

July 7, 2009

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 7, 2009 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

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

Mayor D'Angeli 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 Hughes, to accept and place on file the Minutes of June 3, 2009 and June 17, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

### Reports

#### Tax Collector - For the Month Ending June 30, 2009

Duplicate Bills	\$3.00
O/S Liens	\$27,181.97
Print Outs	\$2.00
Prior Year Taxes	\$8,486.43
Current Year Taxes	\$54,861.46
Interest	\$2,114.61
Total	\$92,649.47

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

#### Treasurer - Cash Report for June 2009

Cash Balances as of May 31, 2009	\$2,186,063.63
Cash Receipts for June 2009	\$179,390.89
Total	\$2,365,454.52
Cash Disbursements for June 2009	\$558,659.59
Cash Balances as of June 30, 2009	\$1,806,794.93
Account Balances as of June 30, 2009	
Current – Checking	\$919,711.38
Capital – Checking	\$94,231.97
Escrow – Checking	\$121,337.88
COAH-Developers Fees	\$229,276.32
Open Space Municipal Tax	\$208,056.61
Trust Accounts for Developer's Agreements	\$219,081.49
Special Rec. – Checking	\$6,251.93
Special Donations	\$7,543.00
Dog Trust Account	\$1,304.35
Total Account Balances	\$1,806,794.93

#### Animal Control Officer

Month of June 2009	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$11.00	\$4,831.00
Amount Paid to State of New Jersey	\$4.20	\$990.00
Licenses Sold	2	522
Kennel Licenses Sold	0	2
Dogs Picked Up	0	0
Cats Picked Up	0	1
Dogs Taken to Pound	0	0

Cats Taken to Pound	0	1
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$50.00
Late Fees Collected	0	\$255.00
Lost Tags	0	0

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

**Committee Reports**

**Recreation** - Bruning reported the swim lessons have started. He reported a preliminary design has been submitted for the permit for the footbridge at Lafayette Park.

**Fire Department** - Sweeney reviewed the June 2009 report. Motion by Sweeney, seconded by Corcoran, to approve a Blue Light Permit for Joseph Farischon. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Land Use Board** - Corcoran reviewed the meeting of June 25, 2009.

**Nouvelle Associates/Wastewater Management Plan Amendment** - Hughes stated the report from Cerenzio & Panaro has been received and needs to be reviewed by the Township Committee and Land Use Board.

**Affordable Housing** - Hughes reported the SCARC home is complete and is to be occupied within the next month or so.

**COAH** - Hughes reported a meeting was held and sites were visited.

Hughes reported a letter has been drafted to request COAH allow the release of \$125,000 to be used for the Advance Housing project. He stated Nouvelle Associates sent a letter agreeing to the \$125,000 release. The Clerk was asked to send the request to COAH.

Hughes reported the wording in the resolution for the site on Route 15 (previously owned by Tower Alpine) refers to affordable housing. The current developer of the property will be pursuing this issue.

**Advance Housing PILOT** - Motion by Hughes, seconded by Corcoran, to authorize the Mayor to sign the PILOT for Advance Housing, which includes a three (3%) escalation clause. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Streets and Roads** - D'Angeli reported routine work is being done, as well as drainage work in the center of town and on Pelletown Road. D'Angeli reported the resurfacing project on Statesville Quarry Road is to begin the week of July 20, 2009.

D'Angeli reported the wall on Dennis Road is continuing to be worked on.

