

JEFFERSON TOWNSHIP COUNCIL
MUNICIPAL BUILDING
1033 WELDON ROAD
LAKE HOPATCONG, NJ 07849
973-208-6100
www.jeffersontownship.net

TO THE EXTENT
KNOWN AS OF
10.16.2020

OCTOBER 21, 2020
REGULAR MEETING – 7:00 PM
AGENDA

1. CALL TO ORDER – Presiding Officer

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of **October 7, 2020** 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 3, 2020** and was posted on the bulletin board in the Municipal Building on **January 3, 2020** and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. The change to a meeting held via remote access only due to the Covid-19 pandemic and in response to State and Local Health Department guidelines was noticed on **October 14, 2020**.

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

2. ROLL CALL – Township Clerk

	Present	Absent
Mrs. Bennett		
Mr. Birmingham		
Mr. Dunham		
Vice President Senatore		
President Finnegan		
Mr. Ryan, Township Attorney		
Ms. Reilly, Township Clerk		

Let the record reflect the following members of the Administration are present: Administrator Debi Millikin, Mayor Eric Wilsusen, Chief Financial Officer Bill Eagen.

3. SALUTE TO THE FLAG – Presiding Officer

4. SPECIAL PRESENTATIONS - Presiding Officer

- **Best Practices - CFO**

5. PUBLIC COMMENT – Presiding Officer

Please state and spell your name and address for the record. Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

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

ORDINANCE #20-20 -ORDINANCE AUTHORIZING THE PRIVATE SALE OF REAL PROPERTY PURSUANT TO N.J.S.A. 40A:12-13, BLOCK 92, LOT 14.01

WHEREAS, the Township of Jefferson is the owner of a parcel of real property designated as Jerry Drive, Block 92, Lot 14.01, Jefferson, New Jersey, (the "Property"), which land is not needed or required for municipal use; and

WHEREAS, Joseph and Lisa Leifken, (the "Leifkens" or "purchaser"), the owners of the contiguous property located at 3 Jerry Drive, Jefferson, New Jersey (Block 85, Lot 1) have expressed an interest in purchasing the Property; and

WHEREAS, the lot is less than the minimum size required for development under the municipal zoning 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 Property to the Leifkens 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 Leifkens have offered to purchase the Property for its fair market value of \$35,000.00 as determined by the Township's appraiser, Newmark, Knight Frank in their report dated August 26, 2020.

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

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 Jerry Drive, Block 92, Lot 14.01 to the contiguous property owners, Joseph and Lisa Leifken, for the sum of \$35,000.00. The sale is subject to the right of other interested parties to offer an amount in excess of the amount offered pursuant to N.J.S.A. 40A:12-13(b)(5).

2. Upon final passage of this Ordinance as required by N.J.S.A. 40A:12-13(b)(5) the list attached to this Ordinance as Schedule A, 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 properties 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 owner's rights under N.J.S.A. 40A:12-13.2. In the event any contiguous property owner is interested in purchasing the property and notifies the Township of their interest, the Township Council may reconsider this Ordinance within thirty (30) days of its enactment and advertise the Property for public sale.

- C. In the event of the sale to the Leifkens proceeds, the Property shall become consolidated with and merge with the Leifken's existing property located at 3 Jerry Drive, Jefferson, New Jersey (Block 85, Lot 1).
- D. 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 if title is found unmarketable for any reason and the purchaser 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 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.
- E. Acceptance of the offer made as set forth in Schedule A 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.
- F. Upon adoption of this Ordinance the purchaser will be required to pay within two (2) business days ten percent (10%) of the purchase price, 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.
- G. 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 publication of the passage of this Ordinance, 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 \$450.00, 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.
- H. 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 properties, if any, and the continued right of maintenance and flow thereof.
- I. The Property is sold subject to 2020 taxes, prorated from the date of sale.
- J. The Governing Body does hereby reserve the right to withdraw this offer to sell.

4. Purchaser is 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 properties.
- D. The Property being purchased shall be merged with purchaser's contiguous property and treated as one piece of property.

