

February 2, 2010

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, February 2, 2010 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent Bruning

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

Deputy Mayor Sweeney opened the meeting stating that it was being held in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

**Minutes**

The Minutes of January 19, 2010 will be carried to the next meeting for further review.

**Reports**

**Tax Collector** - For the Month Ending January 31, 2010

Duplicate Bills	\$12.00
Prior Year Taxes	\$40,288.57
Current Year Taxes	\$380,088.40
Interest	\$1,464.21
Total	\$421,853.18

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

**Animal Control Officer**

Month of January 2010	<u>This Month</u>	<u>To Date</u>
Total Deposits	\$2,902.00	\$2,902.00
Amount Paid to State of New Jersey	\$601.20	\$601.20
Licenses Sold	331	331
Kennel Licenses Sold	2	2
Dogs Picked Up	1	1
Cats Picked Up	0	0
Dogs Taken to Pound	1	1
Cats Taken to Pound	0	0
Dogs Redeemed	0	0
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	\$50.00	\$50.00
Late Fees Collected	0	0
Lost Tags	0	0

NOTE: "Loose" dog was picked up by the NJ State Police and transported to the pound in Wantage Township because the trooper was going that way. Dog belonged to Everitt Haubrich who paid all of the expenses related to the impoundment – no cost to Lafayette Township.

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

**Committee Reports**

**Affordable Housing** - Hughes reported a decision from HUD regarding the application for the ten (10) units to be constructed is forthcoming.

**Emergency Management** - Hughes reported a meeting is scheduled for the third week in March.

**EMS** - Corcoran reviewed the January report.

**Land Use Board** - Corcoran reviewed the meeting of January 28.

**Board of Health** - Corcoran reviewed the meeting of January 25.

**Streets and Roads** - D’Angeli reported routine work was done; and the cross pipe on Lewisburg Road was replaced.

**Fire Department** - Sweeney reported the well at the fire house is contaminated and needs immediate attention. He reported there were 12 calls in January.

**Correspondence**

1. From Doreen Schott, RMC Hamburg Borough re: Recycling Shared Services  
The Clerk was asked to send a letter stating the Township will be continuing its own recycling efforts.

2. From Kevin O’Leary to Sen. Steve Oroho re: COAH

3. Land Use Board Annual Report and Recommendations

4. From Board of Health re: Addition of Sampling Spigot on Water Line  
Mayor Bruning, Buildings and Maintenance Liaison, will pursue.

5. From Stephanie Pizzulo re: Use of Meeting Room for Girl Scout Cookie Distribution  
Motion by Hughes, seconded by D’Angeli, to approve the Girl Scouts using the meeting room on Friday, March 5, 2010, subject to availability.

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

**Vouchers**

Sussex County Treasurer	406,562.45
Sussex County Treasurer	11,546.58
Sussex County Treasurer	32,785.94
Sussex County Treasurer	16,006.75
NJSHBP	8,872.65
US Postmaster	207.30

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

**Old Business**

**Coded Systems** - Hughes reported the codification of the 2009 ordinances is complete and will be posted on the web site.

**New Business**

**Land Use Board Ordinance Amending Residential Zones** - This will be carried to the next meeting on February 16, 2010.

**Fire House Well** - The water sample taken directly from the well is contaminated with E coli. Measures will be taken to correct this.

**Pond Treatment** - A proposal received from Great Blue will be forwarded to the Recreation Commission for review.

**Oppose Bill S-82/A-437 (“Time of Decision Rule”)** - Motion by Hughes, seconded by Corcoran to adopt the following resolution:

WHEREAS, S-82 and A-437 are intended to modify the “time of decision rule”, which currently allows municipalities to change the zoning regulations during the pendency of an application for development; and

WHEREAS, the bills would deem as complete the ordinances in effect at the time of an application and shall govern the review of that application and any decision made following upon that review; and

WHEREAS, the “time of decision rule” is a judicially recognized principal that decisions are to be made on the basis of laws, ordinances and regulations in effect at the time the decision is rendered not upon application; and

WHEREAS, courts have applied the “time of decision rule” to correct errors in zoning ordinances, thus giving local legislators the opportunity to correct legislative policy that had been found to be imperfectly expressed; and

WHEREAS, the “time of decision rule” has permitted a municipality to give additional legislative consideration to serious and substantial land use planning concerns that, for whatever reason, had not been previously addressed in the ordinance; and

WHEREAS, application and zoning changes require public discussion and hearings, and S-82/A-437 would permit developers to “beat the clock” by filing applications and freezing the ability of local officials to act.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette in the County of Sussex in the State of New Jersey hereby urges our State Legislators to oppose S-82 and A-437 and any legislation which would eliminate the “time of decision rule” at the local level; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Chris Christie, Senator Steve Oroho, Assemblywoman Alison McHose, Assemblyman Gary Chuisano, the members of the Senate Community and Urban Affairs Committee, the Assembly Housing and Local Government Committee, the NJ State League of Municipalities and Sussex County municipalities.

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

**Support Bill S-1 (Dissolve COAH)** - Motion by D’Angeli, seconded by Corcoran, to adopt the following resolution:

WHEREAS, the current regulatory model for providing a reasonable opportunity for affordable housing in this state is irreversibly broken; and

WHEREAS, within the Township of Lafayette, compliance with the existing models providing affordable housing means the Township must choose between the conflicting demands of providing for the preservation of the last remaining open space within the Township or complying with the Court Order for Affordable Housing; and

WHEREAS, the Senate has introduced Legislation S-1, which seeks to dramatically reform the way in which Affordable Housing is provided for in the State of New Jersey including, but not limited to, the abolishment of the Council on Affordable Housing; and

WHEREAS, the Township Committee of the Township of Lafayette hereby supports and endorses the proposals set forth in Senate Bill S-1.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that they call upon the Senate and Assembly to quickly pass legislation consistent with Senate Bill S-1 and ask Governor Christie to sign such legislation into law immediately after his receipt of such legislation from the Legislature.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Christopher Christie, Senator Steve Oroho, Assemblywoman Alison McHose, Assemblyman Gary Chuisano, the NJ State League of Municipalities and Sussex County municipalities.

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

**S-458 (Consolidation of Tax Services)** - The Township Attorney will review and report back to the Committee for the next meeting.

### **Audience**

Messrs. Andrew Antanaitis and John Kelly, LEAF Trustees, presented a plan for holding a 5K Run/Walk on May 8, 2010. They have contacted the Fire and Road Departments for help; and the NJDOT permit will be completed for use of Route 94 and a banner across Route 15. The Township Committee approved the event.

Road Foreman Bill Macko said the 1998 truck needs to be replaced. He will pursue and gather information for the needed specifications.

Mr. David Decker, Chief, submitted a list of Fire Department members and reviewed the turnout gear situation. He said they may need one (1) more set next year.

Committeeman Hughes said a quote for the turnout gear is needed before it can be bought. Mr. Decker will submit the information for the next meeting on February 16, 2010.

**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