

August 5, 2008

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, August 5, 2008 at 7:30pm. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

Also Present: Clerk Fedish, CFO Magura, Attorney Weinman

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 Bruning, seconded by Sweeney, to accept and place on file the Minutes of July 1, 2008 and July 15, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Reports**

**Tax Collector - For the Month Ending July 31, 2008**

Print Outs	\$30.00
Prior Year Taxes	\$8,395.07
Current Year Taxes	\$53,756.99
Interest	\$3,019.13
Total	\$65,201.19

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

**Treasurer's Report**

**Cash Report for July 2008**

Cash Balances as of June 30, 2008	\$2,111,835.64
Cash Receipts for July 2008	\$765,384.25
Total	\$2,877,219.89
Cash Disbursements for July 2008	\$1,176,497.88
Cash Balances as of July 31, 2008	\$1,700,722.01
Account Balances as of July 31, 2008	
Current – Checking	\$615,636.25
Capital – Checking	\$366,945.13
Escrow – Checking	\$154,985.46
Tax Map Updates	\$1,599.56
COAH-Developers Fees	\$179,792.39
Open Space Municipal Tax	\$140,395.25
Trust Accounts for Developer's Agreements	\$220,267.23
Special Rec. – Checking	\$6,634.64
Special Donations	\$7,543.00
Dog Trust Account	\$6,923.10
Total Account Balances	\$1,700,722.01

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

**Animal Control Officer**

Month of June 2008	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$8.00	\$4,810.00
Amount Paid to State of New Jersey	\$1.20	\$1,012.60
Amount Paid to Lafayette Township	0	0
Licenses Sold	1	522
Kennel Licenses Sold	0	3

Dogs Picked Up	1	2
Cats Picked Up	0	0
Dogs Taken to Pound	1	2
Cats Taken to Pound	0	0
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$75.00
Late Fees Collected	0	\$190.00
Lost Tags	0	\$3.00

Month of July 2008	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$27.00	\$4,837.00
Amount Paid to State of New Jersey	\$6.60	\$1,019.20
Amount Paid to Lafayette Township	0	0
Licenses Sold	3	525
Kennel Licenses Sold	0	3
Dogs Picked Up	0	2
Cats Picked Up	0	0
Dogs Taken to Pound	0	2
Cats Taken to Pound	0	0
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$75.00
Late Fees Collected	0	\$190.00
Lost Tags	0	\$3.00

Motion by D'Angeli, seconded by Corcoran, to accept the ACO's reports 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 roof on the pavilion needs replacement; and he received three (3) estimates. Motion by Bruning, seconded by Corcoran, to hire Homes by Volkenberg to repair the roof pavilion at a cost not to exceed \$3,150.00. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Motion by Bruning, seconded by D'Angeli, to introduce the following ordinance and set the public hearing date of September 2, 2008:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE REPAIR OF THE PAVILION AT LAFAYETTE PARK AND APPROPRIATING \$3,150.00 FROM THE CAPITAL IMPROVEMENT FUND

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 repair of the pavilion at Lafayette Park is hereby authorized and the cost is not to exceed \$3,150.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$3,150.00 is hereby appropriated from the Capital Improvement 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.

Bruning reported the lifeguards have been working out; however, there was one week when no lifeguard was on duty due to vacation and no available substitute.

Bruning reported there have not been any problems with the water in the pond, sand will be needed for the beach next year, signs have been made and posted, and Veres Electric has repaired the electric at the pavilion and on the pole.

**Streets and Roads** - D'Angeli reported routine work is being done; and the wall on Dennis Road is complete. He reported the cost to pave and install guide rail is approximately \$30,000.00. It is the consensus of the Township Committee to complete the work.

Motion by D'Angeli, seconded by Corcoran, to introduce the following ordinance and set the public hearing date of September 2, 2008:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE REPAIR OF VARIOUS TOWNSHIP ROADS AND APPROPRIATING \$30,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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 repair of various Township roads is hereby authorized and the cost is not to exceed \$30,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$30,000.00 is hereby appropriated from the Capital Improvement 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.

