

August 4, 2009

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, August 4, 2009 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent Sweeney

Also Present: Clerk Fedish, Attorney Kurnos, Engineer Finelli, Asst. Road Foreman Ando

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 Hughes, seconded by Corcoran, to accept and place on file the Minutes of July 7, 2009 and to accept the Executive Session minutes of July 7, 2009 and not release them until negotiations are finalized. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Reports

Tax Collector - For the Month Ending July 31, 2009

Duplicate Bills	\$3.00
Print Outs	\$2.00
Prior Year Taxes	\$90,227.76
Current Year Taxes	\$344,776.28
Prepaid Taxes 2010	\$406.13
Interest	\$18,670.96
Total	\$454,086.13

Treasurer - Cash Report for July 2009

Cash Balances as of June 30, 2009	\$1,806,794.93
Cash Receipts for July 2009	\$512,863.61
Total	\$2,319,658.54
Cash Disbursements for July 2009	\$649,230.98
Cash Balances as of July 31, 2009	\$1,670,427.56
Account Balances as of July 31, 2009	
Current – Checking	\$789,268.94
Capital – Checking	\$94,144.67
Escrow – Checking	\$112,468.70
COAH-Developers Fees	\$231,801.32
Open Space Municipal Tax	\$208,056.61
Trust Accounts for Developer's Agreements	\$219,369.23
Special Rec. – Checking	\$6,428.44
Special Donations	\$7,543.00
Dog Trust Account	\$1,346.65
Total Account Balances	\$1,670,427.56

Animal Control Officer

Month of July 2009	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$44.00	\$4,875.00
Amount Paid to State of New Jersey	\$5.40	\$995.40
Licenses Sold	2	524
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	\$25.00	\$280.00
Lost Tags	0	0

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

Correspondence

From Karelann Autale regarding Speed limit/Deaf Child Zone signs - Mrs. Autale explained the situation regarding vehicles continuously passing the school bus on Route 15 in front of her house. She, also, asked for a “Hidden Driveway” sign. Mayor D’Angeli said her letter will be forwarded to the State Department of Transportation. Committeeman Bruning noted the State will need to be contacted for the signs.

Executive Session - Motion by Corcoran, seconded by Hughes, 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: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes.

Executive Session - Pending litigation

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

Mayor D’Angeli stated pending litigation was discussed in Executive Session.

Committee Reports

Land Use Board - Corcoran reviewed last month’s meeting. He reported that AES asked that the COAH units condition be removed from the resolution of approval. The Board denied this request.

Board of Health - Corcoran reported a meeting was held last week.

Affordable Housing - Hughes reported a session was held recently.

Streets and Roads - D’Angeli reported routine work is being done. He reported the Road Department is asking for a new computer. Assistant Foreman Ando explained why they needed it. Motion by Bruning, seconded by Corcoran, to purchase a new computer for the Road Department per the proposal from 20/20 dated August 4, 2009, for a cost not to exceed \$490. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes.

Ando explained it would cost approximately \$2,500 to fix the trans-axle on the mower. This mower is approximately 11 years old. He distributed copies of quotes he received for a new mower and suggested the purchase of the 72” mower.

Bruning asked about a trade-in. Ando said Bassani would not give much; and Montague Tool would not give anything. Motion by Bruning, seconded by Hughes, to purchase Option #3, Scag 61” T-Cub from Bassani for \$6,000 plus our trade-in. Ando will speak

with Don at Bassani's. If there is a change, he will contact D'Angeli to do a phone poll.
 Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Correspondence

1. From Jeff Fette, CO re: Requesting CCO Inspections for real estate sale/transfer
 Carry to September 1, 2009
2. Coded Systems Agreement for Codification Services
 Carry to September 1, 2009
3. From Karelann Herhaly-Aitale re: Speed limit/ Deaf Child Zone signs
 Copy of letter to be sent to the NJDOT.
4. Hamburg Borough/Hampton Township/Green Township Resolution:
 re: Requesting Amendment of OPRA
5. Hampton & Sandyston Townships Resolution:
 re: Supporting Establishment of Single PSAP for Sussex County
6. From Jayme Alfano, Andover Township Administrator re: Requesting meeting to
 discuss potential recreation fields
 Messrs. Bruning, Corcoran and O'Leary will attend the meeting when scheduled

