

July 7, 2015

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 7, 2015 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

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

Mayor Bruning 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 Hughes, to accept and place on file the minutes of June 3, 2015 and July 2, 2015 (Special Meeting). Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, D'Angeli-yes, Bruning-yes.

SECTV, INC. CONSENT HEARING Michael Meliti, Esq.

Mr. Meliti explained the renewal process. The previous Ordinance was enacted in 2005 and is to expire in January 2016.

Mr. Meliti explained SECTV provides courtesy services with one (1) connection for the garage at a cost of \$17.00, one (1) complimentary connection for the fire department, and an EMS box at a discount. The Township school has 36 connections; however, none are being used at this time. Mr. Meliti said a connection for cable television was discussed for the municipal building but not done. They are still willing to install this connection if requested.

Mr. Meliti said SECTV is asking the Township for ten (10) more years. Two (2%) of what is billed is returned to the Township.

Mayor Bruning opened the hearing to the public.

Mr. Bill Macko, Road Foreman, asked if the services will remain for the garage and EMS. Mr. Meliti said they would.

Committeeman D'Angeli asked if agreement can be amended in the future if something changes. Mr. Meliti said they are always open for discussion.

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

Mr. Meliti will provide a proposed ordinance for the Township Committee's review.

Tax Collector's Report - For June 2015

Tax Map Fee	\$250.00
Prior Year Taxes	\$32,527.70
Current Year Taxes	\$59,098.83
Interest	\$6,457.53
Total	\$98,334.06

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, D'Angeli-yes, Bruning-yes.

Treasurer's Report Cash Report for June 2015

Cash Balances as of May 31, 2015	\$3,154,163.32
Cash Receipts for June 2015	\$198,675.88
Total	\$3,352,839.20
Cash Disbursements for June 2015	\$614,527.53
Cash Balances as of June 30, 2015	\$2,738,311.67

Account Balances as of June 30, 2015

Current – Checking	\$955,139.26
Capital – Checking	\$1,361,769.59
Escrow – Checking	\$71,767.51
COAH - Developers Fees	\$20,251.73
COAH - Rehab Reserves	\$44,105.03
Open Space Municipal Tax	\$122,469.98
Snow Trust	\$7,430.55
Trust Accounts for Developers Agreement	\$140,091.83
Special Rec. – Checking	\$4,118.45
Special Donations	\$7,545.91
Dog Trust Account	\$3,621.83
Total Account Balance	\$2,738,311.67

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

Committee Reports

EMS - Corcoran reported the EMS responded to 20 calls in June.

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

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

Affordable Housing - Hughes reported the declaratory judgement has been filed. A meeting with a subcommittee is to be held shortly with a previous objector.

Rehabilitation Project - Motion by Hughes, seconded by Henderson, to proceed with Request For Proposals (RFP’s) to contractors for the rehabilitation project with a cost not to exceed \$14,000. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, D’Angeli-yes, Bruning-yes.

Emergency Management - Hughes reported they are proceeding with the renewal of high band per the FCC.

Recreation Commission - Bruning reported a walking path and community garden are being considered for the “Lawler” property.

A movie night at Lafayette Park is being planned for August 11, 2015. More information is to follow.

Correspondence

- a. From Suzanne Oakley, Municipal Court Admin., re: Receipts Breakdown
- b. From Board of Chosen Freeholders re: Resolution & Amending Resolution for placement of a public question on November 3, 2015 ballot
- c. Montague Township Resolution supporting protection and support of Federal military bases in NJ

Motion by D’Angeli, seconded by Hughes, to adopt the following Resolution:

SUPPORTING STEPS BY NEW JERSEY OFFICIALS TO PROTECT AND SUPPORT
FEDERAL MILITARY BASES LOCATED IN THE STATE OF NEW JERSEY

WHEREAS, Joint Base McGuire-Dix-Lakehurst, Picatinny Arsenal, Naval Weapons Station Earle, the 177th Air National Guard Wing in Atlantic City and the Cape May Coast Guard Training Center are major Federal Military Assets in New Jersey; and

WHEREAS, the Rutgers Economic Advisor Service, E/ECON recently conducted a study measuring and modeling the economic contributions to the State’s economy of our Federal Military installations; and

WHEREAS, the Rutgers Economic Advisor Service determined that, in net, the Federal Government spent nearly \$4.8 billion within the State, generating over 45,600 jobs which pay \$2.6 billion in salaries and add \$3.8 billion of wealth to New Jersey residents; and