**Correspondence**

1. From Eric Snyder re: NJDOT Highway Crossings - Motion to adopt a resolution supporting demarcation of the rail-trail crossing

Motion by Bruning, seconded by Sweeney, to adopt the following resolution:

WHEREAS, the County of Sussex has identified a rail-trail crossing in the Township of Lafayette located immediately adjacent to Olde Lafayette Village as being inadequately demarked; and

WHEREAS, the rail-trail crossing in question is located such that oncoming traffic is not aware of pedestrians crossing NJ Route 94, leading to numerous instances where pedestrians properly crossing the highway are nonetheless in danger; and

WHEREAS, the County of Sussex has met with representatives of the New Jersey Department of Transportation pointing out the inadequate demarcation of the crossing; and

WHEREAS, the Department of Transportation has indicated a willingness to better demark the crossing through signage and road striping in the event the governing body is in favor of the proposal; and

WHEREAS, the Township Committee of the Township of Lafayette is ever mindful of the safety of its residents and visitors; and

WHEREAS, this improvement of the crossing signage and markings will provide much greater safety with limited expense.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lafayette strongly supports the improved demarcation of the rail-trail crossing by the Department of Transportation.

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

2. To Nouvelle Associates from Land Use Board re: Escrow Account Balance

3. From Sen. Joe Pennacchio re: S-445 "Transparency in Government Act"

4. From SC Planning Division – Postponement of SC Planning Awards

5. Andover Township Ordinances (2) re: Amending Chapter 190

6. Resolutions supporting Establishment of a Single PSAP by SC Freeholders:  
Branchville Borough & Fredon Township

Motion by D'Angeli, seconded by Hughes, to adopt the following resolution:

RESOLUTION 2009-30

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A SINGLE PUBLIC SAFETY ANSWERING POINT (PSAP) FOR SUSSEX COUNTY BY THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

WHEREAS, the Enhanced 9-1-1 emergency calling system has been operational in New Jersey for almost two decades with many counties having one Public Safety Answering Point (PSAP); and

WHEREAS, the high technology Next Generation 9-1-1 (NG 9-1-1) emergency calling system will be required by the federal government in about the year 2011; and

WHEREAS, the State of New Jersey has funded studies by RCC Consultants (2000) and the Heldrich Center for Workforce Development/Bloustein School/Rutgers (2006) each resulting in recommending the consolidation of Public Safety Answering Points (PSAPs) for the purpose of improved service and economy; and

WHEREAS, a New Jersey Joint Legislative Commission on Consolidation and Shared Services (2006) gave specific authority to the New Jersey 9-1-1 Commission to to establish standards to effect the consolidation of PSAPs and authorized funding to achieve such consolidations; and

WHEREAS, the New Jersey 9-1-1 Commission under the authority of P.L. 2007, Chapter 56-20 Section 3.b(3) has directed that by the time NG 9-1-1 becomes a reality the State of New Jersey will only support NG 9-1-1 calls to forty-one (41) of the nearly three-hundred current PSAPs, each supported center having a covered population of at least 65,000 people; and

WHEREAS, the Sussex County Board of Chosen Freeholders authorized a NJ 9-1-1 Commission funded RCC Consultants 'Communications Consolidation Feasibility Study' (2007) which resulted in a recommendation that Sussex County have no more than two (2) PSAPs; and

WHEREAS, the Sussex County Board of Chosen Freeholders established a 9-1-1 Telecommunications Working Group (TWG) (2008) to move toward PSAP consolidation; and

WHEREAS, the Sussex County TWG and Board of Chosen Freeholders have hired L. Robert Kimball Associates (2009) under a NJ 9-1-1 Commission grant to implement the consolidation of the current six (6) PSAPs to two (2) or one (1); and

WHEREAS, the Township of Sparta has received a grant to implement consolidation of Sussex County PSAPs and the Sussex County Sheriff's Office and the Division of Emergency Management have funding (total about \$2 million) to provide for much of the technology necessary for the founding of a single PSAP for Sussex County; and

WHEREAS, the Sussex County Chiefs of Police Association has gone on record recommending that the County of Sussex establish a single PSAP with redundancy to serve the NG 9-1-1 needs for Sussex County; and

WHEREAS, other New Jersey counties such as Gloucester have realized both increased levels of emergency services response as well as savings of about \$2 million annually.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that said Committee support the establishment of a single Public Safety Answering Point by the Sussex County Board of Chosen Freeholders to serve all of Sussex County and that said inter-local, shared services communications entity be managed by a board of directors appointed by the Board of Chosen Freeholders from among user disciplines.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Sussex County Board of Chosen Freeholders, all Sussex County municipalities, Senator Steven V. Oroho, Assemblywoman Alison McHose, Assemblyman Gary R. Chiusano, John Swanson, President, Sussex County Chiefs of Police, and Mr. John Drake, Chairman, Sussex County 9-1-1 Telecommunications Working Group.

