

January 2, 2008

The first regular meeting for the year 2008 was held on Wednesday, January 2, 2008 at 7:30pm. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor Hughes, Committeemen Sweeney, Corcoran, D'Angeli, and Bruning

Members Absent None

Also Present: Clerk Fedish, Tax Collector, Pettenger, Attorney Kurnos

Mayor Hughes opened the meeting stating that it was being held in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

### **Minutes**

Motion by D'Angeli, seconded by Sweeney, to accept and place on file the Minutes of December 18, 2007. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

### **Reports**

**Tax Collector** - Motion by Bruning, seconded by Corcoran, to accept the Tax Collector's report as submitted:

For the Month ending December 31, 2007

Printouts	\$34.00
Prior Year Taxes	\$1,056.57-
Current Years Taxes	\$102,046.80
Prepaid Taxes 2008	\$28,731.84
Interest	\$2,747.93
Total	\$132,504.00

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Be it resolved to cancel the taxes for 2007 on Block 22, Lot 15, John Decker, in the amount of \$24.08 now in the name of Lafayette Township; and

Be it resolved to cancel the taxes for 2007 on Block 22, Lot 16, John Decker, in the amount of \$17.20 now in the name of Lafayette Township.

Motion by D'Angeli, seconded by Corcoran, to adopt the Tax Collector's resolutions to cancel taxes. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

### **Committee Reports**

**Streets and Roads** - D'Angeli reported routine work is being done; and the Township received a \$150,000 grant from the State to finish Meadows road.

**Land Use Board** - Corcoran reviewed the meeting and said Jeff Marsden is the Board's new engineer from H2M Associates.

**Fire Department** - Sweeney reviewed the monthly report.

**Emergency Management** - Hughes reported the new training guide is available.

**COAH** - Hughes reported the comment period ends February 2008; and the SCARC project is moving along.

### **Old Business**

**Tax Foreclosures** - Tax Collector Pettenger said there are approximately ten (10) properties that need to be foreclosed on. She will contact Attorney Michael Patrick Carroll for an approximate cost for his work.

**Liquor License Transfer–Lafayette Restaurant Holdings** - This issue will be tabled until all information is received.

**Fire Department Rescue Truck Public Hearing**

Larry Decker, Rescue Captain

Sam Cifelli, Chief

Joe Farischon

Mr. Decker explained the proposal consists of purchasing a demo rescue truck for approximately \$125,000 and extrication tools for approximately \$40,000. They are currently using an ambulance as a rescue vehicle.

At this time, Mayor Hughes opened the meeting to the public.

Mr. Charlie Clink, Beaver Run Road, said Route 15 is getting more populated every day; and the vehicle and tools are very important.

Mr. Nick Fluri, Snover Road, asked about the difference of the vehicles. Mr. Cifelli explained that the ambulance is packed with rescue equipment and not designed to be a rescue truck.

Messrs. Andy Frey, Meadows Road, and Ron Decker, Morris Farm Road both support these purchases.

Mrs. Julie Stockmal, Statesville Quarry Road, asked where the money would be coming from for these purchases. Mayor Hughes explained the money is in the Capital Fund as the Township puts money aside every year in the budget to accrue for equipment purchases. These items need to go out for bid as the costs are over the bid threshold.

Mr. Roger Banas, Millpond Drive, asked about the difference of Sparta's vehicle to this one. Mr. Cifelli said their truck is very big; and everything on it is new.

Mr. Bob Masker said his parent's property is difficult; and he supports this proposal.

Committeeman Bruning asked if this would be the same truck type. Mr. Cifelli said this is better; and a winch will be installed on it.

Committeeman Bruning asked about the number of extrications in 2007 and training. Mr. Decker said there were no extrications in 2007; and ten (10) members are certified and others are interested.

Attorney Kurnos asked if Sparta will help. Mr. Cifelli said the mutual aid response time is 15-20 minutes.

Motion by Bruning, seconded by Sweeney, to prepare the bids for the vehicle and tools with the Fire Department understanding it will be a number of years before other equipment is able to be purchased. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Advance Housing Funding** - Motion by Bruning, seconded by D'Angeli, to adopt the following resolutions:

WHEREAS, Demarest Farms of Lafayette, LP, as assignee of Advance Housing, Inc. (hereinafter referred to as the "Sponsor") proposes to construct twenty (20) units of affordable housing in two, one-story buildings, one of which is an abandoned barn being renovated and converted into housing and both of which will maintain the farm theme with architectural amenities, including preservation of an existing silo (hereinafter referred to as the "Project"), pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Township of Lafayette (hereinafter referred to as the "Municipality") on a site described as Lots 21.06 and 21.07 in Block 32, as shown on the Tax Assessment Map of the Township of Lafayette, Sussex County and commonly

known as "Demarest Farms", at 10 Route 94 South, Lafayette Township, New Jersey; and

WHEREAS, the Project has been approved by the Municipality's Land Use Board, memorialized August 23, 2007 and appended hereto as Exhibit A with the intention that the terms and conditions of that approval be incorporated herein by reference; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing Project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette (the "Committee") that:

1. The Committee finds and determines that the Project proposed by the Sponsor meets or will meet an existing housing need.
2. The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.
3. The Committee does hereby adopt within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit B.

