

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

**AUGUST 12, 2020
REGULAR MEETING – 7:00 PM
MINUTES**

1. CALL TO ORDER

Council President Finnegan read the meeting statement as follows: this meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of **August 12, 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.

Council President Finnegan called the meeting to order at 7:00 pm.

2. ROLL CALL

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

Ms. Reilly called the roll. All Council members and the Township Clerk were present. Also in attendance were Mayor Wilsusen, Administrator Debi Millikin and Police Chief Paul Castimore.

3. SALUTE TO THE FLAG

Council President Finnegan led the flag salute.

4. SPECIAL PRESENTATIONS

There were no special presentations on August 12, 2020.

5. PUBLIC COMMENT

Council President Finnegan 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.

Kalen Luciano – 22 East Birch Road

Mr. Luciano referenced the power point presentation he had previously presented to the Mayor and had recently forwarded to Council via the Township Clerk. He said the Mayor and Township Council have done a lot of great work but there are still areas of growth. He talked about what community building looks like and said he feels like the Municipal Alliance and JT Connect are substantially underfunded. He asked if the police expansion is the best idea for Jefferson during this economic downturn and pandemic. Mr. Luciano said he would like Council to consider reimaging public safety and investing in mental health facilities and that he would be happy to talk more with Council.

Mayor Wilsusen stated he had met with Mr. Luciano, who had done a lot of research and had put together a fabulous presentation. He mentioned that Chief Castimore has offered to give Mr. Luciano a tour of the police department. Mayor Wilsusen said he is always open to listening to residents.

Councilman Dunham asked if Mr. Luciano should be invited back to the next Council meeting. He said the County provides some of the services Mr. Luciano mentioned and he thought it could be productive to continue to discuss the issues. Council President Finnegan invited Mr. Luciano to the next meeting; however, Mr. Luciano said he would not be available in person. Council President Finnegan asked him to contact her to discuss future plans.

John Luciano – 22 East Birch Road

Mr. Luciano said he really hoped Council would listen to his son's presentation and take it to heart. He said his son is not attacking the Police but is encouraging prevention over enforcement. He said he really appreciated Council taking the time to listen to his son.

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

6. ORDINANCES –

There were no Ordinance for public hearing and adoption on August 12, 2020.

7. COUNCIL AND MAYOR DISCUSSION

• **Revised Sick Leave Policy**

Ms. Millikin stated that the current sick leave policy as stated in the Policy and Procedures Manual does not correspond with union policies. She said the discrepancy is the current policy requires a doctor's note after three (3) consecutive sick days and the union contracts require a doctor's note after five (5) days. Council consensus was that the policy should be changed to five (5) days.

• **Property Sale**

Ms. Millikin mentioned that the Township owns many pieces of property. She specifically mentioned a property over by Jerry Drive which, although containing a fair amount of wetlands, is a buildable lot with a fair market value of \$35,000. She said Leifken's, who are the adjoining property owners, have inquired about purchasing the lot. Ms. Millikin also mentioned lots on Woodlawn Terrace and Castle Rock and asked if and how Council wants to proceed.

Mr. Ryan said the procedure with undersize lots is relatively straight forward and that the lot is first offered to contiguous property owners prior to any auction. He stated that if the lot is buildable it should be sold at public auction. He suggested developing an inventory of all properties along with a list of characteristics.

Council consensus was to hold a public auction for buildable lots. Ms. Millikin said she will be working with Mr. Bolcato from Laddey, Clark & Ryan on a draft Ordinance for the property sales. She also mentioned starting to address in rem foreclosures.

- **Food Trucks**

Mayor Wilsusen stated that the Township has no Ordinances to regulate food trucks and as these are becoming more and more popular, he wondered if Council was inclined to consider adopting an Ordinance. Mr. Ryan stated that food trucks don't fall under the current Peddler's Ordinance. Council consensus was that the Mayor and Administration should work with Mr. Ryan's office to develop an Ordinance.

8. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR

Mayor Wilsusen said the recent storm presented a lot of challenges and thanked everyone for their efforts: Ms. Millikin, Mr. Mangold, Chief Castimore and the Police Department, Troy Hackett, John Schultz, the Public Works, Parks and Utility employees, the Fire and EMS employees and the municipal employees. He mentioned that the Township is still picking up brush only (no stumps or logs) until the 14th.

Mayor Wilsusen said ninety percent (90%) of Jefferson was out of power for at least twenty-four (24) hours, and by the night of the sixth (6th) day all power had been restored. He mentioned that Verizon and Optimum issues are still being addressed. He said he tried to communicate as much as possible and that it seems as though residents are happy with the Township's response but not Jersey Central Power & Light's (JCPL's) response.

Mayor Wilsusen reported some serious issues with the Township generators, particularly those controlling the water and sewer utilities, and said that Mr. Haack will be putting bids together to get these replaced. He said that Emergency Management is looking into grants to replace the municipal building generator.

Mayor Wilsusen told Council there has been a small increase in the number of Covid-19 cases in the Township. He said he is very concerned about restaurants and gyms and any business that has not opened and/or opened to full capacity. He talked about the challenges of outdoor dining and said there have been some mask compliant issues. He mentioned to Council that there are two (2) gyms in town who have tried to circumvent the Governor's Executive Order by becoming Private Membership Associations, and that the Township is working with the Health Department, Police Department, and Prosecutor's Office.

Mayor Wilsusen mentioned that Joanne Meyer had retired as his secretary and Patty Romano had been hired to fill the position. He said that Jefferson Fest and the Haunted House have both been cancelled and the Fall Festival is being reviewed.

Mayor Wilsusen said Governor Murphy came to Lake Hopatcong and met with the four (4) Mayors as well as Mr. Smith from the Lake Hopatcong Commission. He said it was nice to have a one on one and he received a challenge coin from the Governor since it happened to be his birthday.

Mayor Wilsusen reported that gas main work has begun in Cozy Lake and that New Jersey Natural Gas (NJNG) will be paving Lake Shawnee in a few weeks. He said they are a little behind due to the storm. He said the cape seal has been completed and overall he is pretty happy with the results.

Mayor Wilsusen stated that he, Ms. Millikin, Chief Castimore, and Ms. Romano delivered meals to the residents of Jefferson Chase. He said the meals were donated by the Mohawk House and the Franklin Sussex Auto Mall.

Mayor Wilsusen told Council that the various crises have put a crimp in his agenda. He mentioned future agenda items, such as animal complaints, which he stated are the number one issue dealt with by Code Enforcement. He stated that the Judge would like to see an increase in some of the fees for violations relating to items like dogs running at large. Mayor Wilsusen said other agenda items include Mason Street parking, the soil moving Ordinance, which is necessary due to dumping complaints, and the recreation fees.

Mayor Wilsusen reported meeting with some residents from Castle Rock and Spring Road, He reminded Council that this was the site of an Eagle Scout project but unfortunately the weeds have taken over. He said the residents want to form a group of gardeners to get the property cleaned up and they are working with John Burns from the Parks Department.

Mayor Wilsusen announced that the Mayor's Wellness Campaign is sponsoring another yogathon on August 29th at 8:30 am at Lakeside Field. He said on the same date at 1 pm he would be doing a ribbon cutting at a new yoga studio opening by A.J.'s Country Cones.

Ms. Millikin thanked Emergency Management for all their efforts during the storm and mentioned that the Department of Public Works has been staying late to facilitate storm clean up. She said the generator issue will need to be addressed as soon as possible. She mentioned that John Burns and the Parks crew cleaned up over twenty (20) trees that had come down on the Prospect Point trail to Liffy Island.

Ms. Millikin reported attending the movie night sponsored by the Police Department. She said Recreation will be sponsoring a movie night on August 19th at the middle school.

