

January 5, 2010

The first regular meeting for the year 2010 was held on Tuesday, January 5, 2010 at 7:30pm. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

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

Mayor Bruning 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 Bruning, to accept and place on file the Minutes of December 15, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes, Bruning-yes.

Reports

Tax Collector - For the Month Ending December 31, 2009

Current Year Taxes	\$82,515.67
Prepaid Taxes 2009	\$25,625.93
Interest	\$3,128.63
Total	\$111,270.23

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

Animal Control Officer

Month of December 2009	<u>This Month</u>	<u>To Date</u>
Total Deposits	0	\$4,910.00
Amount Paid to State of New Jersey	0	\$1,003.00
Amount Paid to Lafayette Township	0	0
Licenses Sold	0	528
Kennel Licenses Sold	0	2
Dogs Picked Up	1	2
Cats Picked Up	3	14
Dogs Taken to Pound	1	2
Cats Taken to Pound	3	14
Dogs Redeemed	0	2
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$50.00
Late Fees Collected	0	\$280.00
Lost Tags	0	0

Miscellaneous Notes: December impounding costs – zero.

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

Committee Reports

Affordable Housing - Hughes reported Advance Housing has started construction on the first ten (10) units and anticipate completion by the end of the year. The application for the second ten (10) units has been submitted.

COAH - Hughes reported a jurisdiction meeting is scheduled for January 13th with COAH. He, Attorney Kurnos and Land Use Board Chairman Kevin O'Leary will attend.

Emergency Management - Hughes reported a dispatch meeting will be held in early February. A Local Emergency Planning Committee meeting will be held in March.

Streets and Roads - D'Angeli reported routine work is being done. The Road Department will repair the standpipe in the pond on the Utter property. The County Route 659 sign will soon be removed as this is now Morris Farm Road.

D'Angeli reported storm water plans are to include truck washing. Talks are ongoing with Sparta Township and Suburban Propane. Road Foreman Macko said rinsing the trucks is allowed as long as it is done without soap.

Correspondence

1. From Joe Zoltowski, Dept. of Agriculture re: no major infestations of gypsy moths
2. From Dennis Kohl, BSA re: BSA celebrating 100th Anniversary
The Township Committee welcomes the Boy Scouts opening a Township meeting at the second meeting in February or either meeting in March.
3. From Board of Chosen Freeholders re: Final approval of Open Space Applications for the 2009 County funding round
4. Municipal Fleet Washing Facility Brochure
5. From George Sweeny, Esq. re: Dennis Road/Wreden's

Old Business

Oppose S3094/A4305 – Contractors doing public work with apprenticeship programs. Hughes reported the Assembly has approved the changes of the Senate; and this is now to go for a full Assembly vote. Motion by Hughes, seconded by D'Angeli, to oppose A4305 adopt the following resolution:

WHEREAS, the Township Committee of the Township of Lafayette has determined that Assembly Bill A-4305 (companion bill to Senate Bill S-3094) requires contractors who bid on public works contracts to have an apprenticeship program in place; and

WHEREAS, Assembly Bill A-4305 will, also, be unfair to the local contractor wanting to bid on a public works contract; and

WHEREAS, Assembly Bill A-4305 will, also, increase the cost of the public works projects which the taxpayer will need to fund, which is against the State recommendation of lowering municipal taxes.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, does hereby oppose Assembly Bill A-4305 as it will place an undue financial hardship on New Jersey municipalities.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to provide a copy of this Resolution to the following: Honorable Jon Corzine, Senator Steve Oroho, Assemblywoman Alison McHose, Assemblyman Gary Chiusano, NJ State League of Municipalities, and Sussex County Municipalities.

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

Good Neighbor Dinner with Schering/Merck - The Municipal Clerk is to relay that the following dates are available for the dinner: January 12, 20 and 27.

New Business

2010 Temporary Budget - Motion by D'Angeli, seconded by Sweeney, 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 2010 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriation in the 2009 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$1,906,532 and

WHEREAS, 26.25% of the total appropriations in the 2009 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance in said budget is the sum of \$500,465,

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.

Budget Meeting - Carry to the next meeting on January 19th.

Defend Tax Appeals Resolution - Motion by D'Angeli, seconded by Sweeney, to adopt the following resolution:

BE IT RESOLVED by the Township Committee of the Township of Lafayette that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Lafayette tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Township of Lafayette; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and hereby designated as agents of the Township of Lafayette for the purpose of signing settlements of the foregoing matters by stipulation.