Vouchers

20/20 BUSINESS SOLUTIONS INC.	974.00
AIRGAS EAST	57.51
AQUATIC ANALYSTS, INC.	180.00
BASSANI POWER EQUIPMENT, LLC	20.24
BEAVER RUN FARMS	973.09
BOBCAT OF NORTH JERSEY-EAST	750.00
CHELBUS CLEANING CO., INC.	275.00
CINTAS CORP #111	330.58
D. LOVENBERG'S PORTABLE TOILET	210.00
EARTHWISE REUSABLE BAGS	2,420.10
EMBARQ	407.53
EMBARQ COMMUNICATIONS INC.	101.74
FINCH FUEL OIL CO., INC.	1,210.59
FINELLI CONSULTING ENGINEERS, INC.	1,301.30
FRANKFORD TOWNSHIP	14,514.85
G & G DIESEL SERVICE INC.	611.71
G.F.O.A. OF NJ FALL CONFERENCE	325.00
HERMAN GOBLE	1,170.00
HIGH POINT REG HIGH SCHOOL	165,230.65
HOME EXPOT CREDIT SERVICES	31.17
JCP & L	1,957.06
JOE ONOREVOLE	117.76
LADDEY, CLARK & RYAN, LLP	120.00
LADDEY, CLARK & RYAN, LLP	820.15
LADDEY, CLARK & RYAN, LLP	1,485.00
LAFAYETTE AUTO PARTS	86.62
LAFAYETTE PRESERVATION FOUNDATION	500.00
LAFAYETTE TWP BD OF ED	511,332.50
LAUREN GEANEY	25.76
MARYPAUL LABORATORIES INC.	250.00
MONTAGUE TOOL & SUPPLY CO.	244.56
MUNICIPAL SOFTWARE INC.	2,904.00
NEXTEL COMMUNICATIONS	208.42
NISIVOCCIA & COMPANY LLP	1,500.00
OCS PRINTING INC.	940.00
OPDYKE'S SALES & SERVICE	150.99
POLOWY STONE & MASON	116.85
ROY E. KURNOS	4,800.00
S/NJ DEPT OF LABOR & WORKFORCE DEV.	40.50
SERVICE ELECTRIC CABLE TV	17.00
SHERATON AC CONVENTION CTR HOTEL	408.00
SNOOKS EXCAVATING INC.	1,300.00
STAPLES BUSINESS ADVANTAGE	246.17
STORR TRACTOR COMPANY	726.22

SUSSEX COUNTY CLERK	244.81
SUSSEX COUNTY TREASURER	382,215.21
SUSSEX COUNTY TREASURER	11,306.77
SUSSEX COUNTY TREASURER	32,209.55
TC/TREAS ASSOC SUSSEX/WARREN	50.00
THE LAND CONSERVANCY OF NEW JERSEY	2,625.00
THE MOWER DOCTOR, LLC	255.35
THE NEW JERSEY HERALD	61.95
THE ROY COMPANY INC.	41.56
TREASURER, S/NJ	150.00
VISION SUPPLY INC.	237.36
W.E. TIMMERMAN CO., INC.	3,800.16
FINELLI CONSULTING ENGINEERS, INC.	944.40
CERENZIO & PANARO, P.C.	3,951.00
FINELLI CONSULTING ENGINEERS, INC.	2,018.75
H2M ASSOCIATES INC.	873.08
LADDEY, CLARK & RYAN, LLP	90.00
LADDEY, CLARK & RYAN, LLP	210.00
BECKY JIROUX	134.25
BECKY JIROUX	321.24
NJ DEPT OF HEALTH & SENIOR SERVICES	5.40

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

Old Business

Amend Chapter II, "Administration" Ordinance - 2009-14

Mayor D'Angeli opened the public hearing for the following ordinance:

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

With there being no public comments, Mayor D'Angeli closed the public hearing.

