

July 2, 2013

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 2, 2013 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

Also Present: Clerk Fedish, CFO Magura, Attorney Kurnos, 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 Bruning, seconded by D'Angeli, to accept and place on file the minutes of June 5, 2013 Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

### Reports

#### **Tax Collector** - For June 2013

Outside Liens	\$45,190.99
Prior Year Taxes	\$26,925.15
Current Year Taxes	\$40,741.33
Interest	\$6,492.11
Total	\$119,349.58

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

Park Finance Certificate Redemption Resolution - Motion by D'Angeli, seconded by Corcoran, 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 # 09-004 SOLD FOR DELINQUENT TAXES FOR BLOCK 14, LOT 49, IN THE AMOUNT OF \$45,190.99

WHEREAS, on September 21, 2009, tax sale certificate # 09-004 was sold for delinquent 2008 taxes on Block 14, Lot 49, owner of record KM Real Estate Holdings, LLC, to Park Finance, LLC in the amount of \$2,421.14; and

WHEREAS, the lien holder, Park Finance, LLC, paid subsequent taxes from the 1<sup>st</sup> quarter 2009 thru the 1<sup>st</sup> quarter 2013 in the amount of \$29,705.67; and

WHEREAS, on June 27, 2013, Karen Mendiburu-Prevete, representative of KM Real Estate Holdings, LLC paid the lien and subsequent principal of \$32,126.81, recording and search fees in the amount of \$52.00, penalties in the amount \$48.42, and interest in the amount of \$12,963.76, through July 3, 2013 for the redemption of Tax Sale Certificate #09-004.

NOW, THEREFORE, BE IT RESOLVED by of 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 \$45,190.99.

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: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Recreation Commission** - Motion by Bruning, seconded by D'Angeli, to hire the following:

2013 summer recreation program: Kelly Osborne (Director-\$15/hr.), Victoria Pizzulo (Asst. Director-\$9/hr), Gina Onorevole & Rachel Start (each @ \$8.75/hr.); and Lifeguards for the 2013 Swim Season at a rate of \$9.00 per hour: Andrew Forino, Thomas Crockford, Richard Slaff, & Deena Slaff.

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

**Streets and Roads** - D'Angeli reviewed the Road Foreman's report. Road Foreman Macko reported Pelletown Road will be paved in August in conjunction with Frankford Township's paving of Losey Road to use the same contractor and save money.

**Fire Department** - Henderson reported the Fire Department responded to six (6) calls in May and five (5) in June. The new tank bid information was approved by the Fire Department. Motion by Bruning, seconded by Henderson, to approve the fire tank bid being advertised and the opening to be held on Tuesday, July 30, 2013 at 10:30am. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Open Space Advisory Committee** - Henderson reviewed the meeting of June 25, 2013.

**EMS** - Corcoran reviewed the EMS report. Discussion of the by-laws is continuing.

**Land Use Board** - Corcoran reviewed the meeting of June 27 and stated the Verizon cell tower application was denied.

### **Affordable Housing**

Advance Housing - Hughes reported Phase II is scheduled to be completed this month and occupancy in September.

SCARC - Hughes reported this project is continuing.

Rehabilitation Program - Hughes reported David Banisch, Planner, is working with a resident for the replacement of a boiler.

COAH - Motion by Hughes, seconded by Henderson, to send the necessary documents to the State for the spending plan from 2008/2009 to current and for the affordable housing trust fund. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Electric Cooperative** - Hughes the current rates with the cooperative is still lower than JCP&L.

### **Correspondence**

1. From Elaine Morgan, Clerk of Board re: Public hearing to amend solid waste management plan for SCMUA
2. From Daniel Saunders, NJ Historic Preservation re: Lafayette Village Historic District
3. From John Eskilson, County Administrator re: County 9-1-1

The Clerk was asked to send a letter indicating the Township's interest in this venture.

4. From Governor Christie re: New Jersey's Fiscal Health
5. From Paul Dionne re: Reach the Beach Relay in October

The Township Committee approved the relay.