Ms. Millikin discussed the Judge and Mr. Macaluso's request to increase fines for dogs running at large. She said the current fine is not substantial enough and the Judge would like to see an increase of the maximum fine to \$1000.00. In reference to Council questions about first time offenders, Mr. Ryan said that the Judge has discretion. Council consensus was that an Ordinance should be brought before Council.

Ms. Millikin reported that all 2020 road paving projects have been completed, as well as the cape seal and the salt shed door. She mentioned that work continues on the White Rock agreement and she hopes to have a draft to Council by the end of September. Mr. Ryan stated that a title search is required. He said that the Association is struggling and that is why the process of developing an agreement is taking so long.

Ms. Millikin told Council that new dashboard reports will be sent tomorrow. She said that she had forwarded an email to Council from the Tax Collector, and the good news was that the collection rate for the first seven (7) days of August, 2020, equaled almost as much as total collections for August, 2019. She mentioned that the Tax Office has been very busy, and also that the Township has received almost \$800,000 in State Aid.

Ms. Millikin said Township Engineer Ed Haack has hired a new assistant, Erica Vinales. Chief Castimore said the Police Department has hired a new officer who is a transfer from Madison. Councilman Dunham asked for an updated list of officers and their badge numbers.

Ms. Millikin said she will be on vacation next week in Lake George.

9. COUNCIL REPORTS

Councilman Birmingham mentioned attending the Lake Hopatcong meeting to meet the Governor with his daughter. He said he attended the recent small business meeting. He commented that he did not think it was right that the Governor is giving grants to small businesses in counties which have already received money from the Federal government and mentioned that counties with populations of under 500,000, like Morris County, did not receive federal funding.

Councilman Dunham commended Police Officers Gjelsavik and Lou for their recent CPR save, and also commended Council President Finnegan for her CPR save. He reported attending the clap-out for Joanne Meyer. He thanked everyone involved in the storm response and said he thought the road paving updates were very helpful. Councilman Dunham thanked the Mayor for reaching out to the State representatives to advocate for businesses affected by Covid.

Councilwoman Merz congratulated Captain Bush on his promotion and congratulated Patty Romano on her move. She thanked everyone for their efforts during the storm and said that Mr. Mangold is a good communicator. She asked that when Mr. Eagen addresses the Council in September that he provide information on how much the pandemic has cost the Town and/or what has been saved due to the cancellation of programs.

Councilwoman Merz asked the Mayor and Administrator to look into updating the rest of the building as well as the Police Department. She referenced the recent Planning Board resolution regarding Charley's and said there had been some misstatements made in the testimony and these were now memorialized. She asked that the Clerk be notified of any future Land Use Board items involving liquor licenses so that correct information can be supplied to the Board.

Council Vice President Senatore said the Township's storm response was phenomenal. She thanked John Burns for keeping the fields in great shape for softball. She asked if a maintenance plan for the generators could be developed. Council Vice President Senatore thanked Council President Finnegan for volunteering and for her response to the incident on the lake. She said the lake is jammed and mentioned the Trump parade this weekend.

Council Vice President Senatore referenced Mr. Luciano's presentation and said she did not agree with some of the facts presented. She said she was concerned about misinformation going to the public. She mentioned that she felt that programs which rely on volunteers have changed due to both parents working.

Council President Finnegan thanked everyone for their efforts during the storm. She reported attending the Diversity Committee meet and greet as well as the small business meeting. She thanked everyone in town for supporting small businesses.

