

May 21, 2013

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, May 21, 2013 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor Hughes, Committeemen Henderson and Bruning

Members Absent Committeemen Corcoran and D'Angeli

Also Present: 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 Henderson, seconded by Bruning, to accept and place on file the minutes of May 7, 2013. Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Treasurer's Report Cash Report for April 2013

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|-----------------------------------------|----------------|
| Cash Balances as of March 31, 2013 | \$2,415,757.92 |
| Cash Receipts for April 2013 | \$559,610.22 |
| Total | \$2,975,368.14 |
| Cash Disbursements for April 2013 | \$689,821.79 |
| Cash Balances as of April 30, 2013 | \$2,285,546.35 |
| Account Balances as of April 30, 2013 | |
| Current – Checking | \$528,720.92 |
| Capital – Checking | \$1,135,106.82 |
| Escrow – Checking | \$49,024.31 |
| COAH-Developers Fees | \$67,152.88 |
| Open Space Municipal Tax | \$344,873.37 |
| Trust Accounts for Developers Agreement | \$138,963.90 |
| Special Rec. – Checking | \$8,128.68 |
| Special Donations | \$7,544.48 |
| Dog Trust Account | \$6,030.99 |
| Total Account Balance | \$2,285,546.35 |

Motion by Bruning, seconded by Henderson, to accept the Treasurer's report as submitted.

Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Committee Reports

Recreation Commission

Pavilion Use Fee - Bruning reported the Recreation Commission recommends a \$75.00 fee for the use of the pavilion at the pond. Motion by Bruning, seconded by Henderson, to charge \$75.00 for the use of the pavilion at the pond and that a use form be filled out and filed with the Township. Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Pond Float - Bruning reported the float in the pond does not meet State cost. Motion by Bruning, seconded by Henderson, to authorize Custom Docks to bring the float in the pond up to compliance with New Jersey State bathing codes for a cost not to exceed \$1,860.00 which will be paid for from the Special Rec account. Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Fire Department - Henderson said the Township has \$300 invested in the inspection of the fire tank and will not continue. Discussion ensued regarding the replacement of the tank. Road Foreman Macko will follow-up with the Fire Department for a Truck Committee to provide specifications to the Township.

Affordable Housing

Advance Housing - Hughes reported nine (9) out of the ten (10) units of Advance Housing's Phase I are reoccupied after repairs were made for the water system break.

Hughes reported Phase II is expecting occupancy in July –August of this year.

Advance Housing is working with a developer for non-inclusionary affordable units, which application will go before the Land Use Board.

Rehabilitation Program - Hughes reported a resident is in need of a boiler replacement. If the application is approved, a Resolution will be needed from the Township Committee to use the money from the trust fund. It was the consensus of the Township Committee to authorize David Banisch, Banisch Associates, to implement the rehabilitation program at a cost not to exceed \$1,500.

Correspondence

- a. SC Freeholder Board Resolution Opposing S-2528
- b. From Michael Russo, NJDOT re: non-granting of Municipal Aid
- c. Hardyston Twp. Ordinance amending Chapter 185-Zoning

Vouchers

| | |
|--------------------------------------|------------|
| Allied Oil, LLC | 274.90 |
| Anna Rose Fedish | 15.00 |
| Aquatic Analysts, Inc. | 1,055.00 |
| Bassani Power Equipment, LLC | 1,230.01 |
| Beaver Run Farms | 294.50 |
| Bill's Equipment Repairs | 2,948.51 |
| CenturyLink | 533.38 |
| Chelbus Cleaning Co., Inc. | 275.00 |
| Cintas Corp #111 | 357.40 |
| D. Lovenberg's Portable Toilet | 110.50 |
| Eye On Wireless | 575.95 |
| Finch Fuel Oil Co., Inc. | 1,864.83 |
| Finelli Consulting Engineers, Inc. | 515.00 |
| Frankford Township | 13,231.05 |
| Gail Magura | 86.07 |
| High Point Regional High School | 192,952.62 |
| Home Depot Credit Services | 162.91 |
| JCP&L | 1,422.95 |
| Lafayette Auto Parts Supply, LLC | 149.29 |
| Lafayette Twp. Board of Ed. | 297,750.00 |
| Lorraine Jiroux | 516.05 |
| Montague Tool & Supply Co. | 254.98 |
| Morris County Registrars Association | 35.00 |
| ND Engineering, LLC | 5,685.00 |
| Newton Trophy & Sports Center, LLC | 27.25 |
| Nisivoccia & Company, LLC | 3,700.00 |
| NJ State Treasurer | 50.00 |
| North Jersey Garage Doors, LLC | 150.00 |
| Old Dominion Brush | 785.84 |
| Peerless Concrete Products Co. | 315.00 |
| Peerless Concrete Products Co. | 674.04 |
| Polowy Stone & Mason | 51.00 |
| Roy E. Kurnos | 5,441.50 |
| Service Electric Cable TV | 17.00 |
| Sprint | 145.66 |
| Staples Business Advantage | 112.16 |
| Statewide Insurance Fund | 21,943.00 |
| Sussex County Assessor's Association | 15.00 |
| The New Jersey Herald | 205.80 |
| The Roy Company, Inc. | 48.50 |
| Township of Wantage | 15.00 |
| Treasurer, S/NJ | 500.00 |
| West Payment Center | 320.00 |
| Winters Auto Parts, Inc. | 151.85 |
| Zion Grove Trout Hatchery | 1,093.50 |
| Banisch Associates, Inc. | 1,457.00 |
| Laddey, Clark & Ryan, LLP | 585.00 |
| ND Engineering, LLC | 816.00 |
| NJ Dept. of Health & Senior Services | 57.60 |