D'Angeli reported a tree on town-owned property on Warbasse Junction Road is to be examined by a tree expert before it is to be removed. Also, work will begin on Cliffview Drive and Indian Terrace on August 14, 2008.

**EMS** - Corcoran reviewed the June and July reports. He reported that Ron Decker, EMS Captain, received a "Certificate of Special Congressional Recognition" for his outstanding and invaluable service to the community. Congratulations Mr. Decker.

**Land Use Board** - Corcoran reviewed the recent meetings.

**Correspondence**

1. From Land Use Board re: Return of Escrow  
The request was denied as all of the bills have yet to be received.
2. From LAA re: Township Recreation Facilities
3. From Lisa Burghart re: Sun., Sept. 14<sup>th</sup> use of meeting room  
The Township Committee agreed to the use of the meeting room by the sewing club.
4. From John Armeno re: Motor vehicle violations surcharge for police services
5. From Jerry Fischer, ABC Director re: Westfall Winery in Olde Lafayette Village
6. From SC Freeholders re: Water Quality Management Plan for Kimber Petroleum
7. From NJ Council on Special Transportation
8. From Hardyston Township re: Comments on proposed rules & amendments
9. From COAH re: Affordable housing reform statute

**Vouchers**

AQUATIC ANALYSTS, INC.	413.34
ATLANTIC COMMUNICATIONS	62.50
BBC PRINTING	88.00
CHELBUS CLEANING CO., INC.	275.00
CINTAS CORP #111	472.69
CULLIGAN	11.00
D. LOVENBERG'S PORTABLE TOLIET	65.00
DOLAN & DOLAN, P.A.	1,662.73
DOVER BRAKE & CLUTCH CO., INC.	60.68
EMBARQ	404.80
EMBARQ COMMUNICATIONS INC.	50.05
FINCH FUEL OIL CO., INC.	2,938.38
FINELLI CONSULTING ENGINEERS, INC.	551.89
FRANKFORD TOWNSHIP	14,135.57

HAMBURG PLUMBING SUPPLY CO., INC.	1,916.64
HIGH POINT REG HIGH SCHOOL	407,991.68
INFORMATION SYSTEMS GROUP	915.00
JCP & L	2,254.63
LAFAYETTE AUTO PARTS	42.03
LAFAYETTE PRESERVATION FOUNDATION	300.00
LAFAYETTE TWP BD. OF ED.	797,779.00
MARYPAUL LABORATORIES INC.	200.00
MONTAGUE TOOL & SUPPLY CO.	524.57
MORRIS LAND CONSERVANCY	2,625.00
NEXTEL COMMUNICATIONS	332.77
NISIVOCCIA & COMPANY LLP	1,500.00
ROWE & COMPANY	427.54
ROY E. KURNOS	364.00
S/NJ DEPT OF LABOR & WORKFORCE DEV.	46.50
SERVICE ELECTRIC CABLE TV	17.00
STAPLES BUSINESS ADVANTAGE	155.76
SUSSEX COUNTY CLERK	229.83
SUSSEX COUNTY TREASURER	383,039.92
SUSSEX COUNTY TREASURER	12,628.80
SUSSEX COUNTY TREASURER	32,654.76
SUSSEX COUNTY TREASURER	20,235.11
THE NEW JERSEY HERALD	525.00
THE ROY COMPANY INC.	18.45
TILCON NEW YORK INC.	475.60
TREASURER, S/NJ	1,183.00
U.S. POSTAL SERVICE	500.00
W. JIROUX	1,250.00
WILLCO	252.75
BCI BURKE COMPANY	1,103.20
BEAVER RUN FARMS	886.53
MES - NEW YORK	4,591.98
SNOOKS EXCAVATING INC.	6,960.00
DOLAN & DOLAN, P.A.	1,410.42
H2M ASSOCIATES INC.	7,855.68
SUSSEX COUNTY CLERK	32.00
BECKY JIROUX	46.64
LAURA BOONHAM	170.66
MILLSIDE CAFÉ	26.46
SPARTA LANES	102.00
ANIMAL GENERAL VETERINARY HOSPITAL	231.00
LISA DEUTSCH, ACO	28.00
NJ DEPT OF HEALTH & SENIOR SERVICES	1.20

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, Bruning-yes, Hughes-yes.