10. NEW BUSINESS

Resolution #20-181

Resolution Authorizing the Renewal of Liquor Licenses –Tri County Memorial Post 423 – American Legion – 1414-31-034-001

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- Tri County Memorial Post 423 - American Legion Liquor License Number #1414-31-034-001

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

11. MINUTES

June 10, 2020 (Regular) and June 24, 2020 (Regular)

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

July 15, 2020 (Regular - Merz Absent)

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

12. 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:**

- 20-182 Resolution Authorizing the Payment of Bills
- 20-183 Resolution Ratifying the Final Year Extension of the Existing Contract With Lawsoft, Inc. to Provide Proprietary Maintenance, Support and Updating Services For The Police Department Records Management System
- 20-184 Resolution to Approve 2019 Corrective Action Plan
- 20-185 Resolution Authorizing the Cancellation of Checks More Than Six (6) Months Old In The Jefferson Township Current Account #040834670 and Recreation Account #0205014380
- 20-186 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 20-187 Resolution Authorizing Change in Custodian of Petty Cash Fund
- 20-188 Resolution Authorizing Contracts With Certain Approved ESCNJ Contract Vendor for Contracting Units - Tandem Axle Hook Loader, Snow Plow, Spreader V-Box & Dump Body
- 20-189 Resolution Authorizing Contract For Purchase of Hurst Jaws of Life For Jefferson Township Fire Company #1 Through State Line Fire & Safety, The Authorized Vendor For Northeastern New Jersey
- 20-190 Resolution Authorizing the Renewal of Liquor Licenses – Tiny’s Inc – 1414-33-028-003
- 20-191 Resolution Authorizing the Renewal of Liquor Licenses – Milton Pines Inc (The Grill Room) – 1414-33-014-004
- 20-192 Resolution Authorizing the Renewal of Liquor Licenses – Takis Seretis Inc (Jefferson Diner) – 1414-33-006-010
- 20-193 Resolution Authorizing the Renewal of Liquor Licenses – The Daily Planet Inc. – 1414-33-011-008
- 20-195 Resolution Authorizing the Renewal of Liquor Licenses – A One Classic II LLC (Chabon’s Liquor & Bar) – 1414-33-008-009
- 20-196 Resolution Authorizing the Renewal of Liquor Licenses – Patel, Nakul – 1414-33-004-011
- 20-197 Resolution Authorizing the Transfer of Title to an Abandoned Motor Vehicle to SARS Auto Wreckers Inc. In Satisfaction of Vehicle Storage Charges
- 20-198 Resolution Authorizing the Transfer of Title to an Abandoned Motor Vehicle to Richie’s Auto & Collision In Satisfaction of Vehicle Storage Charges

Prior to the vote on the Consent Agenda, Councilwoman Merz requested that Resolution #20-194, Resolution Authorizing the Renewal of Liquor Licenses – Topsy Tom’s Tavern LLC (Charley’s) – 1414 -33-022-009, be removed for separate consideration and vote.

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

Resolution #20-194

Resolution Authorizing the Renewal of Liquor Licenses – Topsy Tom’s Tavern LLC (Charley’s) – 1414-33-022-009

Council expressed concern about the noise complaints and Executive Order (EO) violations. Chief Castimore said the establishment has been cited twice for EO violations and these have been forwarded to the Division of Alcoholic Beverage Control (ABC). He said that in addition to noise, another issue is the number of people at the establishment. He mentioned that people park in the deli parking lot and walk across the street to the bar. Mayor Wilsusen said another issue is that the owner is an absentee owner and lives out of state. Council consensus was to table the resolution and have further discussion at the next Council meeting.

VOTE TO TABLE

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

13. PUBLIC COMMENT

Council President Finnegan 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 Finnegan closed the public comment portion of the meeting.

14. EXECUTIVE SESSION

RESOLUTION #20-199 - 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.
 - Geib v. Township of Jefferson
 - Shared Service Agreement – Gun Range
 - Mason Street
- (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 **August 12, 2020 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.

