

July 3, 2012

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 3, 2012 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

Also Present: Clerk Fedish, Road Foreman Macko

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

**Minutes** - Motion by D'Angeli, seconded by Henderson, to accept and place on file the minutes of June 6, 2012. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

### Reports

#### Tax Collector - For June 2012

Tax Searches	\$10.00
Tax Map Fee	\$50.00
Prior Year Taxes	\$17,644.80
Current Year Taxes	\$51,389.78
Interest	\$7,129.92
Total	\$72,224.50

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

### Treasurers Report

#### Cash Report for June 2012

Cash Balances as of May 31, 2012	\$2,568,075.71
Cash Receipts for June 2012	\$146,864.98
Total	\$2,714,940.69
Cash Disbursements for June 2012	\$634,049.02
Cash Balances as of June 30, 2012	\$2,080,891.67
Account Balances as of June 30, 2012	
Current - Checking	\$514,679.37
Capital - Checking	\$883,716.32
Escrow - Checking	\$46,532.32
COAH-Developers Fees	\$131,078.13
Open Space Municipal Tax	\$344,217.35
Trust Accounts for Developer's Agreements	\$139,694.38
Special Rec. - Checking	\$9,377.74
Special Donations	\$7,544.48
Dog Trust Account	\$4,051.58
Total Account Balances	\$2,080,891.67

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

### Committee Reports

**Fire House Well** - Bruning reported the inside well has been abandoned; and the new well is being used.

**Recreation Commission** - Bruning reported the new pavilion is owned by the Township and it's use was discussed. When the pavilion is not being used by the LAA, the Recreation Commission would schedule its use.

Bruning reported Wil Jiroux dated the new gate installed at Lafayette Park.

Bruning reported there are approximately 60 children enrolled in the summer program.

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

**Emergency Management** - Hughes reviewed last month's meeting. He reported approximately \$10,500 has been reimbursed by FEMA at this time.

**NJDOT-Route 15 Intersection** - Hughes reported a letter regarding the change of the traffic light has been received. The time has been changed and will be extended for pedestrians crossing when the button is pushed.

**Affordable Housing** Hughes reported Phase II for Advance Housing is still waiting for HUD.

**Electric Co-Op** - Hughes reported this will start in September.

**Fire Department** - Henderson reported there were 15 calls in June; and the daytime mutual aid agreement with Hampton has been cancelled.

**Open Space** - Henderson reviewed the last meeting. Remediation on the Lawler property will be done on July 5, 2012.

**EMS** - Corcoran reported there were 27 calls in June.

Motion by Corcoran, seconded by Bruning, to approve Vincent Bertucci as a member of the Lafayette EMS. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

The Clerk was asked to send letters to the group homes in the Township asking for donations for the Township emergency services.

**Land Use Board** - Corcoran reviewed the meeting of June 28, 2012.

#### **Vouchers**

ACE WELL & PUMP LLC		600.00
AGRA ENVIRONMENTAL SERVICES, INC.	31.50	
AUGUSTA HILL FARMS		107.95
BRAEN AGGREGATES		356.70
BRAEN AGGREGATES		247.80
CENTURY LINK		490.14
CHELBUS CLEANING CO., INC.	275.00	
CHEMUNG SUPPLY		39.00
CINTAS CORP #111		200.43
CUSTOM DOCKS INC.	227.00	
D. LOVENBERG'S PORTABLE TOILET		193.84
FINCH FUEL OIL CO., INC.		2,152.40
FINELLI CONSULTING ENGINEERS, INC.	1,530.00	
G & G DIESEL SERVICE INC.		1,044.52
HOLZHAUER & HOLENSTEIN, LLC		1,155.00
IDEAL FARM & GARDEN CENTER		51.70
JCP & L		1,590.36
LADDEY, CLARK & RYAN, LLP	720.00	
LAFAYETTE MILL MARKET PARTNERSHIP	400.00	
LAFAYETTE PRESERVATION FOUNDATION		500.00
LAFAYETTE TOWNSHIP FIRE DEPARTMENT		20,301.56
LAFAYETTE TWP BD OF ED	297,750.00	
LAUREN GEANEY		201.77
MARYPAUL LABORATORIES INC.		120.00
MGL PRINTING SOLUTIONS		411.40
MONTAGUE TOOL & SUPPLY CO.		405.04
NORTH JERSEY GARAGE DOORS LLC		140.00
POLOWY STONE & MASON		63.00
RER SUPPLY		576.00
ROY E. KURNOS		949.00
SERVICE ELECTRIC CABLE TV	17.00	
SPRINT		141.70

STAPLES BUSINESS ADVANTAGE		35.37
STATEWIDE INSURANCE FUND	21,634.00	
SUSSEX COUNTY CLERK		223.47
THE NEW JERSEY HERALD		163.38
THE PRINTING CENTER INC.		1,315.10
THE ROY COMPANY INC.		60.75
W. JIROUX	1,250.00	
WARD'S FLOWERS AND GIFTS	81.95	
CHEMUNG SUPPLY		2,790.00
JOHN JOSEPH, INC.		7,000.00
SNOOKS EXCAVATING, INC.		5,900.00
LADDEY, CLARK & RYAN, LLP	705.00	
BECKY ALCARO		91.62
SPARTA LANES		185.00

