

September 3, 2013

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, September 3, 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 D'Angeli, seconded by Henderson, to accept and place on file the minutes of August 6, 2013 Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Reports

Tax Collector - For August 2013

Lieu of Tax	\$397.09
Unallocated	\$147.83
Tax Map Fee	\$250.00
Prior Year Taxes	\$13,296.89
Current Year Taxes	\$1,360,347.95
Prepaid Taxes – 2014	\$145.38
Interest	\$3,629.31
Total	\$1,378,214.45

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

Resolutions

Motion by D'Angeli, seconded by Henderson, to adopt the following four (4) Resolutions:

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO CANCEL 3rd & 4th QUARTER 2013 TAXES FOR BLOCK 30, LOT 6, Q0053 IN THE AMOUNT OF \$492.75

WHEREAS, Block 30, Lot 6, Q0053 has been assessed in the amount of 18,400 for the year 2013; and

WHEREAS, a memo from the Tax Assessor indicates that the lot no longer exists and was previously merged with Block 25, Lot 4.01 Qfarm, and remains on our 2013 records in error; and

WHEREAS, the 3rd and 4th quarter 2013 taxes were billed in the amount of \$492.75 due to the error and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, authorize Daryn Cashin, Tax Collector, to cancel the 3rd & 4th quarter 2013 taxes due for Block 30, Lot 6, Q0053 in the amount of \$492.75.

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.

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO CANCEL 3rd & 4th QUARTER 2013 TAXES FOR BLOCK 25, LOT 2, Q0053 IN THE AMOUNT OF \$1,430.05

WHEREAS, Block 25, Lot 2, Q0053 has been assessed in the amount of 53,400 for the year 2013; and

WHEREAS, a memo from the Tax Assessor indicates that the lot no longer exists and was previously merged with Block 25, Lot 4.01 Qfarm, and remains on our 2013 records in error; and

WHEREAS, the 3rd and 4th quarter 2013 taxes were billed in the amount of \$1,430.05 due to the error and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, authorize Daryn Cashin, Tax Collector, to cancel the 3rd & 4th quarter 2013 taxes due for Block 25, Lot 2 Q0053 in the amount of \$1,430.05.

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.

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO LEET HOUSE, LP. FOR THE YEAR 2013 DUE TO A REDUCTION IN THE ASSESSED VALUE FROM THE YEAR 2012 TO THE YEAR 2013 FOR BLOCK 25, LOT 4.06 IN THE AMOUNT OF \$643.43

WHEREAS, the 2013 duplicate reflects an over-billing of taxes on Block 25, Lot 4.06, owner of record Leet House, LP, for the year 2013 due to a reduction of the assessed value of the property; and

WHEREAS, resulting from this reduced assessment the taxes were overpaid during the first half of 2013 in the amount of \$643.43 that, in accordance with state statutes, must be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey that upon recommendation of the Tax Collector, a refund be issued to Leet House, LP in the amount of \$643.43

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.

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO SHOTMEYER BROS., INC. FOR THE YEAR 2013 DUE TO A REDUCTION IN THE ASSESSED VALUE FROM THE YEAR 2012 TO THE YEAR 2013 FOR BLOCK 25, LOT 4.01 IN THE AMOUNT OF \$825.32

WHEREAS, the 2013 duplicate reflects an over-billing of taxes on Block 25, Lot 4.01 owner of record Lawrence Koster, Inc., for the year 2013 due to a reduction of the assessed value of the property; and

WHEREAS, resulting from this reduced assessment the taxes were overpaid during the first half of 2013 in the amount of \$825.32 that, in accordance with state statutes, must be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey that upon recommendation of the Tax Collector, a refund be issued to Shotmeyer Bros. Inc. at the request of property owner Lawrence Koster, Inc. in the amount of \$825.32.

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.

Treasurer's Report

Cash Report for August 2013

Cash Balances as of July 31, 2013	\$2,752,355.79
Cash Receipts for August 2013	\$2,049,893.45
Total	\$4,802,249.24
Cash Disbursements for August 2013	\$1,301,111.52
Cash Balances as of August 31, 2013	\$3,501,137.72
Account Balances as of August 31, 2013	
Current – Checking	\$1,476,886.58
Capital – Checking	\$1,403,603.31
Escrow – Checking	\$48,668.34
COAH-Developers Fees	\$67,161.35
Open Space Municipal Tax	\$344,916.82
Trust Accounts for Developers Agreement	\$138,981.42
Special Rec. – Checking	\$7,179.00
Special Donations	\$7,544.48
Dog Trust Account	\$6,196.42
Total Account Balance	\$3,501,137.72

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

Committee Reports

Streets and Roads - D'Angeli reviewed the Road Foreman's report. He reported a NJDOT grant application will be filed for Statesville Quarry Road from Route 15 to Little Road.