Prior to the vote on the Executive Session, Councilman Birmingham said he thought the discussion on the gun range involved policy and that this should be discussed in public. Ms. Millikin said there is no policy involved and that this is just establishing a contract with the agencies who use the facility. She mentioned that the Police Department already has a Standard Operating Procedure (SOP) in place governing the policy for use of the range. Mr. Ryan affirmed that discussion on terms of a contract would be appropriate for an Executive Session discussion. Councilman Birmingham then said that a discussion about Mason Street had not been listed on the agenda that was on the website. Councilwoman Merz said she had asked for Mason Street to be included in the Executive Session. Ms. Reilly commented that the agenda uploaded to the website today included Mason Street and that Friday's agenda was to the extent known at the time.

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

15. ORDINANCES – FIRST READING- Township Clerk

ORDINANCE #20-18 - ORDINANCE REVISING THE SALARY RANGE OF POLICE CIVILIAN EMPLOYEE - RECORDS MANAGER OF THE TOWNSHIP OF JEFFERSON

WHEREAS, the Township Council of the Township of Jefferson, Morris County, New Jersey, adopted Ordinance #17-27, on **January 1, 2017**, Ordinances # 19-06, on **January 1, 2019**, and **Ordinance # 20-16, on January 1, 2020 (salary Ordinances)**, establishing the salary ranges and other benefits with reference to the officers and employees of the Township of Jefferson; and

WHEREAS, subsequent to the adoption of the salary Ordinances, the title of **Records Manager** has been added and an agreement reached, requiring amendment to the previously adopted salary Ordinances.

NOW, THEREFORE, BE IT ORDAINED, as follows:

SECTION ONE: The salaries and/or rates of compensation for the officers and employees of the Township of Jefferson, set forth in Ordinances 17-27, 19-06, 20-16, shall be revised by the addition of the following:

POLICE DEPARTMENT	MINIMUM	MAXIMUM
CIVILIAN EMPLOYEES		
POSITION		
Police Records Manager	\$53,396	\$68,396

SECTION TWO: Nothing herein shall be intended to amend or in any way change any collective negotiations agreements with reference to those officers or employees who are members of the collective bargaining unit, and to the extent that there is a discrepancy between any collective negotiations Agreement and the range of salaries or benefits set forth herein, the terms of the Collective Bargaining Agreement shall prevail.

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on **September 2, 2020**.

INTRODUCTION: AUGUST 12, 2020

ADOPTION:

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

16. ADJOURNMENT AT 9:30 PM

Council consensus was to start the September 2, 2020 Council meeting at 6:30 pm with an Executive Session, followed by the public portion of the meeting at 7:00 pm.

Motion made by Councilwoman Merz, second by Council Vice President Senatore to adjourn the meeting at 9:30 pm, with all members in favor signifying by "Aye"

August 12, 2020

 Michele Reilly, Township Clerk

 Kim Finnegan, Council President

CONSENT AGENDA RESOLUTION #20-182

"RESOLUTION AUTHORIZING THE PAYMENT OF BILLS"

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the current bills, dated **August 12, 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 #20-183

"RESOLUTION RATIFYING THE FINAL YEAR EXTENSION OF THE EXISTING CONTRACT WITH LAW SOFT, INC., TO PROVIDE PROPRIETARY MAINTENANCE, SUPPORT AND UPDATING SERVICES FOR THE POLICE DEPARTMENT RECORDS MANAGEMENT SYSTEM"

WHEREAS, the Township of Jefferson, utilizes a Records Management System, which also handles the fire departments emergency dispatch system under a license agreement with Law Soft, Inc., and

WHEREAS, the system requires maintenance, support and software for the benefit of the Township; and

WHEREAS, the Township previously purchased the system from Law Soft, Inc. as reflected in the Software License & Maintenance Agreement dated December 1, 2016 ("Existing Agreement"). The Existing Agreement includes pricing over a term of five (5) years, and the Township is entering into the final year of the Existing Agreement. The Existing Agreement contemplated an initial term of one (1) year and subsequent maintenance terms of one (1) year each. The maximum term of the contract could have been four (4) years under N.J.S.A. 40A:11-15. The Township has extended the contract term each year. The Township Council desires to proceed for one (1) additional year with this necessary, proprietary software based on the pricing within the Existing Agreement; and

