

February 6, 2008

The first regular meeting for the year 2008 was held on Wednesday, February 6, 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, 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 January 15, 2008 and January 22, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Reports**

**Tax Collector** - Motion by D'Angeli, seconded by Corcoran, to accept the Tax Collector's report and resolution as submitted:

For the Month ending January 2008

Duplicate Bills	\$6.00
O/S Liens	\$2,516.60
Printouts	\$22.00
Prior Year Taxes	\$57,495.11
Current Years Taxes	\$536,497.08
Interest	\$3,343.00
Total	\$599,879.79

Be it resolved to refund to U.S. Bank-Cust/Sass Muni V dtr, U.S. Bank Corporate Trust Services, Tax Lien Services Group, 2 Liberty Place, 50 South 16<sup>th</sup> Street-Suite 1950, Philadelphia, PA 19102, the amount of \$2,516.60 for redemption of Tax Lien #2007-01.

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

**Animal Control Officer**

Month of January 2008	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$2,706.00	\$2,706.00
Amount Paid to State of New Jersey	\$542.40	\$542.40
Amount Paid to Lafayette Township	\$2,163.60	\$2,163.60
Licenses Sold	308	308
Kennel Licenses Sold	3	3
Dogs Picked Up	0	0
Cats Picked Up	0	0
Dogs Taken to Pound	0	0
Cats Taken to Pound	0	0
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	\$75.00	\$75.00
Late Fees Collected	0	0
Lost Tags	\$1.00	\$1.00

Motion by D'Angeli, seconded by Corcoran, to accept the ACO's report as submitted. 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 that the new dump truck has been delivered.

D'Angeli reported a \$150,000 has been awarded to Lafayette Township for Meadows Road. The proposed costs were reviewed.

**EMS** - Corcoran reviewed the reports for 2007 year end and January 2008.

**Board of Health** - Corcoran reported the reorganization meeting was held on January 22, 2008. David Muscalo is the President; and Edith McGrath is the Vice President.

**Land Use Board** - Corcoran reviewed the January 24, 2008 applications. He said Bill Anderson, Route 15, is questioning whether his entire property is included in the Gateway Zone. This will be discussed at the next Land Use Board workshop meeting.

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

**Affordable Housing** - Hughes reported Maureen Fullaway is working on a report to demonstrate the impact of the proposed rules on the Township.

**Board of Education** - Hughes reported Keith Neuhs is to be the new superintendent; and a lockdown drill was held.

## **Correspondence**

1. From Stephanie Pizzulo re: Use of meeting room for distribution of Girl Scout cookies

It was the consensus of the Township Committee to approve the Girl Scouts' use of the meeting room for their cookie distribution

2. From Roy Kurnos re: Meadow Ridge Estates

Motion by Bruning, seconded by D'Angeli, to authorize the release of the bond less the current attorney and engineering fees. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

3. From Barbara Cashen/Lafayette Preservation re: Parked Car at Mabee House

The Clerk was asked to send a letter to the owner to have cars parked on the north side of the house in the Municipal Parking lot.

4. Land Use Board Resolution: Land Use Procedures

Motion by Bruning, seconded by Corcoran, to introduce the following ordinance and set the public hearing for March 4, 2008:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XIV OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE LAND USE PROCEDURES OF SAID TOWNSHIP

BE IT ORDAINED by the Township Committee of the Township of Lafayette that the Ordinance entitled "Chapter XIV Land Use Procedures of the Township of Lafayette" shall be and is hereby amended to provide as follows:

### SECTION 1 - 14-2.4 Fees

Fees or charges for submissions of applications or for rendering of any service by the Land Use Board or any member of the administrative staffs or any consultant to the Board for review of an application for development, for inspections or for taking of appeals shall be as set forth in Schedules G and H of Chapter 14 of the Revised General Ordinances of the Township of Lafayette or of any other ordinance regulating the use and development of land in the Township of Lafayette and shall be paid by certified check only.

The Land Use Board Secretary or designee of the Township of Lafayette may, at any time, require an applicant to place additional monies in escrow if it is reasonably determined that the existing escrows are insufficient to cover anticipated inspection or review services. Where the actual cost of providing inspection or review exceeds or is anticipated to exceed the escrow, which has been paid, the Township of Lafayette may bill the applicant for the excess costs, which shall be paid prior to any further inspection or review by the Land Use Board or its professionals. Any applicant that does not satisfy

a request for additional escrow by certified check at least ten (10) days prior to a scheduled Land Use Board hearing involving that applicant shall not be eligible to be on the Board’s agenda for that meeting. An applicant’s continued failure to replenish the escrow within ten (10) days of written notice by the Land Use Board Secretary or designee shall entitle the Board to dismiss the application without prejudice subject to replenishment of the escrow without additional application fees. The Board, in its discretion, may grant reasonable extensions for an applicant to replenish the escrow for good cause shown. Any application dismissed without prejudice for one (1) calendar year (365 days) as a result of Board action for an applicant’s failure to satisfy a request for additional escrow shall be subject to dismissal with prejudice.

Land Use Board professionals shall submit invoices within fifteen (15) days of said meeting.

**SECTION 2 - Severability** - If any section, paragraph, sentence, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sentence, clause or provision; and the remainder shall be deemed valid and effective.

