

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

SEPTEMBER 15, 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 – Township Clerk

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

Ms. Reilly called the roll. All Council members were present. Also in attendance were Administrator Debi Millikin, Mayor Eric Wilsusen, Chief Paul Castimore, Detective Sergeant Sean Krater, and Office of Emergency Management Coordinator Ed Mangold.

4. SPECIAL PRESENTATIONS

There were no special presentations on September 15, 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.

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

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

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

The PUBLIC HEARING on this Ordinance was held on September 2, 2020.

Prior to the vote for adoption, Ms. Millikin said the recommendation by legal counsel was to table the Ordinance again as items are still pending. She stated that, per conversation with the Township Attorney, if no action was taken at the October 7th meeting, the Ordinance would have to be reintroduced.

INTRODUCTION: AUGUST 12, 2020

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			

TABLED: SEPTEMBER 2, 2020

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			

TABLED: SEPTEMBER 15, 2020

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			

ORDINANCE #20-19 – ORDINANCE AMENDING CHAPTER 146 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE ENTITLED “ANIMALS”, SPECIFICALLY SECTION 146-16, “VIOLATIONS AND PENALTIES”

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 146 of the Jefferson Township Municipal Code entitled “Animals” is hereby amended by amending the following Subsection §146-16, as follows:

SECTION I

§146-16. Violations and Penalties

B. Penalties for dogs running at large.

- (1) Any person who shall violate §146-11 shall be liable to a fine of not less than \$50 nor more than \$500, plus costs of court, for the first offense and to a fine of not less than \$100 nor more than \$1,000, plus costs of court, for a second offense and each offense thereafter, in the discretion of the court.
- (2) Any person who shall be deemed to suffer a dog previously determined to be vicious under §146-12 to run at large shall be liable to a fine of not less than \$200 nor more than \$500, plus costs of court, for the first offense or to imprisonment for a period of not more than 10 days, or both, in the discretion of the court, and to a fine of not less than \$300 nor more than \$1,000, plus costs of court, in the discretion of the court, for a second offense and each offense thereafter.
- (3) Any owner who suffers a vicious dog to run at large with the Township shall, in the event that said animal is deemed to have bitten any person or other domestic animal, be subject to a fine of not less than \$300 and not more than \$1,000.

C. All other offenses for which a penalty is not provided under this section shall be subject to a fine not exceeding \$500.

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 **September 15, 2020**.

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

PUBLIC HEARING

Council President Finnegan 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 Finnegan closed the public hearing.

INTRODUCTION: SEPTEMBER 2, 2020 ADOPTION: SEPTEMBER 15, 2020

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

7. COUNCIL AND MAYOR DISCUSSION

There were no items for Council and Mayor Discussion on September 15, 2020.

8. ADMINISTRATIVE REPORTS OF MAYOR AND ADMINISTRATOR

Mayor Wilsusen reported that Covid numbers have been creeping up in in the last two (2) weeks. He said Mason Street posted on their website that they had two (2) cases. He said the cases were not related to indoor dining.

Mayor Wilsusen stated that indoor dining is now an option and some establishments have taken advantage of this opportunity. He said the Township's Health Department is doing a ton of work and he appreciates their efforts.

Mayor Wilsusen reported on the Police Department's promotional interviews and said effective tomorrow, Detective Sergeant Krater will be promoted to Lieutenant and Patrolman Stokes will be promoted to Sergeant.

Mayor Wilsusen stated that he attended a Lake Hopatcong Mayors meeting. He said all four (4) Mayors meet, along with the Lake Hopatcong Foundation and Lake Hopatcong Commission, to make sure they are on the same page. He mentioned that training will occur for some of the Department of Public Works (DPW) employees and the attempt will be made to share services when possible.

Mayor Wilsusen thanked Pack 49 for their efforts in hosting the September 11th ceremony. He also thanked Code Enforcement Officer Joe Macaluso, who brought the speaker. Mayor Wilsusen said it was a great ceremony and he appreciates the Cub Scouts continuing to coordinate this important event.

Mayor Wilsusen announced that he is hosting staff appreciation barbeques the next two (2) Fridays to show appreciation for all the hard work being done by Township employees. He said this Friday is the barbeque for white collar employees and next Friday will be the barbeque for Blue Collar employees.

