

December 7, 2010

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, December 7, 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 Mayor Bruning

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 D’Angeli, to accept and place on file the minutes of November 3, 2010. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D’Angeli-yes, Sweeney-yes.

**Insurance Information** George Morville, The Morville Agency  
Mr. Morville said the three (3) year agreement ends this year. He explained what has been done and reviewed current insurance proposals. Mr. Morville recommends the Township joining the fund with Statewide Insurance; and his services will remain the same.

Motion by D’Angeli, seconded by Corcoran, to enroll in the Statewide Insurance Fund for three (3) years effective January 1, 2011 for the cost of \$83,568 and to adopt the following resolution:

STATEWIDE INSURANCE FUND  
RESOLUTION TO JOIN THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Lafayette Township (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT; and

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2011** terminating on **January 1, 2014** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

YES                      NO

Workers’ Compensation & Employer’s Liability  
Liability, Property, Crime-Faithful Performance and Fidelity,  
Inland Marine, Boiler and Machinery, Comprehensive General  
Liability, Auto Liability, Auto Physical Damages  
and Professional Liability

Pollution Liability

BE IT FURTHER RESOLVED that George Morville, The Morville Agency is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

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

**Reports**

**Tax Collector** - For the Month Ending November 30, 2010

Township Liens	\$177.65
Duplicate Bills	\$9.00
Current Year Taxes	\$1,706,934.65
Prepaid Taxes-2011	\$5,837.45
Interest	\$2,071.58
Total	\$1,715,030.33

Motion by Corcoran, seconded by D'Angeli, 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 November 2010

	<u>This Month</u>	<u>To Date</u>
Total Deposits	0	\$5,205.00
Amount Paid to State of New Jersey	0	\$1,055.40
Licenses Sold	0	553
Kennel Licenses Sold	0	2
Dogs Picked Up	0	5
Cats Picked Up	0	3
Dogs Taken to Pound	0	5
Cats Taken to Pound	0	4
Dogs Redeemed	0	3
Cats Redeemed	0	0
Miscellaneous (Kennel Licenses)	0	\$50.00
Late Fees Collected	0	\$345.00
Lost Tags	0	\$1.00

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**

**Emergency Management** - Hughes reported a communications meeting is to be held with Sparta Dispatch.

**Affordable Housing**

Advance Housing - Hughes reported the first ten (10) units are proceeding with an anticipated spring opening. Funding for the second ten (10) units is underway.

COAH/Fair Share Housing - Hughes reported there is an indication the Township's request of a stay of the third round will be approved. The Township still needs to handle the second round.

**Land Use Board** - Corcoran reported the next meeting is scheduled for December 16, 2010.

**Board of Health** - Corcoran reported the next meeting will be held in January 2011.

**EMS** - Corcoran reviewed the monthly report. Motion by Corcoran, seconded by D'Angeli, to approve Christa Studt as a new member of the EMS. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**Streets and Roads** - D'Angeli reviewed the report.

**Fire Department** - Sweeney reported the County will no longer be providing free water samples for the Township effective January 1, 2011.

Sweeney reported no report has been received from the Fire Department. Chief David Decker said he has been selling Christmas trees and will have a report for the next meeting.

Motion by D'Angeli, seconded by Corcoran, to approve Hunter Barnes as a Jr. member of the Fire Department subject to a complete application being provided to the Township Committee. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

Chief Decker requested the approval of one (1) set of turnout gear for a cost of \$2,070, consisting of pants and a jacket. Motion by D'Angeli, seconded by Corcoran, to approve the purchase of turnout gear and to introduce the following ordinance and set the public hearing for December 21, 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 \$2,070.00 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 \$2,070.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$2,070.00 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.