WHEREAS, the proposed services by Law Soft, Inc. are exempt from public bidding, as support or maintenance of existing proprietary computer software, in accordance with section 40A:11-5(1)(dd) of the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*); and

WHEREAS, the Township Administrator, has filed the attached certification, describing the nature of the services, verifying that the services are proprietary to Law Soft, Inc., and recommending acceptance of the proposal from Law Soft, Inc.; and

WHEREAS, the Township is permitted by law (*N.J.S.A. 19:44A-20.2, et seq.*) to authorize a contract without publicly advertised competition if the contract is likely to exceed \$17,500.00 or if the contract, when combined with other contracts entered into during the year with the same contractor, is likely to exceed \$17,500.00 in the aggregate, so long as (a) the contract is exempt from public bidding under the Local Public Contracts Law and (b) the contractor, as defined in the law, (i) has not made certain political contributions for one year preceding the award of a contract, (ii) will not make any such political contributions during the term of the contract and (iii) has filed a disclosure of certain political contributions made during the past 12 months; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b) a certificate showing availability of funds has been provided to the Township by the Chief Financial Officer of the Township, certifying that funds for said contract are available and are designated to a line item appropriations designated below and totaling **\$35,000.00**.

0-01-25-250-250-278
T-15-56-860-000-853

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson that the Township Administrator is authorized to proceed with the Existing Agreement for one (1) final year, and contract with Law Soft, Inc. 15 Hamburg Turnpike, Suite #2, Bloomingdale, NJ 07403 for maintenance, support and upgrades for the Police Department's Record Management System maintenance and updates **in an amount not to exceed \$35,000.00**.

CONSENT AGENDA RESOLUTION #20-184

"RESOLUTION TO APPROVE 2019 CORRECTIVE ACTION PLAN"

WHEREAS, all municipalities operating under the Local Public Authorities Fiscal Control Act must prepare and submit a Corrective Action Plan as part of their Annual Audit process; and

WHEREAS, the Township of Jefferson has by Resolution accepted the **2019 Audit** as prepared and presented by the Township Auditors; and

WHEREAS, William Eagen, the Chief Financial Officer for the Township of Jefferson has prepared a Corrective Action Plan to address the Findings and Recommendations for the **2019 Audit** and presented copies of same to the Jefferson Township Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that the **2019 Corrective Action Plan** be approved for submission to the Division of Local Government Services.

CONSENT AGENDA RESOLUTION #20-185

**"RESOLUTION AUTHORIZING THE CANCELLATION OF CHECKS MORE THAN SIX (6) MONTHS OLD
IN THE JEFFERSON TOWNSHIP CURRENT FUND ACCOUNT# 40834670 AND RECREATION ACCOUNT #0205014380"**

WHEREAS, the Finance Office recommends the following outstanding checks be cancelled as they are more than six (6) months old; and

WHEREAS, the Mayor of the Township of Jefferson does recommend said outstanding checks be cancelled.

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 cancel the listed checks and issue one check to the Jefferson Township Current Account #040834670 **in the amount of \$105.19**.

<u>CHECK #</u>	<u>AMOUNT</u>
56495	\$47.19
5017	\$20.00
5038	\$18.00
5041	\$20.00
<u>TOTAL</u>	<u>\$105.19</u>

CONSENT AGENDA RESOLUTION #20-186

"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
		NJSL 301, LLC	\$44,572.36	5	2020
553	5	\$21,779.87			
557	4	\$22,792.49			
553	5	NJSL 301, LLC	\$33,000.00	10	2020
300	19	LIEN TIMES, LLC	\$17,497.54	5	2020
300	19	LIEN TIMES, LLC	\$24,800.00	10	2020
509.01	5.10	LERETA	\$ 2,416.95	6	2020
522	9.11	AMERICAN TITLE	\$ 3,088.10	6	2020
35	8	ZWIREN TITLE AGENCY	\$ 1,907.50	6	2020
			TOTAL	\$127,282.45	