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

7. Resolutions requesting amending the Open Public Records Act:

Andover Borough, Branchville Borough, Franklin Borough,  
Sandyston Township, Wantage Township

8. Sandyston Township & Stillwater Township resolutions Urging Immediate Approval of A-3738

**Vouchers**

AIRGAS EAST	103.53
ALAN G. CRUSE, INC	984.60
APPLIED SERVICE CORP	167.00
AQUATIC ANALYSTS, INC	746.66
ASPHALT CARE	841.10
ATLANTIC COMMUNICATIONS	50.00
BEAVER RUN FARMS	19.76
CASAGRANDE USA	1,519.00
CHAMBERS TRACTOR SALES, INC	234.70
CHELBUS CLEANING CO., INC	275.00
CHEMUNG SUPPLY	2,959.80
CHEMUNG SUPPLY	1,536.00
CINTAS CORP #111	392.92
CODED SYSTEMS LLC	1,321.50
CULLIGAN	105.79
CUSTOM DOCKS INC	223.00
D. LOVENBERG'S PORTABLE TOILET	150.00
DOLAN & DOLAN, P.A.	3,006.52
EARTHWISE REUSABLE BAGS	2,420.10
EMBARQ	401.76
EMBARQ COMMUNICATIONS INC	47.71
FINCH FUEL OIL CO., INC	1,582.89
FINELLI CONSULTING ENGINEERS, INC	2,073.18
G & H SERVICE INC	46.13
GARDEN STATE PLUMBING AND HEATING	185.00
HAMBURG PLUMBING SUPPLY CO., INC	295.75
HIGH POINT REG HIGH SCHOOL	218,962.05
INFORMATION SYSTEMS GROUP	100.00
INTERNATIONAL CODE COUNCIL, INC	685.88
JCP & L	1,987.77
KUIKEN BROTHER CO., INC	146.73
LADDEY, CLARK & RYAN, LLP	5,485.00
LAFAYETTE AMATEUR ATHLETICS, INC	6,000.00
LAFAYETTE AUTO PARTS	99.67
LAFAYETTE TOWNSHIP FIRE DEPARTMENT	13,700.00
LAFAYETTE TWP BD OF ED	293,300.00
LAUREN GEANEY	39.87
LENTINI REDI-MIX INC	345.00
MARYPAUL LABORATORIES INC	100.00
MGL PRINTING SOLUTIONS	514.30
MONTAGE ENTERPRISES INC	1,518.48
MONTAGUE TOOL & SUPPLY CO	587.43

MORRIS ASPHALT CO., INC	39.00
NEXTEL COMMUNICATIONS	214.47
NJ STATE LEAGUE OF MUNICIPALITIES	93.00
PEERLESS CONCRETE PRODUCTS CO	1,497.30
PITNEY POWES INC	48.00
PUBLIC ALLIANCE INSURANCE COVERAGE	31,125.00
ROY E. KURNOS	4,800.00
SERVICE ELECTRIC CABLE TV	17.00
SNOOKS EXCAVATING INC	1,600.00
STAPLES BUSINESS ADVANTAGE	264.65
TC/TREAS ASSOC SUSSEX/WARREN	44.00
THE LAND CONSERVANCY OF NEW JERSEY	2,625.00
THE NEW JERSEY HERALD	124.25
THE PRINTING CENTER INC	75.20
TRI-STATE POWER & PUMP	352.00
W. JIROUX	162.00
W. JIROUX	1,250.00
WEST PAYMENT CENTER	200.00
FINELLI CONSULTING ENGINEERS	268.75
CERENZIO & PANARO, P.C.	402.00
FINELLI CONSULTING ENGINEERS, INC	2,091.25
H2M ASSOCIATES INC	8,716.56
LADDEY, CLARK & RYAN, LLP	195.00
NJ DEPT OF HEALTH & SENIOR SERVICES	4.20