6. This Ordinance shall take effect after final passage and publication according to law.

SCHEDULE A

	<u>Tax Block</u>	<u>Lot</u>	<u>Location</u>	<u>Lot Size</u> <u>(acres)</u>	<u>Sale Price</u>
1.	92	14.01	Jerry Drive	0.916+/-	\$35,000

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

INTRODUCTION: OCTOBER 7, 2020

ADOPTION:

Council Member	By	2 nd	Yes	No	Abstain	Absent	By	2 nd	Yes	No	Abstain	Absent
Mrs. Bennett	X		X									
Mr. Birmingham			X									
Mr. Dunham		X	X									
Vice President Senatore			X									
President Finnegan			X									

7. **COUNCIL AND MAYOR DISCUSSION**
8. **ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR – Mayor Wilsusen**
9. **COUNCIL REPORTS – Presiding Officer**
10. **ORDINANCES – FIRST READING- Township Clerk**

ORDINANCE #20-21 - ORDINANCE AMENDING CHAPTER 146 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED “ANIMALS”, SPECIFICALLY ARTICLE 1, “DOGS”, SECTION 146-2, “LICENSE AND REGISTRATION TAGS; FEES; APPLICATION” ARTICLE 3, “CATS”, SECTION 146-26, “LICENSING REQUIREMENTS”, ARTICLE V, “PET COLLECTIVES”, SECTION 146-32, “PET COLLECTIVE REGISTRATION AND INSPECTION” AND SECTION 146-33 “VIOLATIONS AND PENALTIES” AND ADDING ARTICLE, VI, “DOMESTIC ANIMALS”, ARTICLE VII, “LIVESTOCK”, ARTICLE VIII, “REGISTRATION FOR HARBORING ANIMALS” AND ARTICLE IX, “PRE-EXISTING NON-CONFORMING USE”

WHEREAS, the Jefferson Township Council has reviewed the Township Code regarding animals permitted within the Township and has determined that revisions are necessary.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Jefferson Township Municipal Code is hereby amended to revise Sections 146-2 “License and registration tags; fees; application”, Section 146-26, “Licensing Requirements”, Section 146-32 “Pet Collective Registration and Inspection” and Section 146-33 “Violations and Penalties” and also to add, Article VI, “Domestic Animals”, Article VII, “Livestock”, Article VII, “Registration for Harboring Animals” and Article IX, “Pre-Existing Non-Conforming Use” as follows:

SECTION I. Section 146-2, “License and registration tags; fees; application” shall be amended with the addition of subsection E, as follows:

E. Each property shall have no more than five (5) dogs on lots smaller than one (1) acre. Each property owner shall have no more than eight (8) dogs on lots greater than one (1) acre. Properties harboring seven (7) or more dogs and not being a kennel, shelter or pet shop as defined in Article 1 of Chapter 146 must register as a Pet Collective as defined in Article V of Chapter 146.

SECTION II. Section 146-26, “Licensing requirements”, shall be amended with the addition of subsection M, as follows:

M. Each property shall have no more than eight (8) cats. Properties harboring seven (7) or more cats and not being a kennel, shelter or pet shop as defined in Article 1 of Chapter 146 must register as a Pet Collective as defined in Article V of Chapter 146.

SECTION III. Section 146-32, “Pet collective registration and inspection”, shall be amended as follows:
 Every owner, tenant, or principal occupier of a pet collective as defined herein shall be required to register with the Jefferson Township Department of Health on an appropriate form. Each pet collective shall pay an annual fee of \$25.00 in addition to any licensing fees as required by this chapter. The pet collective shall be subject to a minimum of one inspection per year by the Jefferson Township Department of Health and may be cited for any health violations or violations of Chapter 146.

SECTION IV. Section 146-33 B & C, “Violations and Penalties” shall be amended as follows:

- B. Second Offense: The penalty shall be \$500 for a second offense.
- C. Subsequent Offenses: Any subsequent violations of this article shall be punishable by the imposition of a fine of \$1,000.00 per offense.

SECTION V. Chapter 146, Article VI, “Domestic Animals”, shall be adopted as follows:

ARTICLE VI. DOMESTIC ANIMALS

§146-34 Definitions

ANIMALS RUNNING AT LARGE. "At large" shall mean off the premises of the owner or custodian of the animal, and not under the immediate control of the owner or custodian.

