollars and this year's note is 3 ½ million dollars more, plus interest rates are higher. He said he thinks the Mayor and Council need to keep an eye on the debt and he would like to have a better handle on the plan to stop borrowing and "pay as you go". He mentioned that the Township has to pay Bond Counsel every year for the note sale and he believes the Auditor mentioned the Township pays a percentage fee on the amount being borrowed.

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

**14. 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 and address for the record.

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

Council Vice President said he agrees with Councilman Birmingham that interest rates will get higher and said he doesn't perceive the "pay as you go" happening in Jefferson for a while. He said he realizes the administration is catching up and addressing leftover projects. He said the Township doesn't have the income to go along with its spending needs, doesn't have the opportunity for development like some of the surrounding towns, and unfortunately doesn't control interest rates.

Councilman Birmingham stated that the Township is required to either hold this note sale or utilize permanent financing as the one year notes have come due. He said he hopes a lot of the outstanding debt is falling off while any debt is accumulated. Mayor Wilsusen said a full report was given at the last meeting that Councilman Birmingham missed. Councilman Birmingham said he will review the minutes.

Council President Senatore announced that Council would be having an Executive Session and had to ask the audience to leave the room as the back room is not available. Council Vice President Dunham asked if there was any further business after Executive Session and Councilman Smith said no, only adjournment.

**15. EXECUTIVE SESSION**

**RESOLUTION #22-109 - "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.

• **Contract Negotiations – Heller’s Lane Redevelopment Agreement**

- (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 **May 4, 2022 at 7:00 P.M.** in the Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey, that the Township Council shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

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

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

**16. ADJOURNMENT AT 8:43 PM**

Motion made by Council Vice President Dunham, second by Councilman Kalish to adjourn the meeting at 8:43 pm, with all members in favor signifying by “Aye.”

**May 4, 2022**

\_\_\_\_\_  
 Michele Reilly, RMC, Township Clerk

\_\_\_\_\_  
 Melissa Senatore, Council President

**CONSENT AGENDA RESOLUTION #22-106**

**“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 **May 4, 2022** 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 #22-107**

**“RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN NEW YORK-NEW JERSEY TRAIL CONFERENCE AND TOWNSHIP OF JEFFERSON”**

**WHEREAS**, the New York-New Jersey Trail Conference will be working with the Township of Jefferson on their trail program to promote eco-tourism; and

**WHEREAS**, the Township of Jefferson and New York-New Jersey Trail Conference are committed to enhancing the trails in the Township of Jefferson; and

**WHEREAS**, the purpose of this Agreement is to establish a priority to work on the various trail segments and bring econ-tourism into the Township of Jefferson; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Jefferson, Morris County, New Jersey, that the Mayor and Clerk are hereby authorized to execute the Memorandum of Understanding between New York-New Jersey Trails Conference, 600 Ramapo Valley Road, Mahwah, New Jersey 07430 and Jefferson Township.

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**CONSENT AGENDA RESOLUTION #22-108**

**“RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$15,871,143 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF JEFFERSON, IN THE COUNTY OF MORRIS, NEW JERSEY”**

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

Section 1. Pursuant to a bond ordinance of The Township of Jefferson, in the County of Morris (the “Township”) entitled: “Bond ordinance appropriating \$1,415,000, and authorizing the issuance of \$1,142,000 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”, finally adopted on May 16, 2018 (#09-2018), bond anticipation notes of the Township in a principal amount not exceeding \$809,200 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the acquisition of two new fire trucks by the Township of Jefferson, in the County of Morris, New Jersey, appropriating \$1,225,000 therefor and authorizing the issuance of \$1,166,500 bonds or notes of the Township for financing such appropriation”, finally adopted on May 1, 2019 (#07-2019), bond anticipation notes of the Township in a principal amount not exceeding \$1,144,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$1,870,000, and authorizing the issuance of \$1,780,500 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”, finally adopted on May 1, 2019 (#09-2019), bond anticipation notes of the Township in a principal amount not exceeding \$1,715,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Township entitled: “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 \$180,000 therefor and authorizing the issuance of \$180,000 bonds or notes of the Township for financing such appropriation”, finally adopted on April 1, 2020 (#11-2020), bond anticipation notes of the Township in a principal amount not exceeding \$180,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$145,000, and authorizing the issuance of \$145,000 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”, finally adopted on April 1, 2020 (#12-2020) bond anticipation notes of the Township in a principal amount not exceeding \$145,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$3,201,700, and authorizing the issuance of \$3,041,700 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”, finally adopted on April 1, 2020 (#13-2020), bond anticipation notes of the Township in a principal amount not exceeding \$3,041,700 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance making a supplemental appropriation of \$1,632,000 for the construction of an addition to the Municipal Building in and by the Township heretofore authorized to be undertaken by the Township of Jefferson, in the County of Morris, New Jersey, and authorizing the issuance of \$1,550,400 bonds or notes of the Township for financing such supplemental appropriation” finally adopted on January 20, 2021 (01-2021), bond anticipation notes of the Township in a principal amount not exceeding \$988,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$530,000, and authorizing the issuance of \$530,000 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 sanitary sewerage system of the Township”, finally adopted on April 21, 2021 (12-2021), bond anticipation notes of the Township in a principal amount not exceeding \$530,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$3,780,203, and authorizing the issuance of \$3,591,193 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”, finally adopted on April 21, 2021 (13-2021), bond anticipation notes of the Township in a principal amount not exceeding \$3,591,193 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Township entitled: “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 \$320,000 therefor and authorizing the issuance of \$320,000 bonds or notes of the Township for financing such appropriation”, finally adopted on April 20, 2022 (08-2022), bond anticipation notes of the Township in a principal amount not exceeding \$320,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$525,000, and authorizing the issuance of \$499,500 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”, finally adopted on April 20, 2022 (09-2022), bond anticipation notes of the Township in a principal amount not exceeding \$499,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$3,759,000, and authorizing the issuance of \$3,571,050 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”, finally adopted on April 20, 2022 (10-2022), bond anticipation notes of the Township in a principal amount not exceeding \$2,906,050 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 13. All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (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 and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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 at not less than par 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. 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 hereunder 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 14. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 15. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2 12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 16. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 17. This resolution shall take effect immediately.