

February 19, 2008

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, February 19, 2008 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent Bruning

Also Present: Clerk Fedish, CFO Magura, Road Foreman Macko

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

**Minutes** - Motion by Corcoran, seconded by Sweeney, to accept and place on file the minutes of February 6, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Hughes-yes.

### Reports

#### Treasurer

Cash Report for January 2008

Cash Balances as of December 31, 2007	\$2,550,904.43
Cash Receipts for January 2008	\$667,969.67
Total	\$3,218,874.10
Cash Disbursements for January 2008	\$612,236.03
Cash Balances as of January 31, 2008	\$2,606,638.07
Account Balances as of January 31, 2008	
Current – Checking	\$1,225,518.90
Capital – Checking	\$768,676.47
Escrow – Checking	\$103,648.12
Tax Map Updates	\$7,370.60
COAH-Developers Fees	\$149,322.68
Open Space Municipal Tax	\$139,126.43
Trust Accounts for Developer's Agreements	\$177,561.94
Special Rec. – Checking	\$6,149.88
Special Donations	\$22,174.00
Dog Trust Account	\$7,089.05
Total Account Balances	\$2,606,638.07

Motion by D'Angeli, seconded by Corcoran, to accept the Treasurer's report as submitted. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Hughes-yes.

Mayor Hughes amended the agenda to discuss the SCMUA odor problem.

**SCMUA** John Hatzelis, Administrator  
Tom Varro, Solid Waste Superintendent  
Greg McCarron, SCS (Flare/Odor System Engineer)  
Steve Donati, Cerenzio & Panero (Engineer)

Mr. Varro said the staff is trained and monitoring is being done. The SCMUA is in control of the system. Mr. Varro said a contractor is on site; and will drill nine (9) more wells. The permanent flare contract has been awarded. Mr. Varro said Section 2 cap will cover approximately eight (8) acres. This will help to capture and control landfill gas.

Mr. McCarron explained the landfill gas and control. Mr. Donati explained the contracts for the permanent flare, well drilling, and Section 2 capping.

Mr. Hatzelis said they are waiting for the NJDEP to review the paperwork for the installation of the equipment and wells.

Mrs. Nancy Podkowka, Route 15, asked when they expect to convert the gas to energy. Mr. Hatzelis said they are anticipating starting work on it this summer and having it up and running in 2009. Mr. Varro said the flare must be done first as it will act as a back-up to the generator.

Mayor Hughes questioned the delay in the air quality permit as this has been endorsed by Strategic Growth and solid waste permits can be reviewed. Mr. Hatzelis will look into this.

Mrs. Alexandra Navarra, Route 15, asked about the water in the wells and if the permanent flare would be bigger than the temporary one. Mr. Hatzelis said it would; and there still is water in the wells. He said capping Section 2 would help to minimize the water.

Mrs. Podkowka said that with the days being short there are more gas problems. Mr. McCarron said the atmosphere is more stable in the winter and have temperature inversions. The gas goes off-site and down. Mrs. Podkowka said there were three (3) weeks when the odor was horrific; and it was difficult to stay outdoors even during the day. Mr. McCarron explained that the landfill gas is a mix of methane and carbon monoxide which tends to rise. The lower the pressure, the easier the gas emits.

The SCMUA will return in September for a status update.

### **Committee Reports**

**Streets and Roads** - D'Angeli reported routine work is being done; and the new truck was back for repairs. He said the storm clean-up and work on the soccer fields is continuing. D'Angeli reported the Meadows Road project will move ahead.

D'Angeli reported the State has denied Lafayette Township's exempt status for a Certified Public Works Manager (CPWM) because of the work the Road Department does and the amount of people in the Township's employ.