6. Andover Township Resolution Opposing S-2528 (Source Separation Requirements)

Motion by D'Angeli, seconded by Bruning, to adopt the following Resolution:

RESOLUTION OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, STATE OF NEW JERSEY IN OPPOSITION TO SENATE BILL 2528 AND PROPOSED EXEMPTION FROM SOURCE SEPARATION REQUIREMENTS

WHEREAS, Senate Bill 2528 would provide exemption from source separation requirements for commercial and institutional solid waste generators; and

WHEREAS, approximately 60% of recycling tons reported to New Jersey Department of Environmental Protection (DEP) for Year 2010 was from commercial and institutional generators; and these exemptions would divert recyclable materials away from established recycling facilities that have already invested millions of private sector dollars in equipment and infrastructure; and

WHEREAS, source separation is the cornerstone of New Jersey's recycling program; and past experience with exemptions has shown that material recovery facilities (MRF) do not recover as much recyclable materials as a source separation system; and

WHEREAS, allowing academic institutions, including public and private schools and colleges, to mix garbage and recyclables is a reversal of commonly taught conservation practices and detrimental to educational efforts for developing environmental preservation goals among Sussex County students; and

WHEREAS, exemptions that would divert recyclable materials away from recycling facilities would hamper New Jersey from reaching its 50% recycling goal and may impact the jobs of almost 27,000 people in New Jersey that are employed in recycling and reuse establishments; and

WHEREAS, there is a reduction in quality of recyclable material from MRF processing due to mixing garbage with recyclables and then extracting those recyclable from the waste; and

WHEREAS, the necessary certification process, monitoring and enforcement of MRF's would strain the DEP, which is already understaffed; and exemptions could play havoc on counties with Solid Waste Flow Control; and

WHEREAS, the Sussex County Solid Waste Advisory Committee (SWAC) adopted a Resolution at its meeting on April 9, 2013 to recommend opposition of Senate Bill 2528 to the Sussex County Board of Chosen Freeholders. The Freeholder Board unanimously adopted a similar Resolution at the May 7, 2013 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township of Lafayette, Sussex County, State of New Jersey to oppose Senate Bill 2528; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Sussex County Municipalities; Senator Steven V. Oroho; Assemblywoman Alison McHose; Assemblyman Parker Space; New Jersey State League of Municipalities; Ross M. Hull, Environmental Specialist 3, NJ Department of Environmental Protection; John Hatzelis, Administrator, Sussex County Municipal Utilities Authority; Sussex County Division of Planning; and Sussex County Solid Waste Advisory Council.

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

7. From Maureen Kaman, CTA requesting the Township pay for one night's stay at the annual conference in August. Motion by D'Angeli, seconded by Corcoran, to pay for one (1) night for Mrs. Kaman at the annual conference for a cost of \$179. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

8. From Deborah Hirt re: Public meeting for Route 15 bridge over Paulins Kill to be held at municipal building Wednesday, July 17, 2013 from 6:00-8:00pm.

9. From Armand Perez, NJDEP re: New Pavilion - Flood Hazard Area Individual Permit issued

#### **Vouchers**

Ace Well & Pump, LLC	125.00
Adolph Keifer & Associates	138.28
Agra Environmental Services, Inc.	252.00
Andover Township	31,212.00
Applied Waste Water Pumping, LLC	562.50
Aquatic Analysts, Inc.	760.00
Banisch Associates, Inc.	273.00
Beaver Run Farms	61.61
Braen Aggregates, LLC	347.10
CenturyLink	388.80
Chambers Tractor Sales, Inc.	120.41
Chambers Tractor Sales, Inc.	50.15
Chelbus Cleaning Co., Inc.	275.00
Cintas Corp. #111	357.40
D.Lovenberg's Portable Toilet	130.00
Deptcor	447.00
Finch Fuel Oil Co., Inc.	1,920.19
G&G Diesel Service, Inc.	320.44
Home Depot Credit Services	131.91