Fire Department - Henderson reported a meeting will be held next week.

Open Space (OSAC) - Henderson reported a meeting was held on August 28, 2013; and the ROSI is not complete. The next meeting is scheduled for September 23, 2013.

Land Use Board - Corcoran reviewed the meeting of August 22, 2013.

EMS - Corcoran reviewed the EMS report.

Affordable Housing

SCARC - Hughes reported this project is near completion.

Advance Housing - Hughes reported a Certificate of Occupancy will be received soon. He reported a walk-through is scheduled for Thursday, September 5, 2013 at 7:00pm for all emergency personnel. Hughes reported Advance Housing is pursuing more property in the Township for housing.

Correspondence

- a. From Kurt McCoy, NJDOT re: Route 15 Maintenance Roadway Repair
 - b. From Yaso Sivaganesh, NJDEP re: Air Pollution Permit for Sussex County
 - c. From Anna May Walsh, DASI re: Purple Ribbon Campaign
 - d. Ogdensburg Borough Resolution Supporting Municipal Bonds Continued Tax Exemption
- Motion by D'Angeli, seconded by Corcoran, to adopt the following Resolution:

RESOLUTION EXPRESSING SUPPORT FOR THE CONTINUED TAX EXEMPTION FOR MUNICIPAL BONDS

WHEREAS, the State of New Jersey, and the political subdivisions thereof, including its 566 municipalities, undertake many capital improvements for the benefit of their citizens and finance the cost thereof through the issuance of bonds, notes and other evidences of indebtedness, the interest on which is exempt from federal income taxation; and

WHEREAS, this federal tax exemption has been in effect since the inception of the federal income tax in 1913 and is essential to permit states and local governments to carry on their responsibilities to their citizens; and

WHEREAS, in 2010, the National Commission on Fiscal Responsibility and Reform (the "Simpson Bowles Commission") recommended that interest on newly issued state and municipal bonds be subject to federal income taxation; and

WHEREAS, President Barack Obama has proposed to cap at an aggregate of 28%, numerous federal tax deductions, including the federal tax exemption of interest on state and local bonds, and such limitation would apply to all tax-exempt obligations, including obligations issued prior to the proposed change in the federal income tax law; and

WHEREAS, proposals to eliminate or curtail the federal tax exemption of interest on state and local bonds rely principally on the theory that the exemption benefits upper-income taxpayers, although repealing or restricting the exemption will increase borrowing costs for state and local governments because investors will demand a higher interest to compensate them for the taxes they will have to pay; and

WHEREAS, these increased borrowing costs will result in less infrastructure investment and will be passed on to taxpayers, ratepayers and other users of bond-financed infrastructure who are primarily middle and lower-income persons, including hospital patients, students and residents in low-income housing.

NOW, THEREFORE, BE IT RESOLVED by the Township of Lafayette that maintenance of tax exempt status under federal law is essential to allow the State of New Jersey and its political subdivision to finance necessary public improvements for the benefit of all citizens of New Jersey at the lowest interest costs.

BE IT FURTHER RESOLVED that that Township of Lafayette opposes any and all changes in federal tax law that would reduce or eliminate the present exemption from federal income taxation for interest paid on bonds, notes and other evidences of indebtedness issued and to be issued by the State and their political subdivisions.

AND BE IT FURTHER RESOLVED that copies of this Resolution shall be delivered to the President of the United States, the New Jersey Congressional Delegation, the Governor and Lieutenant Governor of the State of New Jersey, the New Jersey State Treasurer, the New Jersey Legislature, the United States Conference of Mayors, Sussex County Board of Chosen Freeholders, Senator Steven V. Oroho, Assemblywoman Alison McHose, Assemblyman Parker Space, and Sussex County Municipalities.

