

March 19, 2013

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, March 19, 2013 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent: None

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

Mayor Hughes 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 Henderson, to accept and place on file the minutes of March 5, 2013. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Treasurer's Report	Cash Report for February 2013
Cash Balances as of January 31, 2013	\$2,385,986.12
Cash Receipts for February 2013	\$1,814,347.71
Total	\$4,200,333.83
Cash Disbursements for February 2013	\$1,311,689.86
Cash Balances as of February 28, 2013	\$2,888,643.97
Account Balances as of February 28, 2013	
Current – Checking	\$1,107,313.40
Capital – Checking	\$1,140,111.74
Escrow – Checking	\$49,917.71
COAH-Developers Fees	\$67,147.27
Open Space Municipal Tax	\$346,948.91
Trust Accounts for Developers Agreement	\$155,475.62
Special Rec. – Checking	\$8,727.34
Special Donations	\$7,544.48
Dog Trust Account	\$5,457.50
Total Account Balance	\$2,888,643.97

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

Transfers

Motion by D'Angeli, seconded by Corcoran, to adopt the following resolution approving transfers:

WHEREAS, there is a need for adjustments to the 2012 municipal budget appropriations; and

WHEREAS, N.J.S.A. 40:4-59 permits that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three (3) months of the succeeding 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>
Streets & Roads s/w	\$ 8,500.00	COAH o/e
Engineering	\$ 5,000.00	COAH o/e
Land Use Board o/e	\$ 6,500.00	COAH o/e
Electricity	\$ 4,000.00	COAH o/e
Total Transfers	\$24,000.00	

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

Committee Reports

Recreation Commission - Motion by Bruning, seconded by D'Angeli, to hire W. Jiroux to apply six (6) treatments at Lafayette Park for a cost of \$5,000.00 for the control of geese. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Bruning reported a meeting was held with our insurance agent, George Morville, to discuss policies and procedures for the lifeguards at the pond.

Bruning reported the annual Easter Egg Hunt will be held at 10:00am. this Saturday, March 23, 2013 at Lafayette Park.

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

Fire Department - Henderson reported the Fire Department responded to five (5) calls in February.

Motion by Henderson, seconded by Bruning, to authorize the Mayor to sign the agreement with Amthor to repair the fire tanker per their proposal at a cost not to exceed \$5,000.00. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Affordable Housing - Hughes reported the Advance Housing and SCARC projects are proceeding.

Correspondence

1. From Girolamo Pagano, Board of Trustees, Unity of Sussex County

Re: Waive building permit fee of \$900

The Township Committee will not waive the building permit fee. The Clerk was asked to send a letter Unity of Sussex County advising of this decision.

2. From John Stowe, EMS Captain, re: cell tower space for emergency services

3. From Helen Carew, Constituent Services Director, re: Traffic signal changes for Route 15 & 94 & Sunset Inn Road

4. Resolutions from various municipalities opposing S-2364 & A-3553 (Early Voting)

5. Andover Borough & Fredon & Hardyston Township Resolutions demanding ten (10) days credit be awarded by SECTV, Inc. for loss of service during Superstorm Sandy

6. Resolutions from various municipalities opposing S-2511 (OPMA Amendments)

7. SC Freeholders & Andover Township resolutions opposing A-3780 (Short Sale Transactions)

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

RESOLUTION OPPOSING ASSEMBLY BILL A-3780, "SHORT SALE" TRANSACTIONS

WHEREAS, Assembly Bill 3780 (A-3780) was introduced on February 7, 2013 and referred to the Assembly Financial Institutions and Insurance Committee; and

WHEREAS, if enacted, A-3780 would require municipal tax assessors to use property sales data from "short sale" transactions for the purpose of establishing comparable sales when "short sales" represent an average of more than 20 percent of total property sales over a three year period; and

WHEREAS, "short sales" are defined in A-3780 as sales conducted at below market prices or values for arm's length transactions as a result of the seller's distressed financial circumstances; and

WHEREAS, the use of "short sales" by municipal tax assessors to establish comparable values would artificially skew overall municipal values downward thus exacerbating the loss of taxable property caused by both man made events such as the Great Recession and natural events such as Superstorm Sandy; and

WHEREAS, in a State where local government is heavily reliant on local property taxes to provide essential services to the public, those local governments can ill afford a further loss artificially imposed by the NJ State Legislature through the use of "short sales" in determining property values.

