

December 16, 2008

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, December 16, 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, Road Foreman Macko, Recycling Coordinator Podkowka

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 Corcoran, seconded by Sweeney, to accept and place on file the Minutes of December 16, 2008. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

At this time, Mayor Hughes amended the agenda to discuss the dispatch services with Sparta Township.

**Dispatch Services** - Lt. Mark Rozek, Communication Center Manager, said the proposal is for 4%, 3-1/2% and 3% increases to cover personnel and salaries. He said there will be a contractual 4% increase in 2009 for salaries. Lt. Rozek said there are some projects in the works for upgrades.

Committeeman Bruning asked how many towns are covered by Sparta Township. Lt. Rozek said they serve five (5) towns. He said Stillwater and Lafayette have the same formulas and are due for renewal as the contracts end December 31, 2008.

Mayor Hughes suggested Lt. Rozek and Ron Decker, EMS Captain, set up a meeting to review past problems. Lt. Rozek said he would be willing to have such a meeting.

Committeeman Sweeney asked about additional towns being serviced by Sparta. Lt. Rozek said additional town(s) would create personnel increases, etc. He said they now dispatch for Franklin, Ogdensburg, Stillwater, Lafayette and Sparta.

Discussion ensued regarding the formula for the cost of services, which the call volume and population are considered.

### Reports

#### Treasurer's Report

Cash Report for November 2008	
Cash Balances as of October 31, 2008	\$2,036,968.27
Cash Receipts for November 2008	\$1,177,596.69
Total	\$3,214,564.96
Cash Disbursements for November 2008	\$971,440.53
Cash Balances as of November 30, 2008	\$2,243,124.43
Account Balances as of November 30, 2008	
Current – Checking	\$1,318,144.67
Capital – Checking	\$192,978.35
Escrow – Checking	\$126,920.91
Tax Map Updates	\$1,490.81
COAH – Developers' Fees	\$228,599.09
Open Space Municipal Tax	\$140,281.85
Trust Accounts for Developer's Agreements	\$218,433.01
Special Rec. – Checking	\$6,019.97

Special Donations	\$7,543.00
Dog Trust Account	\$2,712.77
Total Account Balances	\$2,243,124.43

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

**Streets and Roads** - D’Angeli reported routine work was done. D’Angeli reported a letter has been received from Mr. Elliott Gott from the State Parks Division regarding encroachment on State park lands. Discussion ensued regarding erosion control. The Township Committee recommends the Road Department seed and hay the area near the volleyball court for erosion control.

**EMS** - Hughes reported he attended the last meeting. There was some discussion on the voting procedures, by-laws and election of officers. Hughes reported the membership requirements are that the person live or work in Lafayette and be approved by the Township Committee. He said some members are not residents or do not work in the Township. D’Angeli stated the current by-laws should be adhered to. Bruning suggested the officers attend the next meeting.

Corcoran suggested this be discussed in executive session as it involves personnel. He feels the current officers should remain in place until the issue is resolved.

The Clerk was asked to send a letter to the current officers to attend the meeting to discuss the EMS by-laws.

**Emergency Management** - Hughes reported a request was received to send help to the trimming crews in Vernon Township. He reported Lafayette will be able to help on Thursday and Friday.

**Affordable Housing** - Hughes reported the SCARC project is proceeding. Advance Housing is ongoing.

**Website** - It was noted that contact is needed from the Clerk and Land Use Board Secretary.

**Correspondence**

1. From Elliott J. Gott, Division of Parks and Forestry re: Township Encroachment on and Damage to State Park Lands
2. From Keith Neuhs, Lafayette Twp. School Superintendent re: Millpond Road parking of cars  
The Clerk was asked to send letters to the residents, and copy the Superintendent, of Millpond Road asking them not to park in the cul-de-sac during the school year. Also, the Attorney needs to be directed to draft an ordinance for this issue and have it ready for the next meeting on January 6, 2009.
3. Hampton Township Planning Board/Township Committee Public Notice to amend Master Plan Housing Element, Fair Share Plan & Growth Share Plan
4. From Ms. Coffey & Ms. Homeijer re: “Tie A Ribbon” campaign thank you

**Vouchers**

AFFORDABLE HOUSING ADMINISTRATORS	475.00
AMERIGAS – FREDON	265.80
BEAVER RUN FARMS	742.69
CHELBUS CLEANING CO., INC.	275.00
CINTAS CORP #111	478.92
CODED SYSTEMS LLC	4,073.25
CULLIGAN	104.10
D. LOVENBERG'S PORTABLE TOILET	65.00
DELUXE INTERNATIONAL TRUCKS INC.	206.15
DEPTCOR	117.00
DOLAN & DOLAN, P.A.	7,000.00