**Old Business**

**Grant Application Fee** - Discussion ensued regarding the Engineer's bill for the grant application. The Clerk was asked to contact the Engineer for an explanation.

**New Business**

**State Police Charges** - Motion by D'Angeli, seconded by Bruning, to adopt the following resolutions:

A RESOLUTION ENDORSING AN INCREASE IN STATE POLICE SURCHARGES TO FUND STATE BUDGET SHORTFALLS IN LIEU OF RELIANCE UPON LOCAL PURPOSE TAX INCREASES

WHEREAS, Governor Jon S. Corzine's proposal Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding of \$ 20.5 million; and

WHEREAS, the administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes; and

WHEREAS, the aforementioned proposed budget calls for cuts in municipal aid which also would require municipalities to raise local purpose taxes; and

WHEREAS, Directive 15 from the governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no state funding offsets are provided; and

WHEREAS, on February 22, 2007, many mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall-namely, increasing surcharges on fines levied by the State Police; and

WHEREAS, P.L. 2007, c.335 (C. 39:A-36.1) allows the Motor Vehicle Commission governing Board to increase the surcharges listed in that statute; and

WHEREAS, charging those who violate state statutes would fund the State Police budget shortfall in lieu of relying on New Jersey property taxpayers is a sensible solution to address the problem; and

WHEREAS, on March 19, 2008, mayors, elected and appointed officials met again with the Governor's Deputy Chief of Staff, other members of the administration, and the State Police, reiterating this fair solution and recommended that the administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses.

THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lafayette, County of Sussex, hereby resolves that it endorses the sensible solution proposed to raise surcharges on motor vehicle fines rather than rely on New Jersey property tax payers to fund any State Police shortfall.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, the members of the State Legislature, the New Jersey League of Municipalities and all Sussex County municipalities.

#### A RESOLUTION ENDORSING S-1976/A-2982 AN INCREASE IN STATE POLICE SURCHARGES TO DEFRAY COSTS OF LOCAL POLICE SERVICES

WHEREAS, Governor Corzine's Fiscal Year 2009 budget reduced State Police funding for municipalities; and

WHEREAS, municipal budgets will be negatively impacted by the requirement to pay for State Police services and, thus, be forced to raise local property taxes; and

WHEREAS, many Mayors and other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall, namely, increasing surcharges on fines levied by the State Police; and

WHEREAS, charging those who violate State laws would fund the shortfall in lieu of relying on New Jersey property taxpayers in a sensible solution to address the problem; and

WHEREAS, Senate Bill No. 1976, sponsored by Senator Van Drew, and Assembly companion A-2982 (Milam) impose a \$40 surcharge on all motor vehicle violations to defray some of the costs of providing local police services; and

WHEREAS, S-1976/A-2982 establish two (2) funds into which revenues from the surcharge will be divided equally between the "Rural Police Services Property Tax Relief Patrol Services Fund" and the "Police Services Property Tax Relief Fund"; and

WHEREAS, S-1976/A-2982 provide that monies in these funds are to be used exclusively to reduce the amount a municipality is required to raise through local property taxation to cover the costs of providing police services.

THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lafayette does hereby endorse the sensible solution and appropriate surcharge rates as proposed in S-1976/A-2982 and support its adoption thereof.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, members of the State Legislature, New Jersey League of Municipalities, and all Sussex County municipalities.

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

**COAH** - Motion by Hughes, seconded by Corcoran, to designate Rick Hughes as the Township's COAH Liaison and Maureen Fullaway as the Township COAH Administrative Agent. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Motion by Hughes, seconded by Bruning, to hire CMX Engineers to provide a build-out analysis report and object to COAH's new third round numbers for a cost not to exceed \$3,500.00. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Executive Session** - Motion by Hughes, seconded by Bruning, 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 pending litigation 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, Bruning-yes, Hughes-yes.

Exec. Session: Pending litigation

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

Mayor Hughes stated pending litigation was discussed in Executive Session.

**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