NOW, THEREFORE, BE IT RESOLVED that *the Sussex County Board of Chosen Freeholders urges the members of the NJ State Assembly Financial Institutions and members of the full Assembly to oppose Assembly Bill A-3780; and*

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Honorable Chris Christie, Governor, State of New Jersey, State House, P.O. Box 001, Trenton, NJ 08625; Honorable Sheila Y. Oliver, Speaker of the New Jersey Assembly, Suite 202, 15-33 Halsted Street, East Orange, NJ 07018; members of the Assembly Financial Institutions and Insurance Committee – Honorable Jack M. Ciattarelli, 1 East High St., Somerville 08876; Honorable Sean T. Kean, Bldg 2A, 1955 Highway 34, Wall, NJ 07719; Honorable John F. McKeon, 250 Main St., Madison, NJ 07940; Honorable Gabriela Mosquera, Suite 1, 129 Johnson Rd., Turnersville, NJ 08012; Honorable Gary S. Schaer, Suite 302, 1 Howe Ave., Passaic, NJ 07055; Honorable L. Grace Spencer, 223 Hawthorne Ave., Newark, NJ 07112; Honorable John S. Wisniewski, Suite A, 132 Main St., Sayreville, NJ 08872; Honorable Alison McHose, 115 Demarest Road, Suite 2B, Sparta, NJ 07871; the New Jersey League of Municipalities, 222 West State Street, Trenton, NJ 08608; all Sussex County Municipal Clerks; and the Sussex County Board of Taxation.

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

Vouchers

284 Aggregates, Inc.	412.69
Ace Well & Pump, LLC	193.00
Agra Environmental Services, Inc.	94.50
Airgas East	85.85
Amerigas – Chester	1,065.09
Anna Rose Fedish	90.29
Aurora Electrical Supply	485.80
Bagful O’ Bagels	41.00
Bill’s Equipment Repairs	220.00
Castners	180.00
CenturyLink	533.48
Chelbus Cleaning Co., Inc.	275.00
Cintas Corp. #111	285.92
D. Lovenberg’s Portable Toilet	65.00
Deluxe International Trucks, Inc.	994.56
Finch Fuel Oil Co., Inc.	3,345.48
Finelli Consulting Engineers, Inc.	200.00
Full Source, LLC	94.99
Harter Equipment, Inc.	24.57
High Point Reg. High School	192,952.62
Home Depot Credit Services	646.27
International Salt Co., Inc.	12,775.27
JCP&L	1,250.19
Kathie Reimels	286.11
Laddey, Clark & Ryan, LLP	1,215.00
Lafayette Auto Parts Supply, LLC	334.81
Lafayette Twp. Board of Ed	297,750.00
MacMillan Oil Co. of Allentown	1,047.00
MCANJ, Inc.	10.00
MGL Printing Solutions	228.00
Millside Café	280.83
ML Ruberton Construction Co., Inc.	1,400.00
Montague Tool & Supply Co.	86.05
Municipal Software Inc.	200.00
ND Engineering, LLC	7,212.00
Opdyke’s Sales & Service	59.79
Pitney Bowes, Inc.	48.00
Professional Government Educators	90.00
Roy E. Kurnos	615.07
Royal Pontiac-Buick-GMC	183.64
Service Electric Cable TV	17.00
Sprint	141.38
Staples Business Advantage	228.26
Statewide Insurance Fund	21,943.00
Storr Tractor Company	38.43
Storr Tractor Company	76.85
Sussex County Assessor’s Association	100.00
Sussex County League of Municipalities	50.00
TC/Treas. Association Sussex/Warren	30.00

The Land Conservancy of NJ	2,625.00
The New Jersey Herald	292.50
Tri-State Power & Pump	857.50
Trump Taj Mahal Casino Resort	400.00
Municipal Software Inc.	5,100.00
Laddey, Clark & Ryan, LLP	720.00
ND Engineering, LLC	1,384.50
John Geddis	600.00
NJ Dept. of Health & Senior Services	322.20

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

Old Business

Reserve Disposal Areas Ordinance - Mayor Hughes opened the public hearing for the following ordinance:

AN ORDINANCE TO AMEND CHAPTER XII (LAND USE) OF THE TOWNSHIP OF LAFAYETTE CODE TO ADD "RESERVE DISPOSAL AREAS" REQUIREMENTS

With there being no comments from the public, Mayor Hughes closed this portion of the meeting.