Mayor Wilsusen said the Junior Women's Club and the Blue Star Mothers are selling "hometown hero" banners for sale and they cost \$80.00 per banner. He said the banners will be placed next to the Veterans Memorial.

Ms. Millikin told Council the dashboard reports for August were emailed. She said construction revenue has increased due to the adoption of the Ordinance increasing fees, and that court revenue is down due to Covid.

Ms. Millikin reported that Mr. Mangold went to the County meeting regarding work on the bridge near Valley Road off Berkshire Valley. She said construction will take four to six (4-6) months and traffic will be alternating lanes.

Ms. Millikin said the bids for the HVAC units are due September 30th, and the three (3) generator bids are due October 7th. She said the generators will be placed at the Acme, Berkshire Ridge, and the White Rock Sewer Plant.

Ms. Millikin announced that the Township will be returning to the traditional way of assessing properties next year pursuant to the Pella LLC vs. City of Paterson decision.

Ms. Millikin reported attending the September 11th ceremony and said the speaker from the Port Authority Police was very powerful.

9. COUNCIL REPORTS

Councilman Birmingham stated he attended the first non-virtual Library Board meeting, the September 11th ceremony, and the Historical society open house.

Councilman Birmingham commented on the rolling assessments and their potential impact on State Aid and said he didn't understand why the State wouldn't release the formula. Mayor Wilsusen said even State legislators cannot obtain the formula and the State Department of Education will not release it.

Councilman Dunham reported attending the September 11th ceremony and the Historical Society open house. He asked Ms. Millikin for an update on the electric program. Ms. Millikin said all paperwork has been signed and she believes the advertising for public sessions will begin in November/December. She said residents will have the ability to opt out in January/February and the supplier will be going out to bid for rates in February/March.

Councilman Dunham mentioned that the State has received OEM funding and asked if the County has received any of this money. Mr. Mangold said no funding has been received as of 10:00 am this morning. Councilman Dunham asked the Mayor if he could call the Freeholders about this issue. Mr. Mangold said the Township has replenished a six (6) month supply of personal protective equipment (PPE).

Councilwoman Merz congratulated soon to be Lieutenant Krater and soon to be Sergeant Stokes and told the Mayor she likes his transparent and open approach to hiring and promotions. She stated that she met with Kalen Luciano and Ina Joseph and one concern they expressed was the Township interviewing people of color and that everyone is treated the same. Mayor Wilsusen said the Township is bound by civil service rules and he can pick any one of the top three (3) candidates. He said he utilizes the Rule of 3 as well as the Oral Review Board.

Councilwoman Merz mentioned this month is Suicide Awareness Month and said she would be viewing a Zoom hosted by the Mental Health Association of New Jersey on September 17th at 6 pm. She said the webinar will focus on suicide prevention. She also mentioned attending the September 11th ceremony.

Councilman Merz said that Chatham Township had sent a resolution opposing the rate increases requested by JCP&L and asked if other Council members would be interested in placing this resolution on the next agenda.

Council Vice President Senatore thanked Grace Rhinesmith and John Burns for their efforts with the recreation fields and said it's great to see the kids out and about playing sports. She mentioned that the school year so far has been rough and the school is in need of substitute teachers. She asked Mr. Mangold if he could put out alerts during the bridge work so commuters like herself would remain aware of the issues in the area.

Council President Finnegan said she was sorry she missed the September 11th ceremony but that she was out of town. She said today is "thank a policeman" day and congratulated Sean Krater and Jim Stokes on their promotions.

Council President Finnegan mentioned that Jefferson Rescue is selling house numbers, and that having a visible house number is important in case emergency services are needed. She reminded everyone to be careful with the increase in Covid cases. She thanked Mr. Mangold and Ms. Millikin for their updates and said she was glad Councilwoman Merz had mentioned Suicide Awareness Month.

Ms. Millikin mentioned the garbage contract award that is listed on the Consent Agenda. She detailed the different proposals and said she and the Mayor were recommending the Council award proposal A for five (5) years to Blue Diamond. She said the biggest change for residents will be the change to dual stream recycling but that there is no longer a market for single stream.

Mayor Wilsusen said his office received over two thousand (2,000) responses to the garbage survey and that most people didn't want any changes to the current contract. He said the average home will pay \$297 for a "soup to nuts" garbage contract next year and he was very happy with how the bids came in. Mayor Wilsusen mentioned that towns aren't required to provide a garbage service but could choose to let every homeowner contract this service on their own.