**Recreation Commission** - Corcoran reported a bill was submitted for the amount of \$638 for capping on the fence at Lafayette Park. Motion by Corcoran, seconded by Sweeney, to introduce the following ordinance and set the public hearing for March 18, 2008:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE PURCHASE OF FENCING AT LAFAYETTE PARK AND APPROPRIATING \$638.00 FROM THE RESERVE FOR IMPROVEMENTS TO RECREATION PROPERTY 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 purchase of fencing at Lafayette Park is hereby authorized and the cost is not to exceed \$638.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$638.00 is hereby appropriated from the Reserve for Improvements to Recreation Property 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, Hughes-yes.

Corcoran reported the annual Easter egg hunt will be held at Lafayette Park on Saturday, March 22, 2008 at 10:30am.

**Affordable Housing** - Hughes reported the Affordable Housing Administrator has been directed to research the new COAH obligations; and a meeting will be held within the month.

**Emergency Management** - Hughes reported a storm emergency center was activated for ten (10) hours on February 13, 2008.

### **Correspondence**

1. From David C. Smith, Applied Water Management, Inc., requesting resolution consenting to the Kimber Petroleum project and amending the Water Quality Management Plan

Mr. David Smith, Engineer, said the subsurface disposal system will generate 2,518 gallons per day (gpd); and the NJDEP maximum is 2,000 gpd. They need a Wastewater Management Plan (WMP) amendment and Township endorsement for County approval. Mr. Smith explained the water is to be treated in the septic before discharging into the ground.

Mayor Hughes feels the Land Use Board engineer should review this information. Kimber's attorney said they did have extensive hearings before the Board; and the project was approved. Mr. Smith noted this will go out for public comment with the NJDEP. He said he spoke with the Township engineer and indicated he is in support of this project. Committeeman D'Angeli said this support should be submitted in writing.

Mayor Hughes noted the Land Use Board meets this week; and the Board engineer can review the information then.

Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution subject to the Township and Land Use Board engineers' approval and Land Use Board comments.

**RESOLUTION ENDORSING A PLAN AMENDMENT TO THE LAFAYETTE TOWNSHIP WASTEWATER MANAGEMENT PLAN AND SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN**

WHEREAS, the Lafayette Township Committee desires to provide for the orderly development of wastewater facilities within the municipality; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas and related subjects be in conformance with an approved WQM plan; and

WHEREAS, Kimber Petroleum Inc. is the owner of approximately 3.88 acres (Block 14, Lots 38.03 and 64) located in the Lafayette Township commercial zone on the corner of Routes 15 and 94; and

WHEREAS, Kimber Petroleum has applied, and been approved, to the Lafayette Township Land Use Board for the construction of a gas station and strip mall; and

WHEREAS, the proposed construction will require an increase in wastewater flow capacity, as calculated using NJDEP formula, to 2,518 gallons per day and the existing septic system must be expanded to meet the higher flow capacity requirement; and

WHEREAS, the new wastewater flow volume of 2,518 gallons per day is above the NJDEP threshold of 2,000 gallons per day, Kimber Petroleum must obtain a NJPDES Discharge to Groundwater permit, and to obtain such permit the discharge to groundwater must be consistent with the Lafayette Township WMP; and

WHEREAS, the existing Lafayette Township WMP requires a plan amendment to permit the increased discharge for the proposed expansion and to provide that Block 14, Lots 38.03 and 64 on the tax map of Lafayette Township be designated to an "on-site groundwater discharge" area; and

WHEREAS, the Lafayette Township Committee has determined that the proposed discharge for the facility is appropriate for this parcel of land within the municipality.

NOW, THEREFORE, BE IT RESOLVED this 19<sup>th</sup> day of February, 2008 as follows:

1. The Lafayette Township Committee hereby endorses a proposed plan amendment to the Lafayette Township Wastewater Management Plan (WMP) as follows:
  - a. To permit the discharge for the proposed expanded structure;
  - b. To provide for the "on-site groundwater discharge" area designation for Block 14, Lots 38.03 and 64.

This endorsement shall be submitted to the Sussex County Policy Advisory Committee, the Sussex County Board of Chosen Freeholders, NJDEP and all other interested parties. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Hughes-yes.