Motion by D'Angeli, seconded by Corcoran, to adopt the Reserve Disposal Areas ordinance. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

"Lawler" Farm Demolition Proposals - Henderson reviewed the proposals. Motion by D'Angeli, seconded by Bruning, to rebid through local avenues with a return date of April 30, 2013. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Exceed Cap Ordinance - Mayor Hughes opened the public hearing for the following ordinance:

CALENDAR YEAR 2013 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

With there being no comments from the public, Mayor Hughes closed this portion of the meeting.

Motion by D'Angeli, seconded by Henderson, to adopt the Exceed Cap ordinance. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Raffle Licenses - Motion by Henderson, seconded by Corcoran, to approve two (2) raffle licenses for Lafayette Center Preservation Foundation for May 10, 2013 and waive the local fee. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

New Business

League Scholarship - Motion by Henderson, seconded by D'Angeli, to send the essay submitted by Jennifer Hayes to the NJ State League of Municipalities for the scholarship competition. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Increase Late Fee for Dog Licenses - Motion by D'Angeli, seconded by Bruning, to introduce the following ordinance and set the public hearing date of April 16, 2013:

AN ORDINANCE TO AMEND CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING "ANIMAL CONTROL" OF SAID TOWNSHIP, SPECIFICALLY SECTION 5-1.6 "DELINQUENT FEES"

BE IT ORDAINED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, that Chapter V of the Revised General Ordinances of the Township of Lafayette, being the Animal Control Chapter, shall be and is hereby amended as follows as follows:

Section 1. 5-1.6 shall be and is hereby amended to read as follows:

Any dog owner or person harboring a dog, found to have an unlicensed dog by the Animal Control Officer, dog canvasser or any other municipal official after February 28 of any year, shall be required to pay an additional delinquent fee of fifteen (\$15) dollars per dog, per month plus the

required license and registration tag fees as provided in this chapter, in addition to any fine imposed for failure to obtain a dog license before February 28.

Section 2. All conflicting or inconsistent ordinances are hereby repealed.

Section 3. This Ordinance shall take effect immediately after publication and passage according to law.

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

Increase Zoning Permit Fee - The Clerk will survey other municipalities for their zoning permit fees. This matter will be carried to the next meeting scheduled on April 2, 2013.

Water Quality Management Plan Amendment - Motion by Hughes, seconded by Bruning, to adopt the following resolution:

A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN

WHEREAS, the Township of Lafayette desires to provide for the orderly development of wastewater facilities within Lafayette Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, the Township of Lafayette requests a revision to the Sussex County Sewer Service Area Map to include the following blocks and lots in the Light Industrial zones of the Township: Block 9, Lot 13; and Block 4, Lots 1, 1.01, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 3.01, 4.03 & 4.04; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on January 7, 2013 for the Sussex County Water Quality Management Plan-Sussex County Future Sewer Service Area map has been prepared by the County of Sussex.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of March, 2013 by the Township Committee of the Township of Lafayette that:

1. The Township Committee hereby consents to the amendment entitled Sussex County Water Quality Management Plan, publicly noticed on January 7, 2013, prepared by the County of Sussex for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

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

Audience

Ms. Anne Sellinger, Board of Education Representative, asked about the \$6,000 for the traffic signal. Committeeman D'Angeli said this is would be for the traffic light at the intersection of Routes 15 & 95 and Sunset Inn Road.

Ms. Sellinger said the Township school's budget was approved by the Board of Education. It would be a one cent (\$.01) increase to property owners.

Adjournment

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

Respectfully submitted,

ANNAROSE FEDISH, RMC
Municipal Clerk