

May 17, 2011

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, May 17, 2011 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent Corcoran and Bruning

Also Present: Clerk Fedish, CFO Magura, Road Foreman Macko

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

**NJSLOM Scholarship Certificate Presentation** - Mayor Sweeney presented the NJSLOM Scholarship Certificate of Participation to the Township's entrant, Jeremy Alosio.

**Reports**

**Treasurer**

Cash Report for April 2011

Cash Balances as of March 31, 2011	\$1,898,120.06
Cash Receipts for April 2011	\$528,091.73
Total	\$2,426,211.79
Cash Disbursements for April 2011	\$737,030.04
Cash Balances as of April 30, 2011	\$1,689,181.75
Account Balances as of April 30, 2011	
Current – Checking	\$328,343.14
Capital – Checking	\$670,780.25
Escrow – Checking	\$84,917.73
COAH-Developers Fees	\$127,017.07
Open Space Municipal Tax	\$312,483.26
Trust Accounts for Developer's Agreements	\$144,035.98
Special Rec. – Checking	\$7,614.32
Special Donations	\$7,544.48
Dog Trust Account	\$5,445.52
Total Account Balances	\$1,689,181.75

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

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

**Recreation Commission** - Motion by D'Angeli, seconded by Hughes, to hire the following for the summer 2011 recreation programs:

- (a) Emily Slate, Christopher Sarao, Justin Hilgart, Samantha Fowler, Amanda Porraspita and Michael Finocchiaro as lifeguards for the 2011 swim season at an hourly rate of \$9;
- (b) Lauren Geaney as lifeguard director for the 2011 season for a salary of \$1,000;
- (c) Becky Jiroux as 2011 summer recreation program director at an hourly rate of \$15.45 and Alyssa Jiroux as 2011 assistant program director at an hourly rate of \$9.

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

**Emergency Management** - Hughes reported dispatching is still being evaluated.

Hughes reported JCP&L will start its helicopter survey of power lines on Friday, May 20, 2011.

**Affordable Housing**

COAH - Hughes reported the implementation of the plan is proceeding.

Advance Housing - Hughes reported funding is proceeding for the second ten (10) units.

**Fire Department** - Sweeney reported water is now available to fill the tankers and clean the vehicles. They are still waiting for a response from the State for the entire water system.

### **Correspondence**

1. Sandyston Township resolution opposing S-1351

Motion by D'Angeli, seconded by Hughes, to adopt the following resolution:

**WHEREAS**, Senate Bill No. 1351 (hereinafter referred to as S-1351) would amend the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., to include many new requirements that are unnecessary to protect the public's interest in open and transparent government, and which would unduly burden municipalities; and,

**WHEREAS**, S-1351 would impose new procedural requirements on municipalities which will be time consuming and costly, at a time when municipalities are facing unprecedented financial constraints; and,

**WHEREAS**, S-1351 would impose new procedural requirements on municipalities that are impractical and wasteful, and which would result in longer meetings and less efficient governance; and,

**WHEREAS**, among the time consuming, costly, impractical and wasteful new requirements of S-1351 are the following:

- A. new requirements pertaining to subcommittees, including notice of subcommittee meetings and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees so that minutes can be prepared; and,
- B. new requirement that agendas provide a description of all agenda items, including the names of the parties to and approximate dollar amounts of any contracts to be acted upon, which would increase preparation time for agendas; and,
- C. new requirement that agendas include estimated starting times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded, though this information would be purely speculative and unreliable; and,
- D. new requirement that no public body be permitted to act upon or discuss a matter that is not listed on the agenda except in emergencies, which requirement would be impractical and unnecessarily inhibit the operations of municipal government, as it is often necessary for the effective and efficient administration of municipal governmental purposes to discuss or act on matters for which three business days' notice may not be possible; and this would effectively prevent discussion of items brought forward by the public; and,
- E. new requirement that a public body provide for public comment on emergency items that are added to a meeting agenda, adding unnecessary and time-consuming process to meetings; and,
- F. new requirement that a public body provide for public comment before taking final action on any matter at any meeting of at least three minutes per person, which requirement, as written, would result in an unworkable series of public comment periods on every action of the governing body, from appointments to resolutions to approval of minutes, thereby adding substantial time to every meeting of the public body; and,
- G. new requirement eliminating attorney-client privilege as a basis for excluding the public from a portion of the meeting, which will inhibit the public body's ability to obtain needed legal advice, which is contrary to the public interest; and,
- H. new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the potentially affected employee, thereby inhibiting the public body's ability to take necessary actions on personnel matters; and,
- I. new requirements for more extensive minutes of public body meetings, such as the inclusion of each member's stated reasons for his or her actions or vote, the identity of each member of the public who spoke and a summary of what was said, which shall cause the preparation of minutes to be more time consuming and costly; and,