2. SC Board of Chosen Freeholders Resolution Urging Protection of All Confidential Information in NJ BC/BS' possession

3. Borough of Beachwood Resolution Opposing Toll Increases
4. Hampton Township Ordinance Amending "Farm Stand" Definition

**Vouchers**

A&G Pizza	\$ 46.15
Airgas East	114.64
American Planning Assoc.	75.00
Amerigas-Fredon	1,616.83
ANJR	55.00
Anna Rose Fedish	50.00
Association of NJ Recyclers	95.00
Bagful O' Bagels	31.00
Central Alliance	862.00
Chelbus Cleaning Co., Inc.	275.00
Cintas Corp. #111	751.30
Culligan	11.00
Custom Bandag, Inc.	409.92
D. Lovenberg's Portable Toilet	65.00
Deluxe International Trucks Inc.	21.65
Dolan & Dolan, PA	309.02
Dover Brake & Clutch Co., Inc.	818.74
Embarq	401.57
Embarq Communications Inc.	47.17
Fairclough Fuel	713.83
Finch Fuel Oil Co., Inc.	4,271.70
Finelli Consulting Engineers, Inc.	1,962.14
Frankford Township	15,594.57
Fred Conrad	29.97
GFOA of New Jersey	90.00
H2M Associates Inc.	375.00
Herman Goble	2,500.00
High Point Regional High School	172,039.94
Home Expot Credit Services	293.54
JCP&L	2,624.08
Lafayette Auto Parts	81.53
Lafayette Kwik Pik	112.66
Lafayette Twp. Board of Education	461,983.00
Lauren Russell	89.99
Maureen Kaman	265.67
Merkin Equipment	432.00
MGL Printing Solutions	38.00
Microsystems-NJ.Com, LLC	1,200.00
Millside Café	156.01
Montague Tool & Supply Co.	89.10
Municipal Clerk's Assoc. of NJ, Inc.	100.00
Municipal Software Inc.	1,389.00
New Jersey Mayors Association	100.00
Nextel Communications	266.50
NJ Conference of Mayors	295.00
NJ Planning Officials	349.00
NJ State League of Municipalities	304.00
Opdyke's Sales & Service	272.68
Pitney Bowes Global Mailing Solutions	84.21
Public Alliance Insurance Coverage	20,305.00
Reserve Account	500.00
Retifier Auto Electric	160.00
Roy E. Kurnos	4,800.00
Rutgers, The State University	645.00
SCMCA	60.00
Service Electric Cable TV	17.00
Staples Business Advantage	399.07
Sussex County Clerk	16.00
TC/Treas. Assoc. of NJ	75.00

TC/Treas. Assoc. Sussex/Warren	50.00
The New Jersey Herald	505.01
Township of Randolph	1,000.00
Treasurer, S/NJ	500.00
Vision Supply Inc.	71.25
Castners	33.35
Deluxe International Trucks, Inc.	145,124.00
Dolan & Dolan, PA	85.05
Finelli Consulting Engineers, Inc.	2,465.30
H2M Associates, Inc.	2,122.50
NJ Dept. of Health & Senior Services	542.40

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

**Old Business** - None

**New Business**

**Peck Farm Resolution** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

BE IT RESOLVED that the Mayor and Committee of the Township of Lafayette, in the County of Sussex, State of New Jersey, does hereby express its support for the Farmland Preservation Program and gives final approval of the following application for the 2007A funding round of the State Agriculture Development Committee:

Harold & Sally Peck Block 14, Lot 10.01 & 10.03  
35 acres

BE IT, ALSO, RESOLVED that approval is given for this application to be submitted to the State Agriculture Development Committee by the Sussex County Agriculture Development Board for county reimbursement consideration when state funding for farmland preservation is available.

