

May 5, 2009

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, May 5, 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, Attorney Kurnos, Road Foreman Macko

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 Sweeney, to accept and place on file the Minutes of April 22, 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 April 30, 2009

Duplicate Bills	\$72.00
Printouts	\$10.00
Prior Year Taxes	\$50,362.71
Current Year Taxes	\$553,018.34
Interest	\$6,697.58
Total	\$610,160.63

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.

Animal Control Officer

Month of April 2009	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$323.00	\$4,793.00
Amount Paid to State of New Jersey	\$49.80	\$979.20
Licenses Sold	24	517
Kennel Licenses Sold	0	2
Dogs Picked Up	0	0
Cats Picked Up	1	1
Dogs Taken to Pound	0	0
Cats Taken to Pound	1	1
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$50.00
Late Fees Collected	\$110.00	\$255.00
Lost Tags	0	0

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

At this time, Mayor D'Angeli amended the agenda for the Center for Prevention and Counseling presentation.

Center for Prevention and Counseling (CFPC)

Becky Carlson, Director John Swanson, Hopatcong Police Chief

Ms. Carlson explained that a child's brain develops up to the age of 22/23 years old. Underage drinking, especially under the age of 15, makes a child more at risk for alcoholism and taking drugs. She said an ordinance would give a fine and/or loss of license to a child, until the age of 21, if the child is found drinking on private property.

Chief Swanson explained underage drinking, also, affects the community. He said quiet parties are being held. Chief Swanson said the Hopatcong Borough ordinance excludes a parent offering their child a drink under their supervision in their own home and for religious occasions.

Committeeman Corcoran asked why the State has not made this law. Ms. Carlson feels this was lost in session. She said 20 out of the 24 municipalities in Sussex County have adopted an ordinance.

Committeeman Hughes does not feel the taking away of a license when the person is not driving is appropriate. He suggested assigning community service. Ms. Carlson said the County is looking at adding a community service option. She said the situation of drinking has changed drastically over the past few years.

The Township Committee will review the information given by Ms. Carlson and Chief Swanson.

Committee Reports

Board of Health - Corcoran reported a meeting was held on April 27, 2009; and the septic and well fees were discussed.

Corcoran said reports of well tests are to be given to the Township for our files. Mr. David Muscalo, Board of Health President, said the well information (under the Private Well Testing Act) is presently only submitted to the County.

Land Use Board - Corcoran reported a meeting was held on April 23, 2009; and no hearings were held. He said they are working on a ridge line protection ordinance and zoning map errors.

SCARC - Hughes reported a walk-through was held at the house on Warbasse Junction Road. They are anticipating the issuance of a Certificate of Occupancy (CO) in a few weeks and will then move residents in.

Advance Housing - Hughes reported a request has been submitted for the \$125,000 the Township has committed for 20 units of affordable housing. A waiver letter is needed as the spending plan has yet to be approved by the State.

Streets and Roads - D'Angeli reported routine work is being done. He said an inspection was done at a property on Old Beaver Run Road; and the problem was found to be out of the Township's right-of-way. He reported Road Foreman Macko told the property owner it was their responsibility.

D'Angeli reported a person who owes community service hours will be working them off at the Municipal Building doing painting and carpet cleaning.

D'Angeli reported the bid opening for the Statesville Quarry Road resurfacing project will take place on Friday, May 15, at 10:00am.

D'Angeli reported the Township Engineer needs approval to submit a grant application to the NJDOT for the Pelletown Road project. Motion by Bruning, seconded by Hughes, to authorize Finelli Consulting Engineers to submit a grant application to the NJDOT for the Pelletown Road project with the cost of their work not to exceed \$660.00. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Paulins Kill Pedestrian Bridge - Bruning reported the estimated cost for a NJDEP permit is \$7,300.00; and the bridge may cost approximately \$30,000.00. Bruning will speak with Nathaniel Sajdak (Wallkill Watershed) to coordinate this project

Correspondence

1. Edith McGrath - Recycling Report

2. Tom Varro re: SCMUA Landfill Gas Management
 3. Nathaniel Sajdak re: Streambank Restoration & Stabilization Project
 4. Elizabeth Mataset re: MG Picillo Estate/Open Space & Recreation Plan
 5. Lou Cattuna, NJDEP re: No Name Dam Breaching & Decommissioning
 6. Roy E. Kurnos re: Nouvelle Associates WMP Amendment
- Hughes said the review by Cerenzio & Panero is on hold until the escrow deposit of \$2,750.00 is submitted.