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

Junkyard License - Motion by D'Angeli, seconded by Sweeney, to approve the junkyard license renewal for Lafayette Salvage, Inc. Motion carried by roll call vote: Hughes-yes, Corcoran-no, D'Angeli-yes, Sweeney-yes, Bruning-yes.

Raffle License - Motion by Hughes, seconded by Sweeney, to approve a raffle license for Lafayette Township PTO for February 19, 2010 and waive the local fee. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes, Bruning-yes.

Salary Ordinance Amendment - Motion by D'Angeli, seconded by Hughes, to introduce the following ordinance and set the public hearing for January 19, 2010:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2010" WHICH WAS ADOPTED DECEMBER 15, 2009

1. The annual salary of the office named hereafter for the 2010 and for each year thereafter, until amended or repealed, are hereby established and fixed at the following sums in lieu of any and all fees and remuneration to which the respective incumbents of said office might otherwise be entitled, except, however, that which may be authorized by resolution of the Township Committee, to wit:

	Annually	Payable
Zoning Officer	\$2,000.00	Bi-Weekly

2. That the aforesaid salary shall be paid at the time and in the manner established by the Township Committee for payment of salaries.

3. Any and all portions of any and all ordinance that may be inconsistent with the provision of this ordinance are hereby rescinded.

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

Oppose A4151 - Hughes reported A4151 would extend prevailing wage requirements to food services, public bodies and schools. The Office of Legislative Services has shown the local cost estimates to be very significant, which is opposite of the State saying local costs need to be reduced.

Motion by Hughes, seconded by D'Angeli, to oppose A4151 that would extend services of prevailing wage to food services, public bodies and schools as this would add significant costs as shown by the Office of Legislative Services and adopt the following resolution:

WHEREAS, the Township Committee of the Township of Lafayette has determined that Assembly Bill A-4151 which would extend prevailing wage requirements to food services, public bodies and schools; and

WHEREAS, as shown by the Office of Legislative Services, local cost estimates will be very significant, which is opposite of the State saying local costs need to be reduced.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, does hereby oppose Assembly Bill A-4151 as it will add significant costs as shown by the Office of Legislative Services.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to provide a copy of this Resolution to the following: Honorable Jon Corzine, Senator Steve Oroho, Assemblywoman Alison McHose, Assemblyman Gary Chiusano, NJ State League of Municipalities, and Sussex County Municipalities.

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

CFO Change of Office Hours - The Township Committee approved the CFO changing her office hours to Tuesday-Friday, 9am.-2pm.

Audience

David Decker, Fire Department Chief, said two (2) students have graduated from fire school; and they only need one (1) set of turnout gear. He said the approximate cost is \$2,500.00.

Motion by D'Angeli, seconded by Hughes, to introduce the following ordinance and set the public hearing date of January 19, 2010:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF ONE (1) SET OF TURNOUT GEAR AND RELATED APPURTENANCES AND APPROPRIATING \$2,500.00 FROM THE RESERVE FOR THE FIRE DEPARTMENT IN THE CAPITAL FUND FOR SUCH PURPOSE

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 Acquisition of one (1) set of turnout gear and related Appurtenances is hereby authorized and the cost is not to exceed \$2,500.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$2,500.00 is hereby appropriated from the Reserve for the Fire Department available in the Capital 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: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes, Bruning-yes.

Mr. Decker asked for the Fire Department's portion of the Township budget. Mayor Bruning suggested he call the CFO and said this is not to be a part of their own budget.

James Ando, Road Department, asked that the Road Department receive more than a \$.25 per hour raise. Mayor Bruning explained the increase was based on the cost of living, which is less than one (1%) percent. He said the Township Committee cannot justify more to the taxpayers due to the economy.

Frank LoPorto, Road Department, said the cost of living adjustment for his child support was four (4%) percent in 2009. Mayor Bruning noted employers are not responsible for personal finances.

Committeeman Hughes said the one and a half (1.5%) percent raise was based on the current Township financial constraints. They are anticipating a ten (10%) percent increase in health costs; and the Township will continue to pay the health insurance.

Committeeman Hughes said the Township Committee values everyone's job and performance.

Road Foreman Macko suggested possibly amending the personnel policy to give double time on Sunday's and pay the Road Department for lunch with their hours being 7am.-3pm.

Mayor Bruning said the Township Committee will consider his request.

Executive Session - Motion by D'Angeli, 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 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, D'Angeli-yes, Sweeney-yes, Bruning-yes.

Exec. Session - Pending Litigation

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

Mayor Bruning stated pending litigation was discussed in Executive Session.

Adjournment

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC
Municipal Clerk