The Committee hereby authorizes and directs the Mayor of the Township of Lafayette to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit B.

BE IT RESOLVED by the Township Committee of the Township of Lafayette that the Township contribute \$125,000 to Advance Housing, Inc. for the construction of twenty (20) units of affordable housing on a site described as Lots 21.06 and 21.07 in Block 32 (10 Route 94 South), as shown on the Tax Assessment Map of the Township of Lafayette, Sussex County.

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Township Website** - Attorney Kurnos will follow up on this issue.

#### New Business

**2008 Temporary Budget Resolution** - Motion by Bruning, seconded by Corcoran, to adopt the following resolution:

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2008 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriation in the 2007 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$1,556,143 and

WHEREAS, 26.25% of the total appropriations in the 2007 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance in said budget is the sum of \$408,487,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lafayette, in the County of Sussex, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Budget Meeting Date** - The budget meeting will be held on Tuesday, January 22, 2008 at 3:00pm.

**Defend Tax Appeals** - Motion by Corcoran, seconded by D'Angeli, to adopt the following resolution:

BE IT RESOLVED by the governing body of the Township of Lafayette that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Lafayette tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Township of Lafayette; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and hereby designated as agents of the Township of Lafayette for the purpose of signing settlements of the foregoing matters by stipulation.

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Junk Yard License Renewal** - Motion by Corcoran, seconded by D'Angeli, to approve the license renewal for Lafayette Salvage, Inc. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**PAIC Insurance Fund** - Motion by Bruning, seconded by Sweeney, to adopt the following resolution:

WHEREAS, a number of local units have joined together to form the Public Alliance Insurance Coverage Fund, hereinafter referred to as "Fund", as permitted by N.J.S.A. 40A:10-36; and

WHEREAS, the statutes governing the creation and operation of Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a fund; and

WHEREAS, the Township of Lafayette, hereinafter referred to as "Public Entity" has determined that membership in the Fund is in the best interest of the local unit; and

WHEREAS, the Public Entity agrees to be a member of the Fund for a period of three (3) years, effective from January 1, 2008 at 12:01am. standard time and said membership to terminate on January 1, 2011 at 12:01a.m. standard time; and

WHEREAS, the Public Entity has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to this Resolution.

NOW, THEREFORE , BE IT RESOLVED that the Public Entity does hereby agree to join the Public Alliance Insurance Coverage Fund; and

BE IT FURTHER RESOLVED that the Public Entity be afforded the following types of coverages:

Worker's Compensation  
Package-Property, Boiler & Machinery, Crime, Auto, General Liability,  
Police  
Professional Liability & Environmental Impairment Liability  
Public Officials Liability; and

BE IT FURTHER RESOLVED that AnnaRose Fedish, Municipal Clerk, is hereby appointed as the Public Entity's fund commissioner; and

BE IT FURTHER RESOLVED that the Public Entity's fund commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership of the Fund as required by the Fund's bylaws and to

deliver same to the Administrator of the Fund with the express reservation that said documents shall become effective only upon the Public Entity's admissions to the Fund.

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Appointment of Risk Management Consultant** - Motion by Corcoran, seconded by Sweeney, to adopt the following resolution:

WHEREAS, Lafayette Township (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if required to do so by the "Fund"; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the "Local Unit" in the County of Sussex and State of New Jersey, as follows:

1. Lafayette Township hereby appoints Morville Agency its local Risk Management Consultant.

The Mayor and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2008 in the form attached hereto.

Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes.

**Audience**

Mr. Andy Frey thanked the Township Committee for approving the purchase of the rescue truck and tools.

Mr. Ron Decker thanked the Township Committee for the Christmas tree lighting and activities.

**Adjournment**

With there being no further business, motion by Bruning, seconded by Corcoran, to adjourn the meeting. Motion carried. Meeting adjourned.

Respectfully submitted,

ANNA ROSE FEDISH, RMC  
Municipal Clerk