

April 1, 2014

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, February 18, 2014 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent: None

Also Present: Clerk Fedish, Road Foreman Macko

Mayor D'Angeli 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 Hughes, to accept and place on file the minutes of March 18, 2014. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes.

Reports

Tax Collector - For February 2014

Tax Searches	\$20.00
Lieu of Tax	\$397.09
Tax Map Fee	\$850.00
Prior Year Taxes	\$17,560.40
Current Year Taxes	\$50,127.99
Interest	\$2,386.37
Total	\$71,341.85

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

Committee Reports

Recreation Commission - Bruning reported lifeguards are being sought for the swim season.

Affordable Housing - Hughes reported the annual report and plan are continuing to be worked on. He reported a seconded rehabilitation project is in progress.

Emergency Management - Hughes reported the County has awarded the contract for a central dispatch location. The anticipated start-up date will be January 2015.

Township Businesses Meeting - Hughes reported a meeting with Township businesses was held on March 26, 2014; and the business owners are interested in a partnership with the Township. The next meeting is tentatively scheduled for April 29, 2014 at 7:00pm.

EMS - Corcoran reported the EMS responded to 23 calls in March.

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

Land Use Board - Corcoran reviewed the meeting of March 27, 2014.

Open Space (OSAC) - Motion by Henderson, seconded by Corcoran, to retain Norman J. Goldberg, Inc. and Landmark I Appraisal, LLC for a cost of \$2,125 and \$2,650, respectively, to supply appraisal reports for the Castimore/Moose property. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes.

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

D'Angeli reported he spoke to Debbie Hirt, NJDOT, regarding the intersection of Routes 15/94 and Sunset Inn Road. Ms. Hirt informed him that the study is complete; and the project has been approved. She was not able, however, to give a start date.

Correspondence

- a. From Nevitt Duveneck – Advance Housing Site Plan & Quick Chek
- b. From Clerk of the Board of Chosen Freeholders - Resolution creating a Steering Committee & Refunding Bond Ordinance
- c. From Daniel D. Saunders, NJDEP re: Lafayette Village Historic District
- d. From Rhona Beadle, Ginnie's House re: Ginnie's House April Open House

Old Business

Exceed Cap Ordinance - Mayor D'Angeli opened the public hearing for the following Ordinance:

CALENDAR YEAR 2014 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

Amend Chapter XIV Ordinance - Motion by Bruning, seconded by Hughes, to introduce the following Ordinance and set the public hearing date of April 15, 2014:

AN ORDINANCE TO AMEND CHAPTER XIV OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE LAND USE PROCEDURES CHAPTER, TO ADD "CONSENT OF OWNER FOR FEES"

WHEREAS, the Township Committee of the Township of Lafayette is concerned with unpaid fees and/or escrows incurred by applicants before its Land Use Board; and

WHEREAS, to aid in collecting such unpaid fees and/or escrows due the Township, it is the Township's desire to have the option of placing a municipal lien upon the property which was the subject of the application before its Land Use Board.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter XIV of the Revised General Ordinances of the Township of Lafayette, being the Land Use Procedures Chapter, shall be and is hereby amended as follows:

Section 1. Subsection 14-1.9 shall be and is hereby amended to add the following new numbers to the checklists itemized below:

Schedule A, Minor Subdivision Checklist – add a new number to read:

49. "Consent of Owner for Fees"

Schedule B, Preliminary Major Subdivision Checklist – add a new number to read:

85. "Consent of Owner for Fees"

Schedule C, Final Major Subdivision Checklist – add a new number to read:

34. "Consent of Owner for Fees"

Schedule D, Preliminary Site Plan Checklist – add a new number to read:

97. "Consent of Owner for Fees"

Schedule E, Final Site Plan Checklist – add a new number to read:

24. "Consent of Owner for Fees"

Schedule F, Variance Checklist – add a new number to read:

32. "Consent of Owner for Fees"

Schedule G, Minor Site Plan Checklist – add a new number to read:

37. "Consent of Owner for Fees"

Section 2. §14-4 "Miscellaneous Provisions" shall be and is hereby amended to add the following:

§14-4.5 Owners Consent. All applications to the Lafayette Township Land Use Board shall include a signed and notarized Consent by the Landowner indicating the landowner's consent that all fees must be paid in accordance with the Land Use Board application, and in the event the applicant does not pay all appropriate fees, including application and escrow fees, the landowner consents to have any unpaid balance placed as an added assessment against the property at issue, to be collected by the Township Tax Collector's Office.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 5. The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Land Use Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 6. This Ordinance shall take effect after publication and passage according to law.

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

New Business

Annual Audit Resolution - Motion by Henderson, seconded by Corcoran, to adopt the following Resolution:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one (1) year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Fundraising on Public Property - Discussion ensued regarding the use of the fire house for fundraising using a third-party for-profit person/agency. This activity is not allowed on any publicly owned property.

Adjourn

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC
Municipal Clerk