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

e. Sparta Township Resolutions

1. Opposing S-2528-Source Separation Requirements
2. Supporting Municipal Bonds Continued Tax Exemption

f. Vernon Township Resolution Supporting S-2340 (Frivolous Lawsuits)

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

RESOLUTION IN SUPPORT OF SENATE BILL 2340

WHEREAS, senate Bill 2340 would expand the definition of frivolous lawsuits to include lawsuits filed merely to attack and individual or organization or as retaliation, and to include claims, motions, pre-trial affidavits or other pleadings; and

WHEREAS, S-2340 would expand the ability of courts to order payment of attorney fees and costs by parties who file frivolous lawsuits; and

WHEREAS, the taxpayers of the Township of Lafayette deserve protection against individuals who abuse the privileges of the legal system by pursuing vendettas and unsupportable claims against municipalities and their employees, professionals and officials; and

WHEREAS, it is appropriate that the taxpayers of the Township of Lafayette should not be forced to pay the legal costs involved in defense against legal actions which were pursued in bad faith, solely for the purpose of harassment, delay, malicious injury or retaliation.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey that it hereby supports Senate Bill 2340 and encourages the entire New Jersey State Legislature and Governor Chris Christie to support this measure.

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

Vouchers

Aquatic Analysts, Inc.	\$ 60.00
Banisch Associates, Inc.	163.00
CenturyLink	538.61
Chambers Tractor Sales, Inc.	435.36
Chelbus Cleaning Co., Inc.	275.00
Cintas Corp #111	228.00
Deluxe International Trucks, Inc.	109.23
Deptcor	304.50
Dover Brake & Clutch Co., Inc.	69.32
Finch Fuel Oil Co., Inc.	1,764.14
Fredon Welding & Iron Works	630.00
G&G Diesel Service Inc.	45.96
High Point Regional High School	592,256.00
Home Depot Credit Services	50.96
JCP&L	1,550.91
Laddey, Clark & Ryan, LLP	390.00
Lafayette Auto Parts Supply, LLC	171.76
Lafayette EMS	1,565.19
Lafayette Twp. Board of Ed	294,750.00
Leet House, LP	643.43
MaryPaul Laboratories, Inc.	130.00
Montage Enterprises, Inc.	2,091.07
Montague Tool & Supply, Co.	356.62
Municipal Software, Inc.	600.00
NJ States League of Municipalities	165.00
Roy E. Kurnos	135.00

S/NJ Dept. of Labor & Workforce	57.00
Sanitation Equipment Corp.	541.05
Shotmeyer Bros., Inc.	825.32
SK Paper Shred	95.00
Staples Business Advantage	199.54
Sussex County Bd. of Elections	344.76
Sussex County Municipal Utilities Authority	250.00
T.A. Mountford Co.	640.00
The Morville Agency	500.00
The New Jersey Herald	35.70
Tri County Refrigeration	337.50
US Postal Service	200.00
Verizon Wireless	238.80
W. Jiroux	1,250.00
Weldon Quarry Co., LLC	242.84
Beaver Run Farms	86.59
Frankford Township	4,023.37
John Joseph, Inc.	7,200.00
Peerless Concrete Products Co.	1,248.00
Polowy Stone & Mason	78.50
Snooks Excavating, Inc.	5,880.00
Weldon Quarry Co., LLC	540.99
Banisch Associates, Inc.	396.50
Laddy, Clark & Ryan, LLP	375.00
ND Engineering, LLC	433.40
Kelly Osborne	70.23
Vivian Hough	75.00

Motion by Henderson, seconded by Corcoran, 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

Fire Tank 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 ONE (1) 3,000 GALLON FIRE TANK AND APPROPRIATING \$61,200.00 FROM THE CAPITAL IMPROVEMENT FUND

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

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

ROSI (Recreation & Open Space Inventory) - This issue will be tabled until the next meeting scheduled for September 17, 2013.

Municipal Parking Signs - Bruning asked about the purchase of the municipal parking signs. Road Foreman Macko said the signs were bought and asked about the parking for the people living in the apartments. This issue will be pursued.

New Business

Raffle - Motion by Corcoran, seconded by Henderson, to approve a raffle license for Lafayette Twp. Fire Dept. Ladies Auxiliary for November 9, 2013 and waive the local fee. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Weather Service Contract - Motion by D'Angeli, seconded by Corcoran, to approve the weather service renewal with WeatherWorks for a cost of \$755.00. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, D'Angeli-yes, Bruning-yes, Hughes-yes.

Hidden Valley/Mtn. Ridge Estates - A memo was received regarding the paving at the development. Corcoran will pursue this issue.

SCMUA - Hughes reported the SCMUA representatives will attend the next meeting scheduled for September 17, 2013. The Clerk was asked to put a block ad in the newspaper to inform residents.

Adjournment

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

Respectfully submitted,

ANNAROSE FEDISH, RMC
Municipal Clerk