Motion by Corcoran, seconded by Hughes, to adopt the Chapter II, "Administration" Ordinance Amendment. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Ordinance Amendment - Land Use Chapters 12 & 14 - Motion by Bruning, seconded by Corcoran, to introduce the following ordinance and set the public hearing for September 1, 2009:

ORDINANCE 2009-15 - AN ORDINANCE TO AMEND CHAPTER XII (LAND USE) AND CHAPTER XIV (LAND USE PROCEDURES) OF THE TOWNSHIP OF LAFAYETTE CODE

BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapters XII and XIV of the Township Lafayette Code, being the Land Use and Land Use Procedures chapters, shall be and are amended as follows:

- Section 1. 12-5.1 shall be and is hereby amended to read as follows:
 - a. At the request of the applicant, the Land Use Board or the Subdivision or Site Plan Committee...
The purpose of the concept plan is to provide the Land Use Board or Subdivision or Site Plan Committee...
 - b. Applicants seeking a concept plan informal review shall submit the following items twenty-one (21) days before the concept plan meeting for review by the Land Use Board or Subdivision or Site Plan Committee...

- Section 2. 12-5.2(a) shall be and is hereby amended to read as follows:
 - a. ... All plats, applications and other required information shall be submitted at least twenty-one (21) days prior to any Land Use Board meeting at which time the application will be considered. If the applicant is not the record owner of the title to the property being subdivided, he shall file a written consent signed by the owner consenting to the making of the application and agreeing to be bound by the Land Use Board decision.

- Section 3. 12-5.3(b) shall be and is hereby amended to read as follows:

- b. Any owner of land within the township wishing to subdivide or resubdivide...or who needs site plan review shall file with the Township Clerk fourteen (14) copies of the...
... Such submission shall be made at least twenty-one (21) days prior to any Land Use Board meeting at which time the application will be considered. If the applicant is not the record owner of the title to the property being reviewed, he shall file a written consent signed by the owner consenting to the making of the application and agreeing to be bound by the Land Use Board decision.

Section 4. 14-1.9(b) shall be and is hereby amended to read as follows:

b. ... Applicant shall file at least twenty-one (21) days before the date of the monthly meeting of the Board: ...

Section 5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such provision(s) shall be deemed severable; and the remaining portions of this Ordinance shall remain in full force and effect.

Section 6. All ordinances or parts of ordinance or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

Section 8. This Ordinance shall take effect after publication and passage according to law.

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

New Business

Extend Tax Payment Grace Period - Motion by Bruning, seconded by D'Angeli, to extend the grace period for the receipt of 3rd Quarter 2009 taxes to August 21, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Renew Lafayette Restaurant Holdings, LLC Liquor Licenses:

Motion by Bruning, seconded by D'Angeli, to adopt a Resolution to renew the Liquor License of Lafayette Restaurant Holdings, LLC for the year 2008-2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Motion by Bruning, seconded by D'Angeli, to adopt a Resolution to renew the Liquor License of Lafayette Restaurant Holdings, LLC for the year 2009-2010. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Professional Services

David Roberts, CMX Engineering - Motion by Hughes, seconded by Bruning, to appoint David Roberts of CMX Engineering to support the revision of the Lafayette Township Affordable Housing and Fair Share Plan at a cost not to exceed \$8,900. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

Maureen Fullaway, Affordable Housing Administrators - Motion by Hughes, seconded by Bruning, to appoint Maureen Fullaway of Affordable Housing Administrators as Administrator of the Municipal Housing Rehabilitation Program, Accessory Apartment Program, and Sales and Rental Units Program. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes.

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