WHEREAS, the aforesaid \$4.8 billion in Federal spending in New Jersey generates \$9.6 billion in net business revenues here; and

WHEREAS, of this total, \$4.5 billion is new wealth and was added in the form of gross domestic product by the State; and

WHEREAS, of this Gross Domestic Product total, over \$4.0 billion is in the form of labor income that supports an estimate 73,234 jobs; and

WHEREAS, all New Jersey military installations make significant individual and collective contributions to all capabilities of our Armed Forces and our National Security; and

WHEREAS, maintaining and expanding this military core is nearly as critical for New Jersey's continued economic welfare as it is to its homeland security missions; and

WHEREAS, in the era of federal fiscal austerity, policymakers in our Nation's Capital will be asked to consider proposals to reduce defense spending and the size of our uniformed services.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette, Sussex County, New Jersey strongly urges the Governor and the New Jersey State Legislature to take immediate steps to protect these valuable military assets in recognition of their vital importance to our Nation's and State's security; and

BE IT FURTHER RESOLVED that the Lafayette Township Committee hereby joins with other New Jersey counties and municipalities in calling on elected officials serving New Jersey at all levels of government to work in concert to promote the preservation, growth and development of our New Jersey military facilities; and

BE IT, ALSO, FURTHER RESOLVED that the Township Clerk forward a certified true copy of this Resolution to the Governor of the State of New Jersey, President of the New Jersey States Senate, the Speaker of the General Assembly, New Jersey's United States Senators, Sussex County Legislative Delegation, all Sussex County municipalities, New Jersey League of Municipalities and the Attorney General of the State of New Jersey.

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

d. Franklin Borough Ordinance Amending Chapter 205, Property Maintenance

e. Stillwater Township Ordinance Adding New Chapter, Vacant and Abandoned Properties

f. Board of Chosen Freeholders – Preliminary Adoption of Wastewater Management Plan and Amend Water Quality Management Plan

Vouchers

ZEP Manufacturing Co.	198.54
Agra Environmental Services, Inc.	31.50
American Wear	228.00
Aquatic Analysts, Inc.	1,335.00
Atlantic Communications	297.34
Beaver Run Farms	21.56
CenturyLink	535.80
Chelbus Cleaning Co., Inc.	275.00
Coded Systems, LLC	4,450.00
Ficor Co., LLC	10,125.00
Finch Fuel Oil Co., Inc.	2,471.70
G&G Diesel Service, Inc.	464.00
Gail Magura	106.99
Gayle Bruning	75.00
Gus Schetting Welding	450.00
Home Depot Credit Services	138.40
Ideal Farm & Garden Center	159.05
JCP&L	1,157.24
Johnny On The Spot, LLC	460.00
Laddey, Clark & Ryan, LLP	672.00
Lafayette Auto Parts Supply, LLC	694.34
Lafayette Preservation Foundation	600.00
Lafayette Twp. Board of Education	315,000.00
MGL Printing Solutions	386.40
Montage Enterprises, Inc.	103.62
Montague Tool & Supply Co.	424.22
Municipal Clerks Assoc. of NJ	100.00
ND Engineering, LLC	378.00
Old Dominion Brush	636.85
Opdyke's Sales & Service	192.27
Pitney Bowes, Inc.	71.25
Service Electric Cable TV	17.00

Staples Business Advantage	319.91
Sussex County Board of Elections	365.16
Sussex County Clerk	228.92
The New Jersey Herald	713.70
The Printing Center, Inc.	1,320.00
Treasurer, S/NJ	25.00
Tri-State Power & Pump	246.98
Verizon Wireless	162.95
Vital Services Group	193.30
W.E. Timmerman Co., Inc.	84.32
W.E. Timmerman Co., Inc.	35.74
Banisch Associates, Inc.	1,046.50
Ben Shaffer & Associates, Inc.	204.95
Hamburg Plumbing Supply Co., Inc.	2,340.00
Laddey, Clark & Ryan, LLP	1,168.00
ND Engineering, LLC	3,449.50

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

Old Business

Old Beaver Run Road Spending Ordinance - Mayor Bruning opened the public hearing for the following Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR ENGINEERING AND ADDITIONAL COST FOR THE IMPROVEMENTS TO OLD BEAVER RUN ROAD AND APPROPRIATING \$19,000.00 FROM THE CAPITAL IMPROVEMENT FUND – IMPROVEMENTS TO ROADS

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

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

2016 Truck Spending Ordinance - Mayor Bruning opened the public hearing for the following Ordinance:

Mayor Bruning 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 2016 INTERNATIONAL SFA 7500 4X2 CHASSIS WITH DUMP BODY AND SANDER \$184,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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

Motion by Corcoran, seconded by Hughes, to adopt the 2016 Truck Spending Ordinance. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, D'Angeli-yes, Bruning-yes.