- J. confusing new requirements pertaining to disclosure of recordings of meetings, including making recordings promptly available after meetings, and somehow incorporating such recordings with meeting minutes; and,
- K. new requirements that minutes would include electronic communications concerning public business among an effective majority of the members that occurred prior to a meeting, which would be an unworkable and ineffective imposition on municipalities, and would purport to make pre-meeting communications somehow become part of the meeting itself, an unprecedented expansion of the meeting concept; and,
- L. new requirements for maintaining on the municipal website schedules of meetings, agendas, notices of emergency meetings, minutes, resolutions and ordinance to the extent not already set forth in the minutes, and closed meetings resolutions, for a period of at least five years, which would result in additional costs for posting and maintaining website information;

**WHEREAS**, there is no justifiable basis for the imposition of the burdensome and cost generative provisions of S-1351; and,

**WHEREAS**, portions of S-1351 place financial, time, manpower and other burdens on municipalities at a time when municipalities are constrained to layoff municipal employees, impose furloughs, and reduce departmental budgets so that municipalities can meet strict CAP requirements even when revenues are decreased and operating costs continue to climb; and,

**WHEREAS**, the cost generative provisions of S-1351 are unfunded mandates that violate the “State Mandate, State Pay” amendment to the New Jersey Constitution;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Lafayette, County of Sussex, and State of New Jersey, for the reasons stated above, does hereby oppose Senate Bill No. 1351 in its current form, and urge the New Jersey State Senate and Assembly to oppose this Bill; and,

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to State Senator Loretta Weinberg, State Senator Stephen Sweeney, the members of the Senate and Budget Appropriations Committee, the legislators of the 24<sup>th</sup> State Legislative District, the New Jersey State League of Municipalities, and the Municipal Clerks’ Association of New Jersey.

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

## 2. Sparta Township Ordinance Amending Chapter 18 (Zoning)

### **Vouchers**

Advance Housing, Inc.	8,797.54
Airgas East	82.67
Aquatic Analysts, Inc.	1,115.00
Associated Artists	225.00
Banisch Associates, Inc.	1,951.00
Century Link	401.93
CenturyLink Communications, Inc.	33.19
Chelbus Cleaning Co., Inc.	275.00
Cintas Corp. #111	125.98
D. Lovenberg’s Portable Toilet	69.34
Deptcor	162.00
Finch Fuel Oil Co., Inc.	1,431.51
Finelli Consulting Engineers, Inc.	287.50
G&G Diesel Service Inc.	4.09
Herman Goble	2,255.00
High Point Regional High School BOE	184,416.99
Home Depot Credit Services	23.97
IIMC	135.00
JCP&L	1,561.76
Lafayette Auto Parts Supply LLC	258.79
Lafayette Preservation Foundation	906.04
Lafayette Township Board of Ed	298,200.00
Lorraine Jiroux	331.51
Kimball-Midwest	89.88
Montague Tool & Supply Co.	44.76
NJ Division of ABC	9.00
Opdyke’s Sales & Service	1,654.79

Royal Pontiac-Buick-GMC	88.16
Service Electric Cable TV	17.00
Sprint	161.99
Staples Business Advantage	272.28
T.A. Mountford Co.	780.00
The New Jersey Herald	496.60
Veres Electrical Service, Inc.	227.50
W. Jiroux	1,250.00
Zion Grove Trout Hatchery	866.50
McGowan LLC	4,300.00
Banisch Associates, Inc.	715.00
Finelli Consulting Engineers, Inc.	11,055.00
Laddey, Clark & Ryan, LLP	840.00
NJ Dept. of Health & Senior Services	102.60
Wm. E. Kaufman, Sr.	534.00

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

**New Business**

**Cancellation of Summer Meetings** - Motion by D'Angeli, seconded by Hughes to cancel the following summer meetings: June 21, 2011, July 19, 2011 and August 16, 2011. Motion carried by roll call vote: Hughes-yes, D'Angeli-yes, Sweeney-yes.

**Liquor License Renewals**

**Lafayette Restaurant Holdings, LLC** - Motion by D'Angeli, seconded by Hughes, to adopt the following Resolution:

BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, to renew Liquor License No. 1913-33-001-006 issued to Lafayette Restaurant Holdings, LLC, P.O. Box 894, 6 Apple Tree Lane, Sparta, NJ for the 2011-2012 license term pursuant to N.J.S.A. 33:1-12:39 subject to a Special Condition requiring activation by June 30, 2012.

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

**Lafayette Management t/a Lafayette House** - Motion by D'Angeli, seconded by Hughes, to adopt the following Resolution:

BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, to renew Liquor License No. 1913-33-002-007 issued to Lafayette Management, Inc., t/a Lafayette House, Olde Lafayette Village, Box 100, Lafayette, NJ for the 2011-2012 license term.

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

**Thank You** - D'Angeli thanked Mr. Kevin O'Leary, Land Use Board Secretary, for his help with sending the letter regarding transitional aid.

**Audience**

Mr. Bill Macko, Fireman, asked about a walk through at Advance Housing for firefighting purposes. Committeeman Hughes said will be arranged.

**Adjournment**

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC  
Municipal Clerk