EMBARQ	325.84
EMBARQ COMMUNICATIONS INC.	58.98
F.W. BENNETT & SONS INC.	885.41
FINCH FUEL OIL CO., INC.	1,768.93
FINELLI CONSULTING ENGINEERS, INC.	3,175.40
HIGH POINT REGIONAL HIGH SCHOOL	174,185.33
HOLZHAUER & HOLENSTEIN, LLC	2,800.00
JCP & L	1,856.30
JEAN PERLEE	480.00
KOCH AUTO PARTS, INC.	261.74
KUIKEN BROTHER CO., INC.	48.96
LAFAYETTE AUTO PARTS	242.69
LAFAYETTE HOUSE	716.75
LAFAYETTE TWP BD OF EDUCATION	289,526.00
MONTAGUE TOOL & SUPPLY CO.	34.47
MUNICIPAL SOFTWARE INC.	1,389.00
NANCY PODKOWKA	367.75
NEXTEL COMMUNICATIONS	1,214.32
NJ STATE LEAGUE OF MUNICIPALITIES	55.00
NJ STATE TREASURER	50.00
ROWE & COMPANY	259.89
ROY E. KURNOS	5,894.02
SERVICE ELECTRIC CABLE TV	34.00
SK OFFICE SUPPLY INC.	27.99
SNOOKS EXCAVATING INC.	800.00
STAPLES BUSINESS ADVANTAGE	643.89
SUSSEX CTY ASSESSOR'S ASSOCIATION	15.00
THE MORVILLE AGENCY	350.00
THE NEW JERSEY HERALD	133.25
TIRE KING	240.00
TOWNSHIP OF SPARTA	16,062.50
TREASURER, S/NJ	554.00
VISION SUPPLY INC.	141.28
WARD'S FLOWERS AND GIFTS	62.95
WELDON QUARRY CO., LLC	1,134.46
WELDON QUARRY CO., LLC	299.00
WILLCO	482.66
ZION GROVE TROUT HATCHERY	752.50
DOLAN & DOLAN, P.A.	786.73
HORST AND ERNA KARGER	118.41
JOSE & LAURA GIRALDO	151.27
KRC PROPERTY	351.00
LAFAYETTE HILLTOP CHIROPRACTOR	60.00
SPARWICK CONTRACTING	1,726.34
SWP PROPERTIES	543.61
THERESA LEVENELM	515.75
TMB PARTNERS	2,215.82
ANIMAL GENERAL VETERINARY HOSPITAL	1,434.00
MGL PRINTING SOLUTIONS	390.00
WM E. KAUFMAN SR.	29.00

Motion by Corcoran, seconded by D'Angeli, 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

**2009 Reorganization/Regular Meeting** - Motion by Corcoran, seconded by Bruning, to set the date of the 2009 Reorganization Meeting for Tuesday, January 6, 2009, at 7:00pm. to be followed by the Regular Meeting. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**2009 Salary Ordinance** - Mayor Hughes opened the public hearing on the following ordinance:

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2009

Mr. Bill Macko, Road Foreman, recommended increasing the rate for the temporary snow plow employee to \$15.00 per hour if a fifth (5<sup>th</sup>) road person will not be hired. Discussion ensued; and the Township Committee agreed.

With there being no further comments from the public, Mayor Hughes closed this portion of the meeting.

Motion by D'Angeli, seconded by Bruning, to adopt the 2009 salary ordinance with the amendment of the temporary snow plow employee rate from \$13.50 per hour to \$15.00 per hour. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Dispatch Services** - Motion by D'Angeli, seconded by Corcoran, to sign the three (3) year contract for dispatch services with Sparta Township effective January 1, 2009. Also, the Clerk is to send a letter to the Hardyston Township Police Chief asking for a proposal for dispatch services. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Model Recycling Ordinance** - Ms. Podkowka said she is working with the Township Attorney and will give her recommendations to the Township Committee.

#### **New Business**

**Consent Order** - Motion by D'Angeli, seconded by Sweeney, to authorize the Mayor to sign the Consent Order in the matter of Nouvelle v. Lafayette Township. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Junior Volunteer Fireman** - Motion by Corcoran, seconded by Bruning, to approve the appointment of Brandon Michael Kalaskey as a Junior Volunteer Fireman. Motion carried by roll call vote: Sweeney-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

#### **Audience** - Pat and Lynn Cianicullo, 31 Fiddlers Way

Mr. Cianicullo said there is a 14" drop from the crown of the road to his driveway. He said other driveways along the only have a 4" pitch. He said he asked Tri-County Asphalt how to resolve this issue and was told they could feather his driveway into the street. Mr. Cianicullo said all cars and trucks bottom out.

Committeeman Bruning said there are no standards for crowns on roads. Roads are designed for drainage.

Mr. Cianicullo asked to see the plans for Fiddlers Way. Committeeman Bruning said this will be done.

Mrs. Cianicullo said she approached the owner of the property behind hers regarding the water running onto her property. She said the water runs towards her pool and barn and to her neighbor's property. Mrs. Cianicullo said her property has eroded at least one (1') foot; and she cannot get to her barn because of the ice.

Committeeman Bruning suggested investigating the origin of the water as this may be a neighbor dispute. Mrs. Cianicullo said the water started small and has gotten worse over the last eight (8) years. Mr. Cianicullo said he installed dry wells to save the neighbor's property. Mrs. Cianicullo is requesting help to resolve this issue.

Mrs. Nancy Podkowka said she has the same problem and had to dig a trench.

Committeeman Bruning said he and Road Foreman Macko will inspect the property.

Mrs. Colleen Jakl, Board of Education President, thanked the Township Committee for their help with the Millpond Drive cul-de-sac.

Mr. Ron Decker, Fire Department, said the tree lighting went well; and the children had a good time. He thanked the Road Department for its help.

**Executive Session** - Motion by Bruning, 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 and 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 - Personnel and Litigation

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, Bruning-yes, Hughes-yes.

Mayor Hughes stated personnel and litigation were 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