Councilman Birmingham said that he and Council Vice President Senatore were on the garbage committee and that Blue Diamond is a fantastic vendor.

Council President Finnegan asked for a Council consensus on the resolution opposing the JCP&L rate increases. Council consensus was that this resolution should be placed on the next Council meeting agenda.

Ms. Reilly commented on the flyer sent out by the post office which she said has caused a lot of confusion as it states that you must request your mail-in ballot. She said that in New Jersey, every registered voter will automatically be mailed a ballot per the Governor's Executive Order. She also mentioned that even though the Post Office is recommending a voter mail in the ballot at least seven (7) days before election day, there would be other options, such as the drop box to be installed outside the municipal building or even bringing your ballot to the polling location on Election Day.

10. ORDINANCES – FIRST READING

There were no Ordinances for introduction/first reading on September 15, 2020.

11. UNFINISHED BUSINESS

Mr. Ryan stated that the Township received a letter of appearance from Attorney John Williams who is going to be requesting the Council table and carry Resolution #20-194 to October 7th in order to give him the chance to work with client and the Township on the liquor license conditions.

Mr. Williams introduced himself, Donna Toney, the owner of Charley's, and Amanda Lear, the Manager of Charley's, and requested that the Council hear the licensee's side of the story. He said he would like to present the Council with a full package and that is why he was requesting additional time. He mentioned that there are questions about the licensed premises and a pending application for a transfer. Mr. Williams said that their goal is to work cooperatively with the Township and the Clerk. He stated that Charley's is currently using two (2) security guards on a regular basis, especially when parking occurs across the street. Mr. Williams mentioned that, if necessary, he will obtain an ad interim permit to allow the licensee to remain open as the deadline for the license renewal is September 30th.

Councilman Dunham asked Ms. Toney when she started using the two (2) security people and she said the last weekend in July. Councilman Dunham asked Mr. Williams why Council wouldn't want to adopt the resolution and then work on any changes. He said he wanted to hear from the Police Department.

Chief Castimore said the Township notified the ABC of certain violations and that they have been handled. Detective Sergeant Krater said the Township Police had observed Executive Order (EO) violations and had sent them to the ABC, who then reviewed them and took action. Chief Castimore said the ABC also sent out their own investigators.

Mr. Ryan stated that procedurally, the Township is prepared to hear a report from the Police Department.

Councilwoman Merz asked Mr. Williams when he had been retained and said it made no sense to her to table the resolution. Councilman Birmingham agreed that the Council should proceed. Councilwoman Senatore pointed out that only conditions #10-#13 are new to the license and Council President Finnegan stated out that many of the liquor licenses in town have the same or similar conditions.

Motion made by Councilwoman Merz, second by Councilman Dunham, to proceed with the hearing on the liquor license renewal and conditions, with all members in favor signifying by "Aye".

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			

HEARING ON LIQUOR LICENSE RENEWAL - #1414-33-022-009 – TIPSYP TOM'S TAVERN LLC (d/b/a CHARLEY'S TAVERN)

Sean Patrick Krater was sworn in to give testimony. He said the Police responded to Charley's tavern on the following dates: July 17th, July 24th, July 30th, August 1st, August 25th, and September 11th. He said Executive Order violations were observed on July 24th and August 1st. Chief Castimore said there was no indication in the police reports that security was present. He said some of the incidents involved noise complaints reported from an Alpine Drive resident. Det. Sgt. Krater said the July 30th incident involved an assault.

Ms. Toney stated that she hired security after the August 1st incident. Councilman Birmingham said he felt this was reactive on her part. He said only conditions #10-#13 are new and that Ms. Toney had just indicated that she was already complying with some of the conditions.

Det. Sgt. Krater said the establishment was closed for a time due to Covid-19. He stated that when the establishments in town opened, they were all given copies of the Executive Order #150.

Mr. Williams stated that he was going to object to all the special conditions on the license and that he wanted the Clerk to put the pending transfer application on hold. He reiterated that the licensee started security at the end of July and that it will be maintained on Friday and Saturday nights. Mr. Williams said he feels it is in the best interest of both parties to work together.

Mr. Ryan said Council's options were to vote on the resolution, amend the resolution or table the resolution.

Ms. Toney said that she has two (2) security people on the premises and it seems to be working out well. She said she feels like three (3) would be overkill and also expensive, especially since they are limiting the number of people to sixty (60). She also stated that she is not asking people to park across the street.