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

### **Old Business**

**Footbridge Spending Ordinance** - Mayor D'Angeli opened the public hearing for the footbridge spending ordinance. With there being no public comments, Mayor D'Angeli closed the public hearing.

Motion by Hughes, seconded by Bruning, to adopt the footbridge spending ordinance:  
 AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE PRELIMINARY ENGINEERING EXPENSES FOR THE FOOTBRIDGE REPLACEMENT AT LAFAYETTE PARK AND APPROPRIATING \$7,100.00 FROM THE RESERVE FOR RECREATION IN THE CAPITAL IMPROVEMENT FUND

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

### **New Business**

**Notice of Tort Claim Form** - Motion by Bruning, seconded by Hughes, to approve the Notice of Tort Claim form for the Public Alliance Insurance Coverage Fund. Attorney Kurnos suggested this form by posted on the Township's website. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

### **Raffle Licenses**

**Ginnie's House** - Motion by Corcoran, seconded by Sweeney, to approve two (2) raffle licenses for Sussex County Children's Advocacy Center (Ginnie's House) for October 23, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Lafayette Center Preservation Foundation** - Motion by Corcoran, seconded by Sweeney, to approve a raffle license for Lafayette Center Preservation Foundation for December 12, 2009 and waive the local fee. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Amend Chapter II Ordinance** - Motion by Bruning, seconded by Corcoran, to introduce the following ordinance and set the public hearing date of August 4, 2009:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING "ADMINISTRATION" OF SAID TOWNSHIP

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

**SECTION 1 - 2-7 Fees**

a. The township clerk is hereby authorized to dispense copies of the following, upon payment of proper fees:

1. Master Plan.....\$30.00
2. Zoning ordinance and map.....\$5.00
3. Land Use ordinance.....\$5.00
4. Land Use Procedures ordinance.....\$5.00
5. Tax map, per page.....\$1.00
6. Individual recordings of meetings, per CD.....\$1.00
7. Individual copies, per page.....\$0.10

e. The registrar of vital statistics is hereby authorized to dispense copies of the following, upon payment of proper fees:

- Certified Copies: Birth Certificate.....\$5.00  
Marriage Certificate.....\$5.00  
Death Certificate.....\$5.00  
Marriage License.....\$28.00 (or as specified by the NJ State Registrar)  
Civil Union License.....\$28.00 (or as specified by the NJ State Registrar)  
Domestic Partnership.....\$28.00 (or as specified by the NJ State Registrar)

**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, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Kimber Petroleum-Request for Consent for Proposed Treatment Works** - Motion by Sweeney, seconded by Bruning, to authorize the Mayor to sign the Statement of Consent-Consent by Governing Body. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Computer for Construction Official** - Motion by Hughes, seconded by Corcoran, to approve the purchase of a computer for the Construction Official for \$974.00. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

**Land Use Procedures Ordinance** - The ordinance is referred back to the Land Use Board for further review.

**Office Hours** - Discussion ensued regarding a time clock. Bruning will pursue cost estimates.

**Audience** - Mr. Joe Farischon, Fire Department Member, reported extrication drills have been held. The new tools are working well.

**Executive Session** - Motion by Bruning, seconded by Sweeney, 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 land acquisition 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: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

#### Exec. Session - Land Acquisition

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

Mayor D'Angeli stated land acquisition was discussed in Executive Session.

Motion by Hughes, seconded by Corcoran, to approve the Open Space Advisory Committee prepare an application to be submitted to Sussex County Open Space. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

#### **Adjournment**

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC  
Municipal Clerk