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

### Correspondence

1. From Richard Osborn re: Open Space & Recreation Plan, B:4, Lots 13.01, 13.02 & 14
2. From Richard Lecher re: SCARC contribution
3. From Chris Barretts, NJDOT re: Rt. 15-Morris Farm/Meadows Roads Intersection
4. From Weinberg/Johnson re: OPMA & OPRA Bills
5. From Dennis McConnell re: County-owned property for sale
6. Franklin Borough Resolution Supporting Sussex County Veterans Cemetery

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

SUPPORTING THE INITIATIVES OF THE VIETNAM VETERANS OF AMERICA, CHAPTER #1002 AND THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO SITE A VETERANS CEMETERY IN SUSSEX COUNTY

**WHEREAS**, Lafayette Township proudly recognizes the important contributions of its veterans in defense of our freedom and especially those who have made the ultimate sacrifice; and

**WHEREAS**, the Township has a long tradition of pride and support for our military and is home to a Vietnam Veterans Memorial; and

**WHEREAS**, there are approximately 5,200 veterans on the tax rolls in Sussex County and thousands more residing in the County; and

**WHEREAS**, it is entirely appropriate that the people of Sussex County honor the brave soldiers who have given so much in the service of their country by providing a final resting place in the County; and

**WHEREAS**, Chapter #1002 of the Vietnam Veterans of America has been instrumental in advancing the development of a veterans cemetery in Sussex County; and

**WHEREAS**, the Sussex County Board of Chosen Freeholders has supported the creation of a Veterans Cemetery to be located on County-owned land in Lafayette Township; and

**WHEREAS**, there is an established need to provide a burial place of honor close to the homes of the brave men and women who answered the call to service.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Lafayette hereby acknowledges and supports efforts to develop a Veterans Memorial Cemetery in Sussex County; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Sussex County Freeholders; the Vietnam Veterans of America, Chapter #1002 and the 24<sup>th</sup> Legislative District representatives.

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

7. From Mary Emilius, United Way re: Municipal Affordable Housing Trust Fund

### Old Business

**Affordable Housing Trust** - Motion by Hughes, seconded by Henderson, to adopt the following resolution:

RESOLUTION TO CONTRIBUTE AFFORDABLE HOUSING TRUST FUNDS TO SCARC, INC.

WHEREAS, the Lafayette Township Committee has determined that it is in the best interest of Lafayette Township to work with the SCARC, Inc. and its authorized representatives towards the contribution of \$65,000 from the Township Affordable Housing Trust Fund to SCARC, Inc., a duly incorporated nonprofit organization, so as to facilitate the development of housing and care for persons having developmental disabilities in accordance with N.J.S.A. 40A:12-21 (h); and

WHEREAS, the facility developed and operated by SCARC, Inc. will qualify for affordable housing credits as set forth in N.J.A.C.5:93 and 5:94; and

WHEREAS, it is understood that the owner of Block 21, Lot 29.02 (the "Property") will convey the Property to SCARC, Inc. for the development of housing and care for persons having developmental disabilities; and

WHEREAS, the Lafayette Township Committee has determined after due deliberation that the Property should be developed for affordable housing; and

WHEREAS, in order to provide the funding contemplated for the development of housing and care for persons having developmental disabilities in accordance with N.J.S.A. 40A:12-21(h), the township shall establish an "other trust/reserve account" entitled "SCARC, Inc. Development and Disabilities Persons Development Project" into which the municipal affordable housing trust fund contribution of \$65,000 shall be deposited in accordance with this resolution and the development agreement between the Township of Lafayette and SCARC, dated Wednesday, June 6, 2012 the terms of which were approved by the Lafayette Township Committee at its meeting of Tuesday, July 3, 2012, subject to execution by both Lafayette Township and SCARC, Inc.

NOW THEREFORE, BE IT RESOLVED, by the Lafayette Township Committee as follows:

1. Upon the conveyance of good and marketable title to SCARC, Inc. of the Property and upon execution of an agreement between SCARC, Inc. and the Township, the Township shall cause to be paid to SCARC, Inc. the sum of Sixty-Five Thousand Dollars (\$65,000) towards the development of the Property. The payment of the amount of Sixty-Five Thousand Dollars (\$65,000) shall be made from the Lafayette Township Affordable Housing Trust Fund. The payment should be made as soon as practicable so that the monies available to be utilized for affordable housing in Lafayette and do not escheat or otherwise revert to the State of New Jersey or any other governmental agent.
2. Richard Hughes is authorized to execute all contracts, agreements and other writings to effectuate the transaction on behalf of the Township of Lafayette and its Affordable Housing Trust Fund.
3. Nothing herein shall confer upon SCARC, Inc. any grant or right beyond that specifically set forth and in particular to the Remainder of the Township Affordable Housing Trust Funds, if any.
4. The township of Lafayette Chief Financial Officer is hereby directed to establish an "Other/Trust Fund Account" entitled "SCARC, Inc. Development and Disabilities Persons Development Project" into which the municipal affordable housing trust fund contribution of \$65,000 shall be deposited.
5. Development of the Property is subject to:
  - 5.1. Funding of the Development through other funding sources to finance the development of housing and care for persons in accordance with N.J.S.A. 40a:12-21(h).
  - 5.2. All governmental approvals that are required and that have jurisdiction over the Property and its development, including the Lafayette Township Land Use Board, the Sussex County Planning Board and the Sussex County Health Department and any State of New Jersey or Federal authority.

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

**Spending Plan** - Motion by Hughes, seconded by Henderson, to adopt the following resolution:  
RESOLUTION OF THE TOWNSHIP OF LAFAYETTE REQUESTING NJ COUNCIL ON AFFORDABLE HOUSING REVIEW AND APPROVAL OF A MUNICIPAL AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

**WHEREAS**, the Township Committee of the Township of Lafayette, Sussex County, NJ petitioned the Council on Affordable Housing (COAH) for substantive certification on December 29, 2008; and

**WHEREAS**, the Township of Lafayette received approval from COAH on April 13, 2005 of its development fee ordinance; and

**WHEREAS**, pursuant to the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-1 et seq.), the Governor abolished COAH and transferred all functions, powers, and duties to the Commissioner of the Department of Community Affairs, effective August 29, 2011; and

**WHEREAS**, as a result of the Reorganization Plan, No. 001-2011, the review formerly to be conducted by COAH is now conducted by the Department of Community Affairs' ("DCA" or "the Department"), Local Planning Services unit; and

**WHEREAS**, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or funds collected in connection with the Township's affordable housing program

**WHEREAS**, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Department prior to spending any of the funds in its housing trust fund; and

**WHEREAS**, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;

A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;

A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;

A schedule for the expenditure of all affordable housing trust funds, provided that the trust fund balance as of July 17, 2008 is committed for expenditure within four years of that date and that all development fees and any payments in lieu of construction are committed for expenditure within four years from the date of collection;

A schedule for the creation or rehabilitation of housing units;

A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and

The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and

A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

**WHEREAS**, the Township of Lafayette has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Lafayette, Sussex County, NJ requests that the DCA's Local Planning Services review and approve Lafayette Township's spending plan.

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

Motion by Hughes, seconded by Bruning, to approve the developer's agreement for the SCARC project and authorize the Mayor to sign the agreement. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

**Weather Service** - Motion by D'Angeli, seconded by Bruning, to approve a weather service with WeatherWorks sharing the cost of the program with the Lafayette Township School with the Township's cost not to exceed \$730. Motion carried by roll call vote: Hughes-no, Henderson-no, D'Angeli-yes, Bruning-yes, Corcoran-yes.

**Property Foreclosures** - Attorney Kurnos said the process has started.

**Tax Assessor Conference** - Motion by D'Angeli, seconded by Bruning, to approve the \$340 cost of a hotel room for the Tax Assessor's conference in August. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

**Joint Municipal Court** - Bruning reported a meeting was held last week regarding the request for six (6) additional court sessions with an additional cost of \$1,800 for Lafayette. The largest expense is the salaries; and the a copy of the budget is forthcoming.

Motion by Bruning, seconded by Henderson, to approve the additional court sessions with an additional cost for Lafayette not to exceed \$1,800. In discussion, Committeeman Hughes feels this is poor planning and should have been brought to the Township Committee in January. Motion carried by roll call vote: Hughes-no, Henderson-yes, D'Angeli-abstain, Bruning-yes, Corcoran-yes.

Bruning reported the court recommends the Township amend its nuisance ordinance to include \$500-\$1,000 fines. Attorney Kurnos will contact the Judge to discuss the ordinance.

**2013 Reassessment** - Hughes reported approval has been received from the State for the town-wide 2013 Reassessment; and letters are being sent to property owners.

#### **New Business**

**Land Use Board Appointment** - Motion by Bruning, seconded by D'Angeli, to appoint Robert Taylor as a Regular Member and Suzanne Van Sickle as Alternate #1 on the Land Use Board. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

**Sign Ordinance** - This issue will be carried to the next meeting on August 7, 2012.

**Raffle License** - Motion by D'Angeli, seconded by Hughes, to approve a raffle license for Lafayette Fire Department Auxiliary for August 18, 2012 and waive the local fee. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

**Computers** - Motion by Bruning, seconded by Henderson, to purchase refurbished computers for the Municipal Clerk and Secretary for a cost not to exceed \$900 each. Motion carried by roll call vote: Hughes-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Corcoran-yes.

#### **Adjournment**

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

Respectfully submitted,

ANNAROSE FEDISH, RMC  
Municipal Clerk