Det. Sgt. Krater pointed out that the establishment is not entitled to have sixty (60) people but only forty-nine (49).

Councilman Dunham said he could live with two (2) security people as a condition. Councilwoman Merz agreed.

Motion made by Councilwoman Merz, second by Council Vice President Senatore, to proceed with the vote on Resolution #20-194, Resolution Authorizing the Renewal of Liquor Licenses – Topsy Toms Tavern LLC (Charley's Tavern) – 1414-33-022-009.

Motion to amend the Resolution by Councilman Birmingham, second by Councilman Dunham, specifically Condition #10, as follows "licensee shall provide two (2) security personnel on the premises for Friday and Saturday night from 9:00 pm to 3:30 am. At least one of the security personnel on a rotating basis will be responsible for monitoring activities in the outside parking lot":

Ms. Toney stated she would have one (1) security person stationed at the front door and one (1) person outside in the patio area. She said the only entrance is through the front door.

Resolution #20-194

Resolution Authorizing the Renewal of Liquor Licenses – Topsy 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**:

- Topsy 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.
10. Licensee shall provide two (2) security personnel on the premises for Friday and Saturday night from 9:00 pm to 3:30 am. At least one of the security personnel on a rotating basis will be responsible for monitoring activities in the outside parking lot.
11. All security shall have shirts and/or indoor/outdoor jackets which clearly identify them as security personnel.
12. All security personnel shall provide their names, addresses and cell phone numbers to the local Police Department.
13. All security personnel will be fingerprinted as requested by the Jefferson Township Police Department.

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

12. CONSENT AGENDA* – Township Clerk

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

***PERMITS/LICENSES**

- Kennel License #20-06
 Masonhaus
 July 1, 2020 Through June 30, 2021

***APPOINTMENTS**

- None

***CONSENT AGENDA RESOLUTIONS:**

- 20-220 Resolution Authorizing the Payment of Bills
- 20-221 Resolution Authorizing the Refund of Overpayment(s) of Taxes
- 20-222 Resolution Authorizing the Reduction of Taxes Due To Approved State Tax Appeals – Block 89, Lot 9
- 20-223 Resolution Affirming the Cancellation of Tax Overpayment(s) Or Delinquent Amount(s) Less Than \$10.00

- 20-224 Resolution Authorizing Refund of Overpayment(s) of Recreation Fees
- 20-225 Resolution Authorizing The Cancellation of Utility Overpayment(s) Or Delinquent Amount(s) Less Than \$10.00
- 20-226 Resolution Authorizing Contract With Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a - SHI International Corp
- 20-227 Resolution Authorizing Change Order No. 1 – Weatherproofing Technologies, Inc. (ESCNJ Contract) – Lakeside Pavilion Roof
- 20-228 Resolution Authorizing Contract For Solid Waste and Recyclable Material Collection- GAR-20-1 – Blue Diamond Disposal, Inc.
- 20-229 Resolution Authorizing the Renewal of Liquor Licenses – Jefferson House Corp – 1414-33-012-003
- 20-230 Resolution Authorizing the Renewal of Liquor Licenses - New Club 15 Inc. – 1414-33-016-018
- 20-231 Resolution Authorizing the Renewal of Liquor Licenses – The VGB Group (Bella Vista) – 1414-33-002-009
- 20-232 Resolution Authorizing the Renewal of Liquor Licenses – Tomdi Inc. (Taphouse 15) – 1414-33-018-008
- 20-233 Resolution Authorizing the Renewal of Liquor Licenses – Big Sky Corp (Black Bear) – 1414-33-019-008
- 20-234 Resolution Authorizing the Renewal of Liquor Licenses – Berkshire Valley Ventures LLC (Valley Tavern) – 1414-33-007-011
- 20-235 Resolution Authorizing the Renewal of Liquor Licenses – Bash & Bela Inc (Casa Bianca) – 1414-33-030-007

Councilman Dunham asked Ms. Millikin how the Administration would communicate and educate the change in recycling procedures. Ms. Millikin said once Council takes action the Administration will use social media.

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			

14. 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.