DOMESTIC ANIMALS. Any animal that has been bred and/or raised to live in or about the habitation of humans and is dependent on people for food and shelter, and not raised for commercial gain; including among others dogs, cats, guinea pigs, reptiles, chickens and fish; and excluding: poisonous and dangerous animals such as lions and bears, livestock such as horses and cows, and other animals weighing more than 100 pounds.

FARM ANIMALS. An animal which is normally found on a farm, ranch, or stable. Such animals include, but are not limited to horses, cattle, sheep, goats, swine, and chickens.

NONDOMESTICATED ANIMALS. Any wild animal, reptile or fowl which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics, would constitute a danger to human life or property.

§146-35 Domestic Animals

Domestic animals (no more than eight (8) cats and eight (8) dogs) shall be permitted on a property within all Zones within the Township of Jefferson.

§146-36 Animals Running at Large

No person shall permit any animal regularly housed on his property or in his possession to run at large, nor shall any animals be permitted upon the streets or other public ways of the Township unless under the immediate control of the owner or his authorized custodian. Such action is declared to be a nuisance and dangerous to the public health and safety.

§146-37 Standards for Keeping Chickens

The keeping of chickens in the Township of Jefferson shall be subject to the following requirements:

- A. A maximum of five (5) female chickens shall be permitted on lots one (1) acre or less.
- B. A maximum of ten (10) female chickens shall be permitted on lots two (2) acres or more.
- C. The keeping of roosters (mature male chickens) and cockerels (young male chickens) is prohibited except on farmland assessed property.
- D. Chickens shall be provided with a fully-enclosed shelter (coop) and a run or fenced enclosure, with the following requirements:
 1. Shelters and runs or fenced enclosures are permitted in the rear yard only;
 2. Shelters and runs or fenced enclosures shall be located a minimum of twenty-five (25') feet from a fenced in property line, and fifty (50') feet from any non-fenced in property line and a minimum of fifty (50') feet from any residential dwelling;
 3. Only one shelter shall be permitted on any lot, with a maximum permitted area of any shelter of 100 SF, and the total area of shelters and attached run shall be a maximum of 150 SF; and
 4. Shelters/coops shall not exceed six (6') feet in height.
- E. The shelter and enclosures shall remain in good repair and in a clean and healthy condition, free from accumulation of waste, free from noxious or offensive odor, and free from any condition which may breed flies or other insects. Slaughtering chickens in public view is prohibited.
- F. Storage of manure, waste and odor or dust producing substances shall be kept in a water-tight container and disposed of in accordance with health code and accepted agricultural practices; such manure and waste storage shall be located at least ten (10') feet from any lot line and a minimum of twenty-five (25') feet from any residential dwelling.

SECTION VI. Chapter 146, Article VII, "Livestock", shall be adopted as follows:

ARTICLE VII. LIVESTOCK

§146-38 Livestock Standards

The keeping of livestock, including but not limited to cows, horses, sheep, goats, ducks, pigs, llamas, alpacas, peacocks, chickens and roosters shall only be permitted on farmland assessed property, subject to the following additional provisions:

- A. Such uses are conducted upon a lot not less than five (5) acres in area.
- B. No building or structure used for shelter or enclosure of livestock shall be closer to any property line than 200 feet.

SECTION VII. Chapter 146, Article VIII, "Registration for Harboring Animals" shall be adopted as follows:

ARTICLE VIII. REGISTRATION FOR HARBORING ANIMALS

§146-39 Registration for Harboring Animals

Any person desiring to keep, raise or harbor more than two pet animals other than cats and dogs within the Township of Jefferson shall first apply to the Code Enforcement Office to register the animals on a yearly basis. The information provided to Code Enforcement Office must include a sketch of all buildings on the premises, the area to be occupied by the animals, proposed fences and enclosures and the type and number of pet animals to be kept.