7. Freeholder Board re: Strategic Growth Advisory Committee Reappointments
 8. Andover Township Ordinance re: Zoning Amendment
 9. US Census Bureau Appreciation
 10. NJSLOM Scholarship - Warren Potter Semi-Finalist
- A letter will be sent to Mr. Potter asking for his attendance at the next meeting on May 19, 2009 for the presentation of the certificate.

Vouchers

Sussex County Treasurer	382,215.21
Sussex County Treasurer	11,306.77
Sussex County Treasurer	32,209.55
Sussex County Treasurer	29,671.23
G&H Service Inc.	69,600.00

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

A discussion ensued regarding the bills for Dolan & Dolan, the previous Land Use Board attorney. The bills will be reviewed at the Board's next workshop meeting.

Old Business

Amended Salary Ordinance - Mayor D'Angeli opened the public hearing for the following ordinance:

Open public hearing for the following ordinance:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2009" WHICH WAS ADOPTED DECEMBER 16, 2008

With there being no public comments, Mayor D'Angeli closed this portion of the meeting. Motion by Bruning, seconded by Corcoran, to adopt the Amended Salary Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Exceed Budget Appropriation Ordinance - Mayor D'Angeli opened the public hearing for the following ordinance:

CALENDAR YEAR 2009 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

With there being no public comments, Mayor D'Angeli closed this portion of the meeting. Motion by Corcoran, seconded by Bruning, to adopt the Exceed Budget Appropriation Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

New Business

Temporary Budget/Resolution - Motion by Hughes, 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 2009 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 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$1,628,043 and

WHEREAS, 1/12th of the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance in said budget is the sum of \$135,670.

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

Cancellation of Summer Meetings - Motion by Corcoran, seconded by Sweeney, to cancel the following summer meetings: June 16, 2009, July 21, 2009 and August 18, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Advance Housing-PILOT - Kevin Blanchard

Mr. Blanchard said Advance Housing was not awarded tax credits for the project; and they are using a different name for the project, Advance Housing, Inc. A new PILOT agreement needs to be drawn up and signed. The Township Attorney will review the new agreement.

Mr. Blanchard said they are anticipating on closing on funding from HMFA soon; and will break ground next month. He said Phase I will be ten (10) units.

Audience

Katie & Roy Reynolds gave an update of the lyme support group. They said many people from different ages are attending. They asked to move the time of their second monthly meeting to 4-6:30pm. from 8-9:30pm. The Township Committee approved the use of the meeting room for that time.

Mrs. Reynolds informed the Committee that an awareness event will be held at the Sacred Heart Spirituality Center in Hampton on Saturday, May 30, 2009 from 1-4 pm. She said the president of the Lyme Disease Association will attend and make a presentation.

Mrs. Colleen Jakl, Lafayette Board of Education President, informed the Committee that the Board meetings will now be held on the third Tuesday of every month.

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 property 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 - Property Acquisition

Motion by Bruning, seconded by Hughes, to return to the regular meeting.

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

Motion by Bruning, seconded by Sweeney, to authorize Mackoff and Goldberg to do appraisals on Block 2, Lot 4 and Block 1.01, Lots 2, 5, 6 and 9 subject to obtaining a right of first refusal for a reasonable amount of time. 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 Bruning, seconded by Corcoran, to adjourn the meeting. Motion carried. Meeting adjourned.

Respectfully submitted,

ANNAROSE FEDISH, RMC
Municipal Clerk