15. ADJOURNMENT AT 8:47 PM

Motion made by Councilwoman Merz, second by Council Vice President Senatore to adjourn the meeting at 8:47 pm, with all members in favor signifying by "Aye"

September 15, 2020

 Michele Reilly, Township Clerk

 Kim Finnegan, Council President

CONSENT AGENDA RESOLUTION #20-220

"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 **September 15, 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 #20-221

"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
321	38	BALA PARTNERS LLC	\$24,044.40	5	2020
321	38	BALA PARTNERS LLC	\$22,500.00	10	2020
			TOTAL	\$46,544.40	

CONSENT AGENDA RESOLUTION #20-222

“RESOLUTION AUTHORIZING THE REDUCTION OF TAXES DUE TO APPROVED STATE TAX APPEALS - BLOCK 89 LOT 9”

WHEREAS, the Tax Collector of the Township of Jefferson has determined that action is required as a result of the 2019 tax reduction granted by the Tax Court of New Jersey; and

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellation, which is set forth along with the Name and Block and Lot of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that the required tax cancellations be made for 2019:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>TAX CANCELLATION</u>	<u>YEAR</u>
89	9	BELL MANOR APARTMENTS LLC	\$2,061.75	2019

CONSENT AGENDA RESOLUTION #20-223

“RESOLUTION AFFIRMING THE CANCELLATION OF TAX OVERPAYMENT(S) OR DELINQUENT AMOUNT(S) LESS THAN \$10.00”

WHEREAS, N.J.S.A. 40A:5-17.1 allows for the cancellation of property tax overpayments or delinquent amounts less than \$10.00; and

WHEREAS, the Governing Body passed Resolution #20-13 Authorizing the Tax Collector to process any cancellation of property tax overpayments or delinquent amounts less than \$10.00; and

WHEREAS, the Tax Collector is desirous of cancelling property tax overpayments or delinquent amounts less than \$10.00 prior to the upcoming Tax Sale; and

WHEREAS, the Tax Collector requests the Governing Body’s affirmation of the cancellation of the following amounts.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey that Resolution #20-13 is affirmed and the Tax Collector is hereby authorized to cancel said tax amounts as listed below.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>YEAR/TYPE</u>
189	11	Fucci, Ralph – 38 Cove Rd	\$6.10	2019/tax
			TOTAL	\$6.10

CONSENT AGENDA RESOLUTION #20-224

“RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT(S) OF RECREATION FEES”

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

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

WHEREAS, the Recreation Department 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 refund such overpayment(s) as hereafter shown below:

CODE OF REASONS

- | | | |
|----------------------|-------------------------|----------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment | 3. Withdrawal from Program |
| 4. Program Cancelled | 5. Expelled Participant | |

<u>PAYEE</u>	<u>PROGRAM</u>	<u>AMOUNT</u>	<u>CODE</u>
Kelly Fleming 14 Winding Hollow Drive Oak Ridge, NJ 07438	2020 Summer Mixed Yoga	31.50	3
	Total Refunds:	31.50	

CONSENT AGENDA RESOLUTION #20-225

**“RESOLUTION AUTHORIZING THE CANCELLATION OF UTILITY OVERPAYMENT(S)
 OR DELINQUENT AMOUNT(S) LESS THAN \$10.00”**

WHEREAS, Public Law 2013, Chapter 54 allows a Governing Body to authorize the cancellation of any delinquent charges or fees imposed by the municipality, so long as the delinquency is less than \$10.00; and

WHEREAS, the Director of Utility recommends the following adjustments of amounts less than \$10.00 be authorized.

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 to adjust the accounts as listed below.

BLOCK	LOT	NAME	AMOUNT	YEAR
509	3.03	Thomas/Robin Zarzecki 1 Mackenzie Lane Oak Ridge, NJ 07438	\$4.14	2019
509	3.10	Christopher/Jill Freeland 10 Mackenzie Lane Oak Ridge, NJ 07438	\$0.92	2019
120	41.01	Vicki Leach/Kristen Padaski 28 Harbor Drive Lake Hopatcong, NJ 07849	\$1.87	2019
250.03	11	Mark Van Winkle/Carolina Cuan 134 Aspen Court Lake Hopatcong, NJ 07849	\$4.31	2019
		TOTAL	\$11.24	

CONSENT AGENDA RESOLUTION #20-226

**“RESOLUTION AUTHORIZING CONTRACT WITH CERTAIN APPROVED
 STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a
 -SHI INTERNATIONAL CORP.”**

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 utilizing **State contracts**; and

WHEREAS, **State Contracts #M-0003 (A89851)** was awarded to **SHI International Corp, 290 Davidson Avenue, Somerset, New Jersey, 08873** for Software and Related Services; and

WHEREAS, the Township of Jefferson desires to purchase **software and related services in an amount not to exceed \$100,000.00** 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 \$100,000.00**.