SECTION VIII. Chapter 146, Article IX, "Pre-Existing Non-Conforming Use" shall be adopted as follows:

ARTICLE IX. PRE-EXISTING NON-CONFORMING USE

§146-40 Pre-Existing Non-Conforming Use

Any existing use of possessing, keeping or maintaining farm animals existing prior to the effective date of this section shall become and considered a preexisting nonconforming use, provided the owner registers the use with the Zoning Officer within the time provided by the Municipal Land Use Law. This provision shall not allow replacement of animals in numbers greater than permitted by this chapter.

SECTION IX.

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

SECTION X.

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 XI.

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 **November 11, 2020.**

INTRODUCTION:

ADOPTION:

Council Member	By	2 nd	Yes	No	Abstain	Absent	By	2 nd	Yes	No	Abstain	Absent
Mrs. Bennett												
Mr. Birmingham												
Mr. Dunham												
Vice President Senatore												
President Finnegan												

ORDINANCE #20-22 – ORDINANCE AMENDING CHAPTER 199 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED “DONATION CLOTHING BINS”, SPECIFICALLY SECTION 199-2, “REQUIREMENTS FOR PLACEMENT, USE OF CLOTHING BIN FOR SOLICITATION PURPOSES”

WHEREAS, the Jefferson Township Council has reviewed the Township Code regarding Donation Clothing Bins permitted within the Township and has determined that revisions are necessary.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Jefferson Township Municipal Code is hereby amended to revise Section 199-2, “Requirements for placement, use of clothing bin for solicitation purposes” as follows:

SECTION I

§199.2. Requirements for placement, use of clothing bin for solicitation purposes.

No person shall place, use, or employ a donation clothing bin, for solicitation purposes, within the Township of Jefferson, unless all of the following requirements are met:

- A. The person has obtained a permit from the Jefferson Township Clerk in accordance with the following:
 - (1) In applying for such a permit, the person shall include:
 - (a) the location where the bin would be situated, as precisely as possible;
 - (b) the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
 - (c) the name, and telephone number of the bona fide office required pursuant to subsection E. of this section, of any entity which may share or profit from any clothing or other donations collected via the bin;
 - (d) written consent from the property owner to place the bin on his property; and
 - (e) the schedule of pickups removing the articles from the bin, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled day of pickup.
- B. The Jefferson Township Clerk shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that:
 - (1) the placement of the bin could constitute a safety hazard (such hazards shall include, but not be limited to, the placement of a donation clothing bin within 100 yards of any place that stores large amounts of, or sells, fuel or other flammable liquids or gases);
 - (2) the bin will not be placed on commercial property;
 - (3) granting the application will cause more than four bins to be placed on one commercial property; or
 - (4) granting the application will cause a bin to be placed on Township property and the Township Council has not approved such placement; provided that Council approval shall not be required for one permit for each of the following emergency services locations:
 - 1. Jefferson Fire Company #1;
 - 2. Jefferson Fire Company #2;
 - 3. Jefferson Rescue Squad; and
 - 4. Milton First Aid Squad.
- C. The fee for such application shall be \$25. The application fee will not be prorated for initial permits issued after January 1.
- D. An expiring permit for a donation clothing bin may be renewed for a one-year period upon application for renewal and payment of \$25 to the Township Clerk. In addition to the initial application requirement set forth in this chapter, such renewal application shall include:
 - (1) The location where the bin is situated, as precisely as possible, and, if the person intends to move it, the new location where the bin would be situated after the renewal is granted and written consent from the property owner to place the bin on his property;
 - (2) The manner in which the person has used, sold, or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal;

(3) The name, and telephone number of the bona fide office required pursuant to subsection e. of this section, of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal; and

(4) The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the donation clothing bin, in addition to the information required pursuant to subsection f. of this section.

E. The person, and any other entity which may share or profit from any clothing or other donations collected via the bin, maintains a bona fide office where a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering information concerning the person or other entity. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office; and

F. The following information is clearly and conspicuously displayed on the exterior of the donation clothing bin:

(1) The name and address of the registered person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

(2) The telephone number of the person's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;

(3) In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

(4) A statement, consistent with the information provided to the appropriate municipal agency in the most recent permit or renewal application pursuant to subparagraph A(1)(b) of this section and Subsection D(2) of this section, indicating the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

(5) Permits shall be valid for one year, except for initial permits issued after January 1, and may be annually renewed thereafter in accordance with the provisions of this chapter. All permits shall expire on December 31. The provisions of this section shall apply to all donation clothing bins in place as of the effective date of this section, and to all clothing bins placed subsequent to the effective date of this section.