“Lawler” Property Helipad - Mr. Kevin O’Leary, Open Space Advisory Committee, reviewed the correspondence.

New Business

Amend Township Map Ordinance - Motion by Hughes, seconded by Henderson, to introduce the following Ordinance and set the public hearing date of August 4, 2015:

AN ORDINANCE TO AMEND THE LAFAYETTE TOWNSHIP OFFICIAL MAP

WHEREAS, it has been discovered that the current Lafayette Township Official Map has some errors, specifically the inclusion of Block 14.01, Lots 15, 16, 17, 18 and 19 in the LI Zone, wherein such lots should have properly been included within the R-4 Residential Zone; and

WHEREAS, the Township Committee of the Township of Lafayette finds that that the Official Map of the Lafayette Township, as referred to in §9-1.1 of the Township Code, is in need of revision due to errors in the adopted Official Map.

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

Section 1. The existing Lafayette Township Official Zoning Map is hereby revised by including Block 14.01, Lots 15, 16, 17, 18 and 19 in the R-4 Residential Zone instead of the LI Zone, and the Township Official Zoning Map shall be so revised.

Section 2. 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 3. 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 4. 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 5. This Ordinance shall take effect after publication and passage according to law.

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

Various Roads Spending Ordinance - Motion by D'Angeli, seconded by Hughes, to introduce the following Ordinance and set the public hearing date of August 4, 2015:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, FOR IMPROVEMENTS TO PELLETOWN ROAD IN THE AMOUNT OF \$103,000 AND IMPROVEMENTS TO VARIOUS ROADS IN THE AMOUNT OF \$52,000 FROM FUNDS AVAILABLE IN THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$155,000

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

Section 1. The funding for Improvements to Pelletown Road in the amount of \$103,000 and Improvements to Various Roads in the amount of \$52,000 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$155,000.00 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, Hughes-yes, D'Angeli-yes, Bruning-yes.

Amend Chapters XIII and XIV Ordinance - Motion by Hughes, seconded by Corcoran, to introduce the following Ordinance and set the public hearing date of August 4, 2015:

AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ZONING CHAPTER, SPECIFICALLY SECTION 13-13E, ENTITLED "RIDGELINE AND HILLSIDE VIEWSHED PROTECTION OVERLAY ZONE" AND TO AMEND CHAPTER XIV, BEING THE LAND USE PROCEDURES CHAPTER, TO REVISE SCHEDULES H AND I, REGARDING APPLICATION FEES AND REVIEW FEE ESCROW DEPOSITS

WHEREAS, the governing body of the Township of Lafayette has determined that the Ridgeline and Hillside Viewshed Protection Overlay Zone Ordinance should be revised to allow for the Township Engineer to issue a Certificate of Compliance for certain projects, so that applicants can avoid unnecessary cost and expense related if such applications shall have no detrimental effect on the Ridgeline and Hillside Viewshed Protection Overlay Zone within Lafayette Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter XIII of the Revised General Ordinance of the Township of Lafayette, being the Zoning Chapter, shall be and is amended as follows:

Section 1. §13-13.E.3.a(2) shall be deleted in its entirety and revised, as follows:

(2) If it is then determined that a parcel in question is located within the Ridgeline, and Hillside Viewshed Protection Area, no permit shall be issued until a Ridgeline and Hillside Viewshed Protection Area "Certificate of Compliance" is issued. A Certificate of Compliance will document that the proposed activity has received the regulatory approval for the proposed construction within the Ridgeline and Hillside Viewshed Protection Area. The Certificate of Compliance shall be required, when applicable, as a condition for the issuance of a building

permit for properties located within the Ridgeline and Hillside Viewshed Protection Area.

Where it is clearly demonstrated to the satisfaction of the Township Engineer, on a plan as required in this section, that the proposed development: (1) will not negatively impair the visual character of the Ridgeline and Hillside Viewshed Protection Area; (2) the proposed development does not involve subdivision, site plan, conditional use, variance or other Land Use Board approval; and (3) the proposed development complies with the general requirements and design requirements, standards and limitations set for in subsection 13-13E.4b and subsection 13-13E.8 pursuant to a plan submitted to the Township Engineer; a Ridgeline and Hillside Viewshed Protection Area Certificate of Compliance may be issued