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

**PARIS Grant Resolution** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

AUTHORIZING LAFAYETTE TOWNSHIP TO PARTICIPATE IN THE PARIS GRANT RECORDS PURGING PROJECT TO BE SPONSORED BY THE COUNTY OF SUSSEX

WHEREAS, Lafayette Township has completed a Needs Assessment and Records Management Strategic Plan that has been approved by the New Jersey State Records Committee; and

WHEREAS, Lafayette Township is now eligible to apply for PARIS Grant funding; and

WHEREAS, the County of Sussex is applying for a 2008 PARIS Grant from the State Division of Archives and Records Management to conduct a Records Purging Project as a Shared Service for participating Municipalities; and

WHEREAS, the State of New Jersey has made PARIS Grant funds available to assist county and municipal governments in their records management, preservation and storage efforts.

NOW, THEREFORE, BE IT RESOLVED by the Lafayette Township Committee that Lafayette Township shall participate in the PARIS Grant Records Purging Project to be sponsored by the County of Sussex.

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

**Municipal Records Committee Resolution** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

RESOLUTION AUTHORIZING THE CREATION OF A MUNICIPAL RECORDS COMMITTEE

WHEREAS, a viable Municipal Records Committee helps ensure that all municipal government departments have a voice in the planning of government-wide records management programs, especially those with heavy records management duties and functions; and

WHEREAS, a Municipal Records Committee allows for discussion of records management issues, which can lead to:

1. Identifying records management problems shared by numerous departments so that a common solution may be sought;
2. Specific departments offering experience and solutions for problems that arise in other departments that have already been solved in theirs;
3. Creating a unified front for seeking records management funding and support from the governing body;
4. Sharing records management successes and failures, sharing of data and experience, and opening dialogue relative to records management plans; and
5. Development of projects that have government-wide scope and/or would benefit the most departments within the local government.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette does hereby create the Lafayette Township Municipal Records Committee, which shall be comprised of the following individuals:

1. Municipal Clerk
2. Chief Financial Officer
3. Tax Collector
4. Tax Assessor
5. Land Use Board/Construction Secretary

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

**Certified Public Works Manager Appointment** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

WHEREAS N.J.S.A. 11-5 Local Public Contract Law permits Governing bodies to contract for certain professional services without competitive bidding and

WHEREAS, the Township of Lafayette has need for said professional services,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey that the following appointments be made for the year 2008:

Certified Public Works Manager (1 year appointment)  
 Nevitt Duvneck  
 205 Route 31 North  
 Washington, NJ 07882

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lafayette that the Township Clerk be directed to have published this Resolution in the official Township newspaper in compliance with P.L. 1971.

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

### **Audience**

Mr. Ron Decker, 29 Morris Farm Road, expressed his displeasure of being the last home in his area to get his power back after the recent storm.

Mrs. Colleen Jakl, Lafayette Twp. Board of Education President, stated the new superintendent, Keith Neuhs, will start April 1, 2008.

Mr. Bill Macko, Road Foreman, asked about the County bridge on Decker/Snover Roads. The Clerk will send another letter.

Road Foreman Macko asked if the Township Committee was interested in acquiring a demonstration type loader. A new transmission for the current loader would cost approximately \$20,000-\$25,000. The current loader has a trade-in value of \$13,500. The Clerk was asked to contact the Township Attorney to discuss the bid process.

**Executive Session** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
 OF LAFAYETTE, COUNTY OF SUSSEX, STATE OF NEW JERSEY,  
 AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE  
 WITH THE PUBLIC EXCLUDED

WHEREAS, it is deemed appropriate that the Township Committee discuss the matter(s) hereinafter mentioned without the presence of the public in accordance with the provisions of R.S. 10:4-12b, being Section b of the Open Public Meetings Act.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, in the County of Sussex, State of New Jersey as follows:

A matter relating to personnel shall be discussed by the Township Committee without the presence of the public. It is anticipated that this matter can be disclosed to the public upon resolution of the matter.

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

Exec. Session - Personnel

Motion by Corcoran, seconded by D'Angeli, to return to the regular meeting. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Hughes-yes.

Mayor Hughes stated personnel was discussed in Executive Session.

**Adjournment**

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC  
Municipal Clerk