CONSENT AGENDA RESOLUTION #20-187

“RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF PETTY CASH FUND”

WHEREAS, former Police Chief Sean Conrad was custodian of the Police Department Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township Council of the Township of Jefferson is changing custodians to Police Chief Paul Castimore; and

WHEREAS, the Township has a Blanket Surety Bond covering all municipal employees in the amount of \$1,000,000 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

CONSENT AGENDA RESOLUTION #20-188

“RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED ESCNJ CONTRACT VENDORS FOR CONTRACTING UNITS – TONY SANCHEZ LTD.”

WHEREAS, the Township of Jefferson may, by resolution and without advertising for bids, in accordance with N.J.S.A. 40A:11-11 of the Local Public Contracts Law, purchase goods or services under the **New Jersey State Approved Educational Services Commission of New Jersey (ESCNJ) Co-op (#65MCESCCPS) contracts entered into on behalf of said Commission**; and

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

WHEREAS, ESCNJ Contract 17/18-30 was awarded to **Tony Sanchez Ltd., P.O. Box 649, Stanhope, New Jersey, 07874 for Tandem Axle Hook Loader, Snow Plow, Spreader V-Box and Dump Body**; and

WHEREAS, the Township of Jefferson desires to purchase **one (1) each Tandem Axle Hook Loader, Snow Plow, Spreader V-Box and Dump Body in an amount not to exceed \$145,336.70** through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current **the ESCNJ 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 **\$145,336.70**.

C-01-26-260-291-229	\$44,505.76	Road Dept. Other Parts
C-04-55-918-009-903	\$20,379.94	Roads – Dump Truck
C-04-55-919-011-903	\$80,451.00	DPW – Dump Truck(s)

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) each Tandem Axle Hook Loader, Snow Plow, Spreader V-Box and Dump Body in an amount not to exceed \$145,336.70 from Tony Sanchez Ltd., P.O. Box 649, Stanhope, New Jersey, 07874**.

CONSENT AGENDA RESOLUTION #20-189

“RESOLUTION AUTHORIZING CONTRACT FOR PURCHASE OF HURST JAWS OF LIFE FOR JEFFERSON TOWNSHIP FIRE COMPANY #1 THROUGH STATE LINE FIRE & SAFETY, THE AUTHORIZED VENDOR FOR NORTHEASTERN NEW JERSEY”

WHEREAS, Jefferson Township Fire Company #1 has the immediate need to purchase certain Fire Equipment; and

WHEREAS, the Township of Jefferson sought quotes for certain Hurst Jaws of Life equipment which is compatible with existing Hurst equipment owned and used by the Fire Company; and

WHEREAS, the Township was unable to obtain multiple quotes for the equipment and was informed that State Line Fire & Safety from Park Ridge, New Jersey has the exclusive contract to provide Hurst Jaws of Life and is the only vendor that can provide this equipment in the Northeastern Areas; and

WHEREAS, the Township, on behalf of Jefferson Township Fire Company #1, desires to purchase **one (1) Hurst Jaws of Life (equipment listed on the attached schedule)** in the total amount of **\$25,180.40** through this resolution and a properly executed contract, which shall be subject to all the conditions applicable; and

WHEREAS, the contract is being awarded pursuant to N.J.S.A. 40A:11-6.1.a since the cost is more than fifteen percent (15%) of the Township's quote threshold but less than the Township's bid threshold, after seeking quotes to the extent practicable; 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 **\$25,180.40**.