International Salt Co., LLC	10,256.49
JCP&L	1,397.93
Laddey, Clark & Ryan, LLP	750.00
Lafayette Auto Parts Supply, LLC	29.98
Lafayette Preservation Foundation	500.00
Lafayette Twp. Board of Ed.	294,750.00
MacMillan Oil Co. of Allentown	29.00
MaryPaul Laboratories, Inc.	130.00
MGL Printing Solutions	390.10
Montague Tool & Supply Co.	275.40
ND Engineering, LLC	459.00
Park Finance, LLC	45,190.99
Pitney Bowes, Inc.	76.25
Service Electric Cable TV	17.00
Snook's Excavating, Inc.	4,800.00
Staples Business Advantage	372.71
Sussex County Clerk	231.32
The Land Conservancy of New Jersey	2,625.00
The New Jersey Herald	440.67
The Printing Center, Inc.	1,528.00
Tri-County Refrigeration	253.50
Verizon Wireless	44.50
W. Jiroux	1,250.00
Weisenbach Specialty Printing	305.62
Weldon Quarry Co., LLC	255.59
William Macko	35.00
Winters Auto Parts, Inc.	8.36
Chemung Supply	2,048.00
John Joseph, Inc.	1,800.00
Snook's Excavating, Inc.	3,300.00
Laddey, Clark & Ryan, LLP	195.00
ND Engineering, LLC	1,275.00
NJ Dept. of Health & Senior Services	20.40

Motion by D'Angeli, seconded by Bruning, 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**

**Mason Dump Spending Ordinance** - Mayor Hughes opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE OF A NEW AND UNUSED 2013 4WD STANDARD CAB/CHASSIS AND STAINLESS STEEL BODY MASON DUMP 3/4 YARD CAPACITY AND APPROPRIATING \$75,428.00 FROM THE CAPITAL IMPROVEMENT FUND

With there being no public comments, Mayor Hughes closed the public hearing.

Motion by D'Angeli, seconded by Henderson, to adopt the Mason Dump Spending Ordinance. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**\$85,000 Various Roads Spending Ordinance** - Mayor Hughes opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE REPAIR OF VARIOUS ROADS AND APPROPRIATING \$85,000.00 AVAILABLE IN THE CAPITAL IMPROVEMENT FUND

With there being no public comments, Mayor Hughes closed the public hearing.

Motion by Henderson, seconded by Corcoran, to adopt the Mason Dump Spending Ordinance. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

**Farming and Maintenance Agreement – Warbasse Junction Road; Block 9, Lots 13.01, 13.05 and 28** - Motion by Bruning, seconded by D’Angeli, accepting the farming and maintenance agreement for the Warbasse Junction Road properties (Block 9, Lots 13.01, 13.05 & 28) and authorizing the Mayor to sign the agreement. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D’Angeli-yes, Bruning-yes, Hughes-yes.

**New Business**

**Recreation & Open Space Inventory (ROSI)** - Mayor Hughes explained the history of the property on Warbasse Junction Road and why it should not be included in the Township’s ROSI.

The property was purchased in 2002 for recreational purposes but was found unsuitable because of wetlands found after its purchase. Five (5) acres was subdivided off for the construction of an affordable housing project by SCARC, Inc. in 2006-2007. This property was not listed in the previous ROSI; and Green Acres funding was received after the agreement was made with SCARC for the housing project.

Motion by Bruning, seconded by D’Angeli, to authorize the Mayor to sign the ROSI as submitted without including the Warbasse Junction Road property. Motion carried by roll call vote: Corcoran-no, Henderson-no, D’Angeli-yes, Bruning-yes, Hughes-yes.

**Junior Fire Department Members** - Motion by Henderson, seconded by Corcoran, to appoint Andrew Elzinga and Jeremy Lucey as Junior members of the Lafayette Township Fire Department. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D’Angeli-yes, Bruning-yes, Hughes-yes.

**Meadow Ridge Lane Spending Ordinance** - Motion by D’Angeli, seconded by Henderson, to introduce the following Ordinance and set the public hearing date of August 6, 2013:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE REPAIR OF MEADOW RIDGE LANE AND APPROPRIATING \$2,000.00 AVAILABLE IN THE CAPITAL IMPROVEMENT FUND

BE IT ORDAINED by the Township Committee of the Township of Lafayette, County of Sussex, New Jersey, as follows:

Section 1: The funding for the repair of Meadow Ridge Lane is hereby authorized and the cost is not to exceed \$2,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$2,000.00 is hereby appropriated from the Capital Improvement Fund.

Section 3. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

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

**Audience**

Mr. George Stafford, Outreach Director, New Jersey Highlands Coalition, explained about and asked the Township Committee to consider a Resolution to protect The Highlands Act. This matter will be carried to the next meeting on August 6, 2013.

**Adjournment**

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

Respectfully submitted,

ANNAROSE FEDISH, RMC  
Municipal Clerk