

October 4, 2011

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, October 4, 2011 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

Also Present: Clerk Fedish, Attorney Kurnos, 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.

**Minutes** - Motion by Corcoran, seconded by D'Angeli, to accept and place on file the minutes of September 20, 2011. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, D'Angeli-yes, Bruning-yes, Sweeney-yes.

### Reports

#### Tax Collector - For September 2011

Outside Liens	\$16,198.80
Cost of Sale	\$78.77
Prior Year Taxes	\$3,222.34
Current Year Taxes	\$59,924.65
Prepaid Taxes – 2012	\$22.52
Interest	\$2,082.18
Total	\$81,529.26

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, Bruning-yes, Sweeney-yes.

#### Animal Control Officer

Month of September 2011	<u>This Month</u>	<u>To Date</u>
Total Deposits	0	\$7,013.00
Amount Paid to State of New Jersey	0	\$1,034.40
Licenses Sold	0	546
Kennel Licenses Sold	0	2
Dogs Picked Up	1	4
Cats Picked Up	1	5
Dogs Taken to Pound	1	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	\$615.00
Lost Tags	0	\$2.00

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

#### Lafayette Township School - David Astor, Superintendent

Mr. Astor said there are seven (7) enrollees and four (4) roll-overs for the school choice program. He said nine (9) families have called for next year; and the school is not responsible for transportation. Mr. Astor explained the program.

Mr. Astor said tuition was to follow the student; however, that has been changed by the State. State funding is being reduced to the exact student population; and he explained the process.

**Veritas Christian Academy/Merck Property**

Glenn Kienz, Esq.

Kurt Glawecke, Development Committee

Mr. Kienz said Veritas is the contract purchaser of the Merck property which consists of approximately 180 acres. They are proposing to construct a school on approximately 65 acres of the property and contemplating a subdivision for private business and affordable housing. Mr. Kienz said they would like to use the newer, existing building and open in September 2012.

Mr. Glawecke gave an overview of the Academy and explained the project. He said Building L-6 is in move-in condition; and they would like to use this building until the central lot is built upon.

Mr. Kiena said they will be making a submission to the Land Use Board shortly, as a use variance is required, to meet their contractual obligations.

**Committee Reports**

**Fire House Well** - Bruning reported he received the specifications and bid package today and asked the Township Attorney to review the information.

**Streets and Roads** - D’Angeli reviewed the Road Foreman’s report. The price of a larger fuel tank is being pursued.

D’Angeli asked about placing an ad in the paper for as needed temporary help. Road Foreman Macko asked about hiring a fifth road employee. D’Angeli agreed; but Bruning is concerned about taxing the residents. Hughes and Corcoran prefer to hire part time help. Discussion ensued regarding the pay range.

Motion by Hughes, seconded by Bruning, to introduce the following ordinance and set the public hearing date of November 1, 2011:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2011” WHICH WAS ADOPTED DECEMBER 21, 2010

1. The removal of the following categories:

	Annually	Payable
Temporary Road Employee	13.50 PH	Monthly
Temporary Snow Plowing	15.00 PH	Monthly

2. The annual salary of the officer named 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:

	Minimum	Maximum	Payable
Temporary Road Employee	13.50	20.00 PH	Bi-weekly

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

4. 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, Bruning-yes, Sweeney-yes.

**Affordable Housing**

Advance Housing - Hughes reported Advance Housing is proceeding with funding and anticipate a November 2011 groundbreaking for Phase II. Eight (8) of the first 10 units in Phase I are occupied.

COAH - Hughes reported COAH has been eliminated and is under the Department of Community Affairs. All requirements remain.

**Emergency Management** - Hughes reported a FEMA meeting is scheduled for tomorrow.

**Land Use Board** - Corcoran said the meeting was cancelled due to the lack of an agenda.

**EMS** - Corcoran reviewed the report of the July and August calls.

**Board of Health** - Corcoran reported a meeting is scheduled for this month.

**Fire Department** - Sweeney reviewed the report of the August and September calls. The new furnace was installed.

**Correspondence**

a. From Glenn Kienz re: Veritas Christian Academy  
b. From Eileen Klose, Hampton Twp. Admin. Re: Construction Dept. shared service  
The Township Committee is willing to discuss this issue; and the Clerk will contact the Hampton Township Administrator

c. From Eric Snyder, SC Planning Director re: Community Planning Month  
Motion by Hughes, seconded by Corcoran, to proclaim October 2011 as Community Planning Month:

**COMMUNITY PLANNING MONTH  
PROCLAMATION**

**WHEREAS**, New Jersey municipalities, counties, and regional planning entities continually face changes in their communities and natural environment; and

**WHEREAS**, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

**WHEREAS**, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

**WHEREAS**, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

**WHEREAS**, the American Planning Association has designated the month of October as National Community Planning Month throughout the United States of America and its territories to highlight the contributions of sound planning and plan implementation; and

**WHEREAS**, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning and zoning boards and other citizen volunteers who have contributed their time and expertise to the improvement of Lafayette Township, New Jersey; and

**WHEREAS**, we recognize the many valuable contributions made by professional planners in Lafayette Township, New Jersey and extend our heartfelt thanks for the continued commitment to public service by these professionals.