C-04-55-920-013-906

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) Hurst Jaws of Life (equipment listed on the attached schedule) in the amount of \$25,180.40 from State Line Fire and Safety, 50 Park Avenue, Park Ridge, New Jersey, 07656.**

CONSENT AGENDA RESOLUTION #20-190

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
TINY’S INC. (TINY’S TAVERN) - 1414-33-028-003”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- Tiny’sInc. (Tiny’s Tavern) Liquor License Number #1414-33-028-003
-

CONSENT AGENDA RESOLUTION #20-191

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
MILTON PINES INC (THE GRILL ROOM) - 1414-33-014-004”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- Milton Pines Inc (The Grill Room) Liquor License Number #1414-33-014-004
-

CONSENT AGENDA RESOLUTION #20-192

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
TAKIS SERETIS INC. (JEFFERSON DINER) - 1414-33-006-010”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- Takis Seretis Inc. (Jefferson Diner) Liquor License Number #1414-33-006-010

BE IT FURTHER RESOLVED that the following conditions apply:

1. Applicant shall remain in compliance with Planning Board Site Plan alteration for maximum number of patrons dated June 14, 2011; inside seating will be marked reserved when outdoor seating is in use.
-

CONSENT AGENDA RESOLUTION #20-193

**RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
THE DAILY PLANET INC. - 1414-33-011-008”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- The Daily Planet Inc. Liquor License Number #1414-33-011-008

CONSENT AGENDA RESOLUTION #20-194

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
TIPSY TOMS TAVERN LLC (CHARLEY’S TAVERN) - 1414-33-022-009”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- Tipsy Toms Tavern LLC (Charley’s Tavern) Liquor License Number #1414-33-022-009

BE IT FURTHER RESOLVED that the following conditions apply:

1. **Outdoor music** is prohibited in any form, whether live or recorded, amplified or unamplified, and whether through speakers or otherwise piped in **after 10:00 pm**.
2. All doors and windows will be **closed at 10:00 pm** when there is indoor music of any kind, live or recorded, amplified or unamplified, and whether through speakers or otherwise piped in.
3. **Port-a-johns** are prohibited on the property.
4. **Occupancy** including the patio and gazebo area shall be limited to the occupancy assigned to the 1st floor footprint of the building as determined by the Building Department and Fire Official and as stated on the Certificate of Occupancy.
5. **Service of food and beverages**, including alcoholic beverages, is limited to the 1st floor footprint of the building; **service of food and beverages is prohibited in the patio and gazebo areas**.
6. **Exterior seating** is prohibited beyond the 1st floor footprint of the building and patio/gazebo area.
7. **Exterior chairs, tents, umbrellas and the like** are prohibited beyond the 1st floor footprint of the building, except such chairs, tables, umbrellas and the like as may be safely and reasonably placed within the exterior patio/gazebo area.
8. All **vehicles** owned or operated by patrons must be removed from the premises within **forty-five (45)** minutes of closing.
9. A **privacy fence** must be maintained and surround the patio and gazebo areas and **no egress** is permitted from the fenced in area onto Route 181.

CONSENT AGENDA RESOLUTION #20-195

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
A ONE CLASSIC II LLC (CHABONS LIQUOR & BAR) - 1414-33-008-009”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Jefferson approves the application for renewal of liquor licenses for the following establishment for the period **July 1, 2020 to June 30, 2021**:

- A One Classic II LLC (Chabons Liquor & Bar II) Liquor License Number #1414-33-008-009

CONSENT AGENDA RESOLUTION #20-196

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES – PATEL, NAKUL –
LICENSE NUMBER 1414-33-004-011”**

WHEREAS, the Township Council, Township of Jefferson, County of Morris, State of New Jersey has received applications for renewal of liquor licenses; and

WHEREAS, the following establishment has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor licenses for the year **2020-2021**; and

WHEREAS, a Special Ruling pursuant to the provisions of N.J.S.A. 33:1-12.39 has been received from the Director of the Division of Alcoholic Beverage Control authorizing the municipal issuing authority to consider the application for renewal of the subject license for the **2020-2021** license term.