- 0-01-20-140-140-268
- 0-01-25-250-250-267
- C-04-55-919-012-910
- C-04-55-919-012-911
- C-04-55-920-010-910
- C-04-55-920-010-911

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 **software and related services in an amount not to exceed \$100,000.00 from SHI International Corp, 290 Davidson Avenue, Somerset, New Jersey, 08873**.

CONSENT AGENDA RESOLUTION #20-227

**“RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR WEATHERPROOFING TECHNOLOGIES, INC.
 (ESCNJ CONTRACT) - LAKESIDE PAVILION ROOF”**

WHEREAS, Resolution #20-119 authorized a contract with **Weatherproofing Technologies, Inc. (ESCNJ Contract #19/20-15)**, for a new roof for Lakeside Pavilion; and

WHEREAS, Resolution #20-119 authorized the Township Administrator to purchase a **new roof for Lakeside Pavilion** in an **amount not to exceed \$31,715.87**; and

WHEREAS, the Township Parks Supervisor has submitted and recommended **Change Order No. 1** in the amount of **\$1,981.44** to reflect **an adjusted price for plywood replacement upon the Pavilion Roof**, increasing the contract total to **\$33,697.31**; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby approves **Change Order No. 1 in the amount of \$1,981.44 to Weatherproofing Technologies, Inc. 3735 Green Road, Beachwood, Ohio, 44122.**

CONSENT AGENDA RESOLUTION #20-228

“RESOLUTION AUTHORIZING CONTRACT FOR SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION - GAR-20-1 - BLUE DIAMOND DISPOSAL, INC.”

WHEREAS, the Township of Jefferson received bids for **Solid Waste and Recyclable Material Collection– GAR-20-1 on September 1, 2020 at 11:00 am;** and

WHEREAS, the bids sought were for contract terms from one (1) to five (5) years and had options for four (4) different proposals as listed below; and

- Proposal A: twice/week trash pickup, dual stream recycling once per week (alternating between co-mingled and cardboard), vegetative waste pickup commencing the first Wednesday in April and ending the second Wednesday in December, Christmas tree pickup in January.
- Proposal B: once/week trash pickup and everything else as in Proposal A
- Proposal C: twice/week trash pickup, dual stream recycling, six (6) weeks of vegetative waste pickup in the spring and six (6) weeks in the fall, no Christmas tree pickup.
- Proposal D: once/week trash pickup and everything else as in Proposal C

WHEREAS, **Blue Diamond Disposal, Inc., P.O. Box 267, Succasunna, New Jersey, 07876** was the lone responsible bidder with bid amounts as listed below; and

TERM	PROPOSAL A	PROPOSAL B	PROPOSAL C	PROPOSAL D
Year 1 (2021)	\$2,604,000.00	\$2,604,000.00	\$2,544,000.00	\$2,544,000.00
Year 2 (2022)	\$2,682,000.00	\$2,682,000.00	\$2,622,000.00	\$2,622,000.00
Year 3 (2023)	\$2,760,000.00	\$2,760,000.00	\$2,700,000.00	\$2,700,000.00
Year 4 (2024)	\$2,844,000.00	\$2,844,000.00	\$2,784,000.00	\$2,784,000.00
Year 5 (2025)	\$2,844,000.00	\$2,844,000.00	\$2,784,000.00	\$2,784,000.00

WHEREAS, the Township Engineer, Edward L. Haack, and Township Administrator & QPA, Debra Millikin, recommend the award to **Blue Diamond Disposal, Inc. of Succasunna, New Jersey;** and

WHEREAS, the Township Engineer and Township Administrator & QPA recommend the following contract terms: **Proposal A for a period of five (5) years commencing January 1, 2021 and ending on December 31, 2025 in the amount of \$13,734,000.00;** and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b) a certificate showing availability of funds for the budget year of 2021 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 **\$2,604,000.00.**