SECTION II

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

SECTION III

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

SECTION IV

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

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **November 11, 2020**.

INTRODUCTION:

ADOPTION:

Council Member	By	2 nd	Yes	No	Abstain	Absent	By	2 nd	Yes	No	Abstain	Absent
Mrs. Bennett												
Mr. Birmingham												
Mr. Dunham												
Vice President Senatore												
President Finnegan												

11. **NEW BUSINESS – Presiding Officer**

12. **MINUTES**

October 7, 2020 (Regular)

Council Member	By	2 nd	Yes	No	Abstain	Absent
Mrs. Bennett						
Mr. Birmingham						
Mr. Dunham						
Vice President Senatore						
President Finnegan						

13. **CONSENT AGENDA* – Township Clerk**

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

***PERMITS/LICENSES**

- None

***APPOINTMENTS**

- None

***CONSENT AGENDA RESOLUTIONS:**

- 20-244 Resolution Authorizing the Payment of Bills
- 20-245 Resolution Authorizing a Refund For a Tree Bond – Tree Removal Permit No. 04-17 (Formerly Permit No. 01-14) - Block 522 Lot 9.08 – 22 Holland Mountain Road
- 20-246 Resolution Authorizing a Refund For a Tree Bond – Tree Removal Permit No. 15-18 Block 269 Lot 3 – 73 Taylor Road
- 20-247 Resolution Authorizing the Refund of Overpayment(s) of Utility Fees
- 20-248 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 20-249 Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units - Chas. S. Winner, Inc., d/b/a Winner Ford – 2021 Ford Police Interceptor
- 20-250 Resolution Releasing Property Held by the Township of Jefferson On Behalf of Jefferson Fire Department Company #1
- 20-251 Resolution Authorizing Contract For The Generator Contract – UTL-20-5 - TSUJ Corp
- 20-252 Resolution Authorizing HVAC Contract

Council Member	By	2 nd	Yes	No	Abstain	Absent
Mrs. Bennett						
Mr. Birmingham						
Mr. Dunham						
Vice President Senatore						
President Finnegan						

14. **PUBLIC COMMENT – Presiding Officer**
Please state and spell your name and address for the record. Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

15. **ADJOURNMENT AT _____ PM - Presiding Officer**

Michele Reilly, RMC, CMR
 Township Clerk
 973-208-6133 mreilly@jeffersontownship.net

FUTURE MEETINGS (7 PM START)
 Wednesday, November 11th Wednesday, December 2nd
 Wednesday, December 16th Thursday, January 6th, 2021 – Reorganization

CONSENT AGENDA RESOLUTION #20-244

“RESOLUTION AUTHORIZING THE PAYMENT OF BILLS”

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the current bills, dated **October 21, 2020** 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 #20-245

“RESOLUTION AUTHORIZING A REFUND FOR A TREE BOND - TREE REMOVAL PERMIT NO. 04-17 (FORMERLY PERMIT NO. 01-14) - BLOCK 522 LOT 9.08 – 22 HOLLAND MOUNTAIN ROAD”

WHEREAS, Permit No. 01-14 was issued but expired; and

WHEREAS, Permit No. 04-17 was then issued; and

WHEREAS, the Township Forester recommends a refund of **\$1000.00**, received as a bond for tree replacement, as site improvements to **Block 522 Lot 9.08** have been fulfilled as required by Permit No. 04-17; and

WHEREAS, the Township Forester, has certified that the necessary improvements have been satisfactorily completed; and

WHEREAS, the Township Forester does recommend said refund.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Chief Financial Officer (CFO) be and is hereby authorized to issue a check in the amount **of \$1000.00 to Richard Carnahan, 22 Holland Mountain Road, Oak Ridge, New Jersey 07438.**