### **Correspondence**

1. From Nathan Burroughs, Bruno Assocs., Inc. re: Grants
2. From SC Freeholders re: Final Approval of 2010 Open Space Applications
3. From Mike Niznik, PAIC re: Loss Control Report
4. From James McDonald, SCHD re: Water Testing
5. From Bob Canace, The Land Conservancy, re: Farmland Preservation Application
6. From Linda Jordan, NJDEP re: Radon Action Month
7. From Timothy Crowley, FEMA re: Flood Insurance Rate Maps
8. SC Freeholders Ordinance Amending the Fee Schedule
9. Hampton Township Resolution Opposing cut to Open Space PILOT Fund
10. Sandyston Township Resolution Supporting Continued Open Space PILOT Funding
11. Hardyston Township Ordinance Amending Chapter 185 and Add Article XXVII addressing wind and solar energy systems and establishing standards

### **Vouchers and Transfers**

FINELLI CONSULTING ENGINEERS, INC.	7,337.53
HOME DEPOT CREDIT SERVICES	283.74
ROY E. KURNOS	4,800.00
UNITED STATES POSTAL SERVICE	2,516.40
FINELLI CONSULTING ENGINEERS, INC.	8,847.50

Motion by D'Angeli, seconded by Corcoran, to pay the bills on the Bills List and adopt the following resolution:

WHEREAS, there is a need for adjustments to the 2010 municipal budget appropriations; and

WHEREAS, N.J.S.A. 40:4-58 permits transfers to be made in the last two (2) months of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that the following transfers be made in the amounts so noted:

<u>From</u>	<u>Amount</u>	<u>To</u>
Group Insurance	\$ 460.00	Municipal Clerk-codification of ordinances
Group Insurance	\$ 530.00	Tax Collector O/E
Group Insurance	\$4,000.00	Engineering Services
Group Insurance	\$ 250.00	Unemployment compensation
Group Insurance	\$3,000.00	Streets & Roads O/E
Group Insurance	\$1,500.00	Social Security
Total Transfers	\$9,740.00	

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

### **Old Business**

**Road Improvements Spending Ordinance** - Sweeney opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE MAINTENANCE OF TOWNSHIP ROADS AND APPROPRIATING \$1,432.53 FROM THE RESERVE FOR IMPROVEMENTS TO ROADS AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE AND \$3,093.69 AVAILABLE IN THE CAPITAL IMPROVEMENT FUND

With there being public comments, Sweeney closed the public hearing.

Motion by D'Angeli, seconded by Corcoran, to adopt the Road Improvements Spending Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**Ambulance Spending Ordinance** - Sweeney opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE HALF SHARE PURCHASE OF AN AMBULANCE AND APPROPRIATING \$5,085.87 FROM THE RESERVE FOR FIRST AID SQUAD EQUIPMENT AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE AND \$14,914.13 AVAILABLE IN THE CAPITAL IMPROVEMENT FUND

With there being public comments, Sweeney closed the public hearing.

Motion by D'Angeli, seconded by Corcoran, to adopt the Road Improvements Spending Ordinance. Motion carried by roll call vote: Hughes-no, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**Opt-Out of Health Insurance Incentive** - Motion by D'Angeli, seconded by Corcoran, to reduce the opt-out of health insurance incentive to ten (10%) percent effective January 1, 2011. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**SECTV, Inc. Cable Agreement** - This will be carried to the next meeting on December 21, 2010.

### **New Business**

**Payments in Lieu of Taxes** - The Municipal Clerk will review agreements for the group homes for a payment in lieu of taxes. A letter will be sent requesting payment if it is called for in the agreement as payments have yet to be received.

**Raffle License** - Motion by D'Angeli, seconded by Corcoran, to approve the raffle licenses for Fred S. Burroughs North Jersey Trout Unlimited for March 26, 2011. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**Beaver Run Solar Farm** - Attorney Kurnos reported he told Beaver Run's attorney, Kevin Kelly, that a developer's agreement and restoration bond are needed.

**Dog Pound Interlocal Agreement** - Motion by D'Angeli, seconded by Corcoran, to approve the dog pound interlocal agreement with Wantage Township with an increase of

1.5%. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Sweeney-yes.

**Water Testing** - Free water sampling by the County will cease December 31, 2010. The Municipal Clerk will request proposals to be received by January 20, 2011.