**NOW, THEREFORE, BE IT RESOLVED** that the month of October 2011 is hereby designated as Community Planning Month in Lafayette Township, New Jersey in conjunction with the celebration of National Community Planning Month.

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

d. Hampton Twp. Ordinance Amending Chapter 108 (Zoning)

**Vouchers**

JCP&L	596.01
Madison Prop. III, LLC	139.07
North Jersey Development Co., LLC	3,577.36
Park Finance, LLC	16,198.80

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

**Old Business**

**Mountain Ridge Estates** - Attorney Kurnos said the developer’s attorney authorizes the Township Engineer to inspect the project and charge it to the escrow account.

**Dennis Road** - The Clerk reported the Township Engineer placed an ad in The Herald that bid packages are available; and the bid opening will be October 13, 2011 at 10:00am at the Municipal Building.

**New Business**

**Park Finance Tax Sale Certificate Redemption Resolution** - Motion by Bruning, seconded by D'Angeli, to adopt the following resolution:

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO ISSUE A TAX REFUND TO PARK FINANCE, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 09-002 SOLD FOR DELINQUENT TAXES FOR BLOCK 7, LOT 7, IN THE AMOUNT OF \$16,198.80

**WHEREAS**, on September 21, 2009, tax sale certificate #09-002 was sold for delinquent 2008 taxes on Block 7, Lot 7, owner of record Keefe Ostertag, to Park Finance, LLC in the amount of \$3,846.58; and,

**WHEREAS**, the lien holder, Park Finance, LLC, paid subsequent taxes from the 1<sup>st</sup> quarter 2009 thru the 4th quarter 2010, and also the 2<sup>nd</sup> & 3<sup>rd</sup> quarter taxes for 2011, in the amount of \$8,965.48; and

**WHEREAS**, on September 26, 2011, homeowner Keefe Ostertag paid the lien and subsequent principal of \$12,812.06, recording and search fees in the amount of \$52.00, penalties in the amount \$76.93, and interest in the amount of \$3,257.81, through October 5, 2011 for the redemption of Tax Sale Certificate #09-002.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, that upon certification of Daryn L. Cashin, Tax Collector, a refund be issued to Park Finance, LLC in the amount of \$16,198.80.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

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

**Northwest Jersey Tax Overpayment Resolution** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO NORTHWEST JERSEY DEVELOPMENT CO. LLC IN THE AMOUNT OF \$3,577.36 FOR AN OVERPAYMENT IN THE YEAR 2011 FOR BLOCK 14, LOT 27.01, QFARM

**WHEREAS**, on February 8, 2011, and May 10, 2011, payments were made by Northwest Jersey Development that totaled \$4,348.17, representing 1st and 2<sup>nd</sup> quarter 2011 taxes against Block 14, Lot 27.01, Qfarm known as 39 Old Beaver Run Road; and

**WHEREAS**, the Tax Assessor had lowered the value of the property from 468,300 for the year 2010, to 37,400 for the year 2011, and the taxes due for the entire year were only \$770.81, creating an overpayment in the amount of \$3,577.36; and

**WHEREAS**, that Northwest Jersey Development has requested that the overpayment of \$3,577.36 be refunded to them.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, that a refund be issued to Northwest Jersey Development Co., LLC in the amount of \$3,577.36, as per the request.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

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

**Madison Property Tax Overpayment Resolution** - Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution:

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO MADISON PROP. III, LLC, IN THE AMOUNT OF \$139.07 FOR AN OVERPAYMENT IN THE YEAR 2011 FOR BLOCK 21, LOT 3

**WHEREAS**, on December 2, 2010 payment was made by Madison Prop. III, LLC, for the estimated full year 2011 taxes for Block 21, Lot 3, known as 177 Pelletown Rd.; and

**WHEREAS**, the tax amount due for the entire year 2011 taxes was only \$195.80, resulting in an overpayment of \$139.07; and

**WHEREAS**, that Madison Prop. III, LLC has requested that the overpayment of \$139.07 be refunded to them.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, that a refund be issued to Madison Prop. III, LLC in the amount of \$139.07, as per the request.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

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

**Monroe Road Driveway** - Road Foreman Macko asked about a pipe being installed on a driveway on Monroe Road because of the water pouring into the roadway. Bruning said this should be the responsibility of the homeowner. It was suggested that the Zoning Officer inspect the problem and, possibly, cite the homeowner if this is a nuisance or hazard.

#### **Adjournment**

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

Respectfully submitted,

ANNAROSE FEDISH, RMC  
Municipal Clerk