CONSENT AGENDA RESOLUTION #20-246

**“RESOLUTION AUTHORIZING A REFUND FOR A TREE BOND -
 TREE REMOVAL PERMIT NO. 15-18 -
 BLOCK 269 LOT 3 – 73 TAYLOR ROAD”**

WHEREAS, the Township Forester recommends a refund of \$9900.00, received as a bond for tree replacement, as site improvements to Block 269 Lot 3 have been fulfilled as required by Permit No. 15-18; and

WHEREAS, the Township Forester, has certified that the necessary improvements have been satisfactorily completed; and

WHEREAS, the Township Forester does recommend said refund.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the Chief Financial Officer (CFO) be and is hereby authorized to issue a check in the amount of \$9900.00 to My Two Girls, LLC, 22 Sequoia Place, Wayne, New Jersey, 07470.

CONSENT AGENDA RESOLUTION #20-247

“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT(S) OF UTILITY FEES”

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

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

WHEREAS, the Director of Utility 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. Overpayment at Closing	2. High Billing Estimates	3. Meter Reading Error
4. Credit X-Rate	5. Overpayment	6. Meter/Remote Discrepancy
7. Stuck Remote	8. Remote Reading Error	9. Account Reset Error
10. Meter Error	11. Reading Input Error	12. New Construction/Service Off
13. Inadvertent payment JTMU	14. Bill Code Error	15. Reimbursement for Repairs/Usage/Conn

BLOCK/LOT	NAME	AMOUNT	YEAR	CODE
206/3	James/Sarah Davitt 16 Marine Terrace Lake Hopatcong, NJ 07849	\$200.15	2020/Q4	1
206/3	Jennifer Hollstein- Dorey Lake Life Investments LLC 12 Liberty Place Rockaway, NJ 07866	\$268.99	2020/Q4	1
		TOTAL:	\$469.14	

CONSENT AGENDA RESOLUTION #20-248

“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
464	37	Lien Times LLC	\$48,298.87	5	2020
464	37	Lien Times LLC	\$25,000.00	10	2020
336	42	Ridgeback Ventures LLC	\$27,429.74	5	2020
357	1	Ridgeback Ventures LLC	\$11,897.22	5	2020
			TOTAL	\$112,625.83	

CONSENT AGENDA RESOLUTION #20-249

“RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS - CHAS S. WINNER INC. DBA WINNER FORD”

WHEREAS, the Township of Jefferson may, by resolution and without advertising for bids in accordance with N.J.S.A. 40A:11-12a and N.J.A.C.5:34-7.29 (c), purchase goods and services under the **State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the State of the Division of Purchase and Property in the Department of the Treasury**; and

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

WHEREAS, the Township of Jefferson desires to replace a previous vehicle which is no longer in service; and

WHEREAS, **State Contract #T-02776 (20-FLEET-01189)** was awarded to **Chas. S. Winner Inc. dba Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey, 08034** for a 2021 Ford Police Utility Interceptor AWD vehicle with options; and

WHEREAS, the Township of Jefferson desires to purchase **one (1) 2021 Ford Police Utility Interceptor AWD vehicle with options in an amount not to exceed \$34,336.60** through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current **New Jersey State Cooperative Purchasing Program** contracts; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b) a certificate showing availability of funds has been provided to the Township by the Chief Financial Officer of the Township, certifying that the funds for said contract are available and are designated to a line item appropriations designated below and **totaling \$34,336.60**; and

0-01-23-220-200-292	\$33190.00
0-01-25-240-240-263	\$1146.60

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 purchase **one (1) 2021 Ford Police Utility Interceptor AWD vehicle with options in an amount not to exceed \$34,336.60 from Chas. S. Winner Inc. dba Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey, 08034.**

CONSENT AGENDA RESOLUTION #20-250

“RESOLUTION RELEASING PROPERTY HELD BY THE TOWNSHIP OF JEFFERSON ON BEHALF OF
JEFFERSON FIRE DEPARTMENT COMPANY #1”

WHEREAS, **Resolution #20-133, dated May 20, 2020**, authorized the Township of Jefferson to purchase a **Cascade System from Air & Gas Technologies**, for use by Jefferson Fire Department Company #1 (the “Department”); and