**Open Space Advisory Committee** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and,

WHEREAS, the Township of Lafayette desires to further the public interest by obtaining a grant of \$800,000 from the State to fund the following project:

**#2109-01-083 – Lafayette Open Space Plan**

NOW, THEREFORE, the governing body resolves that Richard Hughes or the successor to the office of Mayor is hereby authorized to:

- (a) Make application for such a grant
- (b) Provide additional information and furnish such documents as may be required
- (c) Act as the authorized correspondence of the above named applicant; and,

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and,

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LAFAYETTE:

- 1) That the Mayor of Lafayette Township is hereby authorized to execute an agreement and any amendment thereto with the State known as the Lafayette Township Open Space Plan; and,
- 2) That the applicant has its matching share of the project, if a match is required, in the amount of \$800,000; and,
- 3) That, in the event the State's funds are less than the total project costs specified above, the applicant has the balance of funding necessary to complete the project; and,  
The applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and,
- 4) That this resolution shall take effect immediately.

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

**Audience**

Mr. Scott Thomas, Fireman, questioned the cost of the testing and how many tests are needed. Committeeman Hughes said a consultant has been hired and is to advise the Committee on the type of system to be installed to correct the water problem.

Chief David Decker is concerned as the fire house is a designated shelter and asked the Township to help with the cost of the water. Committeeman Hughes said the Township Committee was just recently asked to take over the finding of a solution; and it is being worked on.

Mr. Tom Tisler, Route 15, said he received a letter that his garbage is not being collected because the can is over 35 gallons. His calculations say the can is approximately 28.8 gallons and the weight was 33 lbs. Committeeman D'Angeli asked the Road Foreman to inspect the can.

Mr. Tisler asked why there are no garbage cans at the pond as people still go to the pond for lunch. Committeeman D'Angeli explained the cans were removed for the winter.

**Executive Session** - Motion by D'Angeli, 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 personnel 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.

Exec. Session - Personnel

Motion by Corcoran, seconded by Sweeney, to return to the regular meeting.

Deputy Mayor Sweeney stated personnel was discussed in Executive Session.

Motion by D'Angeli, seconded by Corcoran, to introduce the following ordinance and set the public hearing for December 21, 2010:

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE  
TOWNSHIP OF LAFAYETTE FOR THE YEAR 2011

1. The annual salaries of all officer names hereafter for the year 2011 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	Minimum	Maximum	Payable
Mayor	\$ 2,868.80			Quarterly
Committee Member	2,639.30			Quarterly
Municipal Clerk	36,725.89			Bi-weekly
Treasurer/CFO	28,604.96			“
Tax Collector	39,029.40			“
Deputy Tax Collector	1,000.00			“
Tax Assessor	17,130.18			“
Construction Official/ Driveway Inspector	28,846.30			“
Fire Subcode Official	3,327.58			“
Police	1,000.00			“
Animal Control Officer	6,612.24			Quarterly
Secretary to the Land Use Board Construction Official, Board of Health	26,599.66			Bi-weekly
Recycling Coordinator	2,537.50			Quarterly
Plumbing Subcode Official	5,812.01			Bi-weekly
Electrical Subcode Official	11,422.29			“
Tax Search Officer	1,000.00			“
Assessment Search Officer	1,000.00			“
Registrar	1,000.00			“
Zoning Officer	2,000.00			“
Road Foreman		17.00	35.00 PH	Bi-weekly
Assistant Road Foreman		15.00	25.00 PH	“
Road Employee #1		10.00	19.00 PH	“
Road Employee #2		10.00	17.00 PH	“
Road Employee #3		10.00	17.00 PH	“
Temporary Road Employee	13.50 PH			Monthly
Temporary Snow Plowing	15.00 PH			Monthly
Fire Prevention Official	2,726.14			Bi-weekly

Fire Inspector	25.00 per inspection		Quarterly
Life Guard	7.00	11.00 PH	Bi-weekly
Recreation Director	13.00	16.00 PH	“
Assistant Recreation Director	7.00	11.00 PH	“

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

**Adjournment**

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

Respectfully submitted,

ANNAROSE FEDISH, RMC  
Municipal Clerk