1-16-56-850-800-202

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jefferson, County of Morris and State of New Jersey, that the Township Council does hereby award the contract for **Solid Waste and Recyclable Material Collection, GAR-20-1, to Blue Diamond Disposal, Inc., P.O. Box 267, Succasunna, New Jersey for a period of five (5) years commencing January 1, 2021 and ending on December 31, 2025, in the amount of \$13,734,000.00.**

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to sign the contracts for the **Solid Waste and Recyclable Material Collection – GAR-20-1.**

CONSENT AGENDA RESOLUTION #20-229

“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES – JEFFERSON HOUSE CORP- 1414-33-012-003”

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:**

- Jefferson House Corp Liquor License Number #1414-33-012-003

CONSENT AGENDA RESOLUTION #20-230

“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES – NEW CLUB 15 INC (CLUB 15) - 1414-33-016-018”

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**:

- New Club 15 Inc. Liquor License Number #1414-33-016-018

BE IT FURTHER RESOLVED that the following conditions apply:

1. Licensee shall provide three security personnel on the premises for Friday and Saturday night from 11:00 p.m. to 3:30 a.m. At least one of the security personnel on a rotating basis will be responsible for monitoring activities in the outside parking lot.
 2. All security shall have shirts and/or indoor/outdoor jackets which clearly identify them as security personnel.
 3. All security personnel shall provide their names, addresses and cell phone numbers to the local Police Department.
 4. All security personnel will be fingerprinted as requested by the Jefferson Township Police Department.
 5. Licensee will ensure that all outside lighting is in good working order.
 6. Licensee shall provide a minimum of one security personnel on each night the Club is opened. Additional security as contained in Paragraph 1 shall be available on evenings where special events are held and/or holidays. Licensee shall notify the Municipal Clerk in writing at least 48 hours in advance of any special event; email is acceptable.
 7. Licensee will not admit any new patrons after 2:00 a.m. on any night that the business is open and shall place a sign at the entrance of the premises advising the public that no new patrons will be admitted after 2:00 a.m.
 8. All vehicles owned or operated by patrons shall be removed from the premises within 15 minutes of closing time. In the event a vehicle is not removed as a result of the patron's inability to remove the vehicle (mechanical problems and/or has elected to seek an alternate means of transportation), the vehicle will be appropriately marked by Licensee by placing a flyer on the windshield or by advising the Police Department that the vehicle will be remaining overnight.
-

CONSENT AGENDA RESOLUTION #20-231

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
THE VGB GROUP LLC (BELLA VISTA RISTORANTE) - 1414-33-002-009”**

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**:

- The VGB Group LLC (Bella Vista) Liquor License Number #1414-33-002-009
-

CONSENT AGENDA RESOLUTION #20-232

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
TOMDI INC. (TAPHOUSE 15) - 1414-33-018-008”**

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**:

- Tomdi Inc. (Taphouse 15) Liquor License Number #1414-33-018-008

BE IT FURTHER RESOLVED that the following conditions apply:

1. **Interior seating capacity** shall be limited to no greater than one hundred seventy-eight (**178**) seats as due to the capacity of the septic system.
-

CONSENT AGENDA RESOLUTION #20-233

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
BIG SKY CORP (BLACK BEAR TAVERN) - 1414-33-019-008”**

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**:

- Big Sky Corp (Black Bear Tavern) Liquor License Number #1414-33-019-008
-

CONSENT AGENDA RESOLUTION #20-234

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
BERKSHIRE VALLEY VENTURES LLC. /VALLEY TAVERN – 1414-33-007-011”**

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**.

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**:

- Berkshire Valley Ventures LLC (Valley Tavern) Liquor License #1414-33-007-011

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. **Seating capacity** including the outside seasonal seating shall be limited as determined by the capacity of the septic system - total of thirty-four (**34**) seats.
 5. **Consumption or service of food and beverages**, including alcoholic beverages, is limited to the 1st floor footprint of the building, which includes the outside seasonal seating.
 6. **Exterior seating** is prohibited beyond the 1st floor footprint of the building and outside seasonal seating as delineated in the sketch of the licensed premises.
 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 outside seasonal seating.
 8. All **vehicles** owned or operated by patrons must be removed from the premises within **forty-five (45)** minutes of closing.
-

CONSENT AGENDA RESOLUTION #20-235

**“RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES –
BASH & BELA INC. (CASA BIANCA) - 1414-33-030-007”**

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**:

- Bash & Bela Inc. (Casa Bianca) Liquor License Number #1414-33-030-007