**SECTION 3** - This ordinance shall take effect immediately upon passage and publication in the manner provided by law.

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

5. From Mary Emilius re: Meeting for SC Economic Development Partnership
6. Green Township Resolution re: Paid Family Leave
7. Hampton Township Ordinance Amending “Farm Stand” Definition

**Vouchers**

Sussex County Treasurer	\$383,039.92
Sussex County Treasurer	12,628.80
Sussex County Treasurer	32,654.76
Sussex County Treasurer	40,470.22
Sussex County Treasurer	18,636.00
Sussex County Treasurer	678.59
Sussex County Treasurer	1,651.85
Sussex County Treasurer	1,761.67

Motion by Bruning, seconded by Corcoran, to pay the bills on the Bills List. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D’Angeli-yes, Bruning-yes, Hughes-yes.

**Transfers** - Motion by Bruning, seconded by D’Angeli, to adopt the following resolution:

WHEREAS, various 2007 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not recorded at the time of transfers between the 2007 Budget in the last two months of 2007; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, in the County of Sussex, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$2,730.00 be made between the 2007 Budget Appropriation Reserves as follows:

<u>From</u>	<u>Amount</u>
Group Insurance for Employees	\$2,730.00
<u>To</u>	
Land Use Legal	\$ 225.00
Joint Court o/e	\$2,505.00

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

### **Old Business**

**Fence Spending Ordinance** - Mayor Hughes opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE PURCHASE OF FENCING AT LAFAYETTE PARK AND APPROPRIATING \$3,680.00 FROM THE RESERVE FOR IMPROVEMENTS TO RECREATION PROPERTY AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE

With there being no public comments, Mayor Hughes closed the public hearing.

Motion by Bruning, seconded by D'Angeli, to adopt the Fence Spending Ordinance. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Father John's Lane Pond** - It was the consensus of the Township Committee not to use taxpayers' money to replace the dam. The Township Committee objects to the breach and feel the owner is to be held responsible.

**Fire Department Bids** - Motion by D'Angeli, seconded by Corcoran, to advertise the bid for the rescue truck to be opened on Tuesday, March 4, 2008 at 10:30am. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

After discussion, it was decided that the bid for the rescue equipment would be tabled until the cost of refurbishing can be obtained.

**SCMUA Odor** - The Clerk was asked to advertise the February 19, 2008 meeting to inform the public that the SCMUA will be in attendance to discuss the odor problem.

### **New Business**

**NJ League of Municipalities Hall of Fame** - Mayor Hughes presented Mr. D'Angeli with a certificate commemorating his being inducted into the NJ League Hall of Fame for his many years of service to the community.

**Morris Land Conservancy** - Motion by Bruning, seconded by D'Angeli, to authorize the Mayor to sign the Morris Land Conservancy agreement for 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Social Affair Liquor Permit** - Motion by Bruning, seconded by D'Angeli, to approve a social affair liquor permit for the Lafayette Township Fire Department for March 8, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Raffle License** - Motion by Bruning, seconded by D'Angeli, to approve a raffle license for Jefferson Township High School Athletic Booster Club for June 12, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Motion by Bruning, seconded by Corcoran, to approve a raffle license for Lafayette Township EMS for March 8, 2008 and waive the local fee. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**EMS Budget** - Mr. Ron Decker, EMS Captain, asked the Township Committee for \$17,000 from the Capital Account so they can pay off their building loan. He said they are in the process of purchasing a new ambulance; and paying the loan off would help with financing. They will, also, sell the 2000 ambulance. The Township Committee approved this request.

Motion by Bruning, seconded by D'Angeli, to introduce the following ordinance and set the public hearing for March 4, 2008:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE FINAL PAYOFF OF THE LAFAYETTE TOWNSHIP EMS BUILDING LOAN AND APPROPRIATING \$17,061.83 FROM

THE RESERVE FOR FIRST AID SQUAD EQUIPMENT AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE

BE IT ORDAINED by the Township Committee of the Township of Lafayette, County of Sussex, New Jersey, as follows:

Section 1: The funding for the final payoff of the Lafayette Township EMS building loan is hereby authorized and the cost is not to exceed \$17,061.83 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$17,061.83 is hereby appropriated from the Reserve for First Aid Squad Equipment available in the Capital Fund.

Section 3. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

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

**Discover Security** - Bruning presented a bill to the Township Committee for Discover Security for service of the fire alarm for 2008 in the amount of \$240.00. Motion by Bruning, seconded by D'Angeli, to approve the payment of the year's service of the fire alarm for the amount of \$240.00. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Audience**

Mrs. Nancy Podkowka, Recycling Coordinator, questioned the repair of the Father John's Lane pond. Committeeman D'Angeli said Township money would be needed to make the repair; and the Committee does not want to use taxpayer's money for this.

Mrs. Podkowka suggested the Fire Department contact a machine shop to refurbish the rescue equipment.

Mrs. Podkowka said the SCMUA reported to SWAC about the odor and mentioned they will be at the Township's meeting of February 19, 2008. She said the Solid Waste Master Plan was approved by the NJDEP; and she explained the process.

Mr. Bill Macko, Road Foreman, said the rescue equipment was required for four (4) calls.

Mr. Ron Decker said the rescue equipment was donated five (5) years ago, is twenty (20) years old, and is wearing out.

**Adjournment**

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC  
Municipal Clerk