WHEREAS, the Department no longer requires the use of the old Cascade System and desires to sell it as surplus; and

WHEREAS, in order to accomplish same, the Township must release its rights to the old Cascade System to the Department; and

WHEREAS, the Township is agreeable to the sale of the old Cascade System, with the stipulation that all monies received from said sale be utilized by the Department for the purchase of firematic equipment only; and

WHEREAS, the Department will be required to provide documentation of invoices and payments to the Township of Jefferson’s Office of Emergency Management (OEM) Coordinator to verify that the money from the sale of the old Cascade System was used for the sole purpose as stated above.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, hereby releases its rights to the old Cascade System to the Jefferson Fire Department Company #1 for sale as surplus.

BE IT RESOLVED that all monies received from said sale be utilized by the Department for the purchase of firematic equipment only.

CONSENT AGENDA RESOLUTION #20-251

“RESOLUTION AUTHORIZING CONTRACT FOR THE GENERATOR CONTRACT- UTL 20-5- TSUJ CORP”

WHEREAS, the Township of Jefferson received bids for **the Generator Replacement, Contract UTL-20-5, on October 7, 2020.**; and

WHEREAS, five (5) bids were received as listed; and

<u>BIDDER</u>	<u>BASE BID AMOUNT</u>
Manor II Electric, Inc.	\$186,600.00
Wojchik Electric, Inc.	\$210,300.00
TSUJ Corp	\$236,232.00
Power With Prestige	\$249,000.00
EDC – Electrical Design & Construction Corp	\$368,000.00

WHEREAS, **Manor II Electric of Holmdel, New Jersey** was the lowest responsible bidder with a bid of **\$186,600.00**; and

WHEREAS, upon review of the bid package it was determined that the bid was not responsive because the bidder did not bid on the size of generators listed in the proposal; and

WHEREAS, due to the deficiencies in the bid package, the Township Engineer recommended the rejection of the bid submitted by **Manor II Electric of Holmdel, New Jersey**; and

WHEREAS, **Wojchik Electric, Inc of Paterson, New Jersey** had the second lowest responsible bid of **\$210,300.00**; and

WHEREAS, upon review of the bid package it was determined that the proposal had not been signed by the bidder; and

WHEREAS, due to the deficiencies in the bid package, the Township Engineer recommended the rejection of the bid submitted by **Wojchik Electric, Inc of Paterson, New Jersey**; and

WHEREAS, **TSUJ Corp. of Wayne, New Jersey** had the third lowest responsible bid of **\$236,232.00 which is 16.95% above the Engineer's estimate**; and

WHEREAS, the Township Engineer recommends the Township Council award the contract as the generators included in this contract are extremely necessary to back up sewage facilities as time is of the essence in replacing them; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b) a certificate showing availability of funds has been provided to the Township by the Chief Financial Officer of the Township, certifying that the funds for said contract are available and are designated to a line item appropriations designated below and totaling **\$236,232.00**.

0-07-55-500-000-571	\$4,362.40	Facilities M&R
C-04-55-917-010-904	\$43,394.67	OEM Grant – Twp Match Console/Other Work
C-08-55-513-008-501	\$15,000.00	Sewer Util – Upgrade White Rock Generator
C-08-55-513-010-502	\$20,000.00	Sewer Util – Upgrade White Rock Generator
C-08-55-514-013-503	\$45,474.93	Sewer Pump Station Upgrades
C-08-55-517-008-502	\$8,000.00	Sewer Capital – Pump Station Upgrade
C-08-55-519-010-502	\$60,000.00	Sewer Capital – White Rock Generator Upgrade
C-08-55-520-015-501	\$40,000.00	Sewer Capital - Generator

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, rejects the bids submitted by **Manor II Electric of Holmdel, New Jersey** and **Wojchik Electric, Inc of Paterson, New Jersey** due to deficiencies in the bid packages.

BE IT ALSO RESOLVED that the Township Council hereby awards the contract for **the Generator Replacement, Contract UTL-20-5 to TSUJ Corp, Post Office Box 4621, Wayne, New Jersey, 07470 in the amount of \$236,232.00.**

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