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

Old Business

Overlaying of Township Roads - This issue will be carried to the next meeting on June 5, 2013.

Demolition Proposals for “Lawler” Property - Bruning reported proposals were received from Grinnell and Caravella. He said Road Foreman Macko received proposals for machine work to demolish the buildings from Rowett and Snook Excavating. Bruning reported samples of materials were sent to a lab and no hazardous materials were found.

Motion by Bruning, seconded by Hughes, to hire Snook Excavating to demolish the houses and work with the Road Department for a cost of \$4,000 per the proposal dated May 6, 2013. All documents and receipts are to be retained by the Township. Motion carried by roll call vote: Henderson-no, Bruning-yes, Hughes-yes.

Cross River Fiber - Motion by Henderson, seconded by Bruning, to adopt the following resolution and authorize the Mayor and Clerk to sign the non-exclusive use of rights-of-way agreement:

RESOLUTION APPROVING RIGHT-OF-WAY TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber, LLC, Cross River Fiber, Inc., d/b/a Cross River Fiber NJ, Inc. (“Cross River Fiber”), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within Lafayette Township for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of Lafayette Township for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of Lafayette Township and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that Lafayette Township is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Way for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

New Business

Open Space Draft ROSI - Mr. Kevin O’Leary, OSAC Chairman, reported the ROSI information has been referred to the Township Attorney. This issue will be carried to the meeting on June 5, 2013.

Lafayette Management Liquor License - Motion by Henderson, seconded by Bruning, 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 2013-2014 license term.

Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Pond Pavilion Fee Ordinance - Motion by Bruning, seconded by Henderson, to introduce the following Ordinance and set the public hearing date of June 5, 2013:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING "ADMINISTRATION" OF SAID TOWNSHIP

BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter II (Administration) of the Township of Lafayette Code, shall be and is hereby amended to provide as follows:

SECTION 1 - 2-7 Fees

g. The Recreation Commission is hereby authorized to charge a fee of seventy-five (\$75.00) dollars for the use of the Township pavilion at the pond. The Recreation Commission will utilize a "Pavilion Use Request Application Form" approved by the Township Committee. This form will be used for all organizations and residents requesting the use of the pavilion.

SECTION 2 - Severability - If any section, paragraph, sentence, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sentence, clause or provision; and the remainder shall be deemed valid and effective.

SECTION 3 - This ordinance shall take effect immediately upon passage and publication in the manner provided by law.

Motion carried by roll call vote: Henderson-yes, Bruning-yes, Hughes-yes.

Christmas Lights - It was noted that a licensed electrician will be needed to install the timers on the poles. This issue will be carried until further notice to allow further research of the lights and their cost.

Parking in Municipal Lots - Bruning said overnight parking in the municipal parking lots is prohibited as it should be used as parking for the businesses. Discussion ensued regarding the purchasing and installing of signs. This issue will be carried to the meeting on June 5, 2013.

Audience

Mr. Kevin O'Leary, LAA Treasurer, asked if the fee for the use of the pavilion would be waived for the LAA. Bruning said the Township Committee can waive the fee for some organizations.

Mr. O'Leary feels the cost of the survey and markers for the pond/park may be able to be paid for from the open space trust but should not be paid by the LAA.

Mr. John Stowe, EMS Captain/Fireman, does not feel the tanker should be replaced with a stainless one.

Adjournment

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

Respectfully submitted,

ANNAROSE FEDISH, RMC
Municipal Clerk