

April 1, 2008

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, April 1, 2008 at 7:30 P.M. 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, Road Foreman Macko

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 March 18, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-abstain, Hughes-yes.

School Budget Presentations

Lafayette Township School - Colleen Jakl, Board President

Keith Neuhs, Superintendent

Anne Hessler, Board Administrator

Mrs. Jakl gave an overview of the proposed 2008-2009 Lafayette Township School budget. There is a proposed increase of 4.2 cents.

High Point Regional High School

John Hannum, Superintendent

Walter Stumpf, Lafayette Rep.

Mr. Hannum reviewed High Point's accomplishments and awards and gave an overview of the proposed 2008-2009 High Point Regional High School budget. There is a proposed increase of .007 cent.

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 March 2008

Printouts	\$52.00
Prior Year Taxes	\$15,339.77
Current Years Taxes	\$95,672.57
Interest	\$2,518.57
Total	\$113,582.91

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

Animal Control Officer

Month of March 2008	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$760.00	\$4,660.00
Amount Paid to State of New Jersey	\$143.40	\$982.20
Amount Paid to Lafayette Township	\$616.60	\$3,677.80
Licenses Sold	68	508
Kennel Licenses Sold	0	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)	0	\$75.00
Late Fees Collected	\$160.00	\$160.00
Lost Tags	\$1.00	\$2.00

Motion by Corcoran, seconded by Sweeney, 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

Recreation Commission - Bruning reported the Easter Egg Hunt was held on March 22, 2008 and was a success. The fishing contest is scheduled for Saturday, April 19, 2008.

Bruning said lifeguards are needed for the 2008 swim season and asked the Clerk to have this included in the Township school's newsletter.

Streets and Roads - D'Angeli reported routine work and road repairs are being done. He noted storm grates and street signs have been stolen; and the authorities have been notified. The Clerk was asked to have a community awareness alert included in the Township school's newsletter.

Board of Health - Corcoran reported the Board of Health will be meeting at the end of this month.

EMS - Corcoran reviewed the March 2008 report.

Land Use Board - Corcoran reported there was only one (1) application, a major subdivision on Sunset Inn Road, before the Land Use Board at their last meeting.

Fire Department - Sweeney reviewed the March 2008 report.

Affordable Housing - Hughes reported an objection letter was sent to the State regarding the proposed COAH 3rd Round obligations.

SCARC - Hughes reported SCARC is waiting for HUD's concurrence for the contract award. They will be asking the Township to waive all construction permit fees.

Emergency Management - Hughes reported there was a dispatch discrepancy; and it is being rectified.

Advance Housing - Hughes asked that this issue be included on the next meeting's agenda to review funding.

Correspondence

1. From Gail Magura, CFO re: COAH Training Session
Gail Magura is the designated COAH person and will be attending the training session.
2. From Marianne Smith, Hardyston Twp. Manager, re: Objections to Proposed 3rd Round Rules
3. From Marianne Smith, Hardyston Twp. Manager, re: Proposed State budget
4. From Anna May Walsh, DASI, re: National Domestic Violence Awareness Month
5. From Edward Choromanski, NJDEP Administrator, re: 3-minute Idling Limit
6. Middletown Township Resolutions:
 - a. Implementing Stay on Further Implementation of COAH 3rd Round
 - b. Supporting Authorizing On-Line Publication of Legal Notices
7. Andover Township Resolutions:
 - a. Opposing Proposed State Budget for 2009
 - b. Opposing Failure of Proposed State Budget to Treat Property Tax Relief as Priority
8. Franklin Borough Resolutions:
 - a. Opposing Senate Bill No. 555
 - b. Opposing Failure of Proposed State Budget to Treat Property Tax Relief as Priority
9. Beachwood Borough Resolution re: Opposing Failure of Proposed State Budget to Treat Property Tax Relief as Priority
10. From Kelley DeVincentis re: Myasthenia Gravis (MG) Awareness Month

11. From Steve Friedrich re: Motorcycle Awareness Month
12. From NJLM re: Urging passing resolution supporting motor vehicle surcharge to offset property tax increases

Old Business

Rescue Truck 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 ACQUISITION OF CHEVROLET QUICK RESPONSE RESCUE TRUCK, MODEL #CC5E042 AND RELATED APPURTENANCES AND APPROPRIATING \$124,048.00 FROM THE RESERVE FOR THE FIRE DEPARTMENT IN THE CAPITAL FUND FOR SUCH PURPOSE

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

Motion by D'Angeli, seconded by Sweeney, to adopt the Rescue Truck Spending ordinance and issue the check for its purchase. Motion carried by roll call vote: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-no, Corcoran-yes.

Agreement with Matthew Smidt - Motion by Bruning, seconded by Hughes, to authorize the Mayor to sign the agreement between Lafayette Township and Matthew Smidt. Motion carried by roll call vote: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

New Computer for Tax Assessor - Motion by D'Angeli, seconded by Bruning, to authorize the purchase of a new computer for the Tax Assessor and the cost not to exceed \$1,100.00. Motion carried by roll call vote: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Township Website - The Clerk reported this is being worked on.

New Business

1/12th 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 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, 1/12th 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 \$129,679.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee 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: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations imposed on municipalities contain requirements as a condition for applying for tonnage grants, including, but not limited to,

making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2007 will memorialize the commitment of this municipality to recycling and indicate the assent of the Lafayette Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Nancy Podkowka, Recycling Coordinator, 33 Morris Farm Road, Lafayette, NJ 07848 to ensure that said Application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

Raffle License - Motion by Bruning, seconded by Sweeney, to approve a raffle license for the Lafayette Twp. EMS for November 25, 2008 and waive the local fee. Motion carried by roll call vote: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Nomination of Scholarship Essay - Hughes reported the subcommittee reviewed the essays submitted by Warren Potter, Caitlin O'Leary and Sarah Hayes. The essay by Caitlin O'Leary was nominated to be submitted to the State League of Municipalities essay scholarship contest.

Land Use Board Ordinances

Amend Schedule H-Escrow Fees - Schedule H-Escrow Fees will be sent back to the Land Use Board for further review of the proposed increase in the escrow fees.

Yard and Dimensional Requirements - Motion by Bruning, seconded by Corcoran, to introduce the following ordinance and set the public hearing date for May 6, 2008:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ZONING ORDINANCE OF LAFAYETTE TOWNSHIP

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

SECTION 1 13-8.6 Yard and Dimensional Requirements

Single-Family Conventional Development Zone Classification

<u>Requirement</u>	<u>R-5.0</u>	<u>R-4.0</u>	<u>R-2.5</u>
Maximum Total Lost Disturbance (or 25,000 square feet, whichever is less)	50%	50%	50%

Lot Averaging or Cluster Development Zone Classification

<u>Requirement</u>	<u>R-5.0</u>	<u>R-4.0</u>	<u>R-2.5</u>
Maximum Total Lot Disturbance (or 25,000 square feet, whichever is less)	50%	50%	50%
Minimum Lot Depth	200 ft.	200 ft.	150 ft.

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: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Amend the Village Commercial Zone in the Gateway Plan - Motion by Bruning, seconded by Corcoran, to introduce the following ordinance and set the public hearing date for May 6, 2008:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE GATEWAY ORDINANCE WITHIN THE LAND USE ORDINANCE TO MODIFY THE VILLAGE COMMERCIAL DISTRICT

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

SECTION 1 The Village Commercial Zone is hereby amended to include Block 14, Lots 42 through 47, Lot 49-50 and Lot 38.07 on the current Township of Lafayette Tax Map, Sheet 12 and the total lot area of former Lot 48 in Block 14 as depicted on the Township of Lafayette Tax Map, Sheet 12, dated August 2004 prior to its merger with former Lot 51 on said Tax Map, Sheet 12.

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: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Tax Assessor Reappointment - Motion by D'Angeli, seconded by Corcoran, to reappoint Maureen Kaman as the Township's Tax Assessor effective July 1, 2008. Motion carried by roll call vote: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Property Tax Relief Failure Resolution - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF AS OUR PRIORITY

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

WHEREAS, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; and

WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

WHEREAS, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 - a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million - from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State's General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

WHEREAS, the homeowners and rent payers will be subject to severe and unfair hardships in regards to the cuts in municipal property tax relief funding, the hospitals in our cities and in the State as a whole are on the "danger list", and many in jeopardy of closing. Aspiring students will possibly not be able to further their higher education and the most vulnerable of our communities will be subject to reduced Medicaid coverages.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette calls on its elected representatives in Trenton, Senator Oroho and Assembly members McHose and Chiusano to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and be it further

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator Oroho and Assembly members Alison Littell-McHose and Gary Chiusano, all Sussex County Municipalities and to the New Jersey State League of Municipalities.

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

Audience

Mr. Sam Cifelli, Chief, reported the Fire Department needs to replace two (2) sets of turnout gear for a cost of \$4,659.26. Motion by D'Angeli, seconded by Corcoran, to introduce the following ordinance and set the public hearing date for May 6, 2008:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF TWO (2) SETS OF TURNOUT GEAR AND RELATED APPURTENANCES AND APPROPRIATING \$4,659.26 FROM THE RESERVE FOR THE FIRE DEPARTMENT 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 Acquisition of two (2) sets of turnout gear and related Appurtenances is hereby authorized and the cost is not to exceed \$4,659.26 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$4,659.26 is hereby appropriated from the Reserve for the Fire Department 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: Hughes-yes, Sweeney-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

Mr. Cifelli said the Fire Department has two (2) promissory notes of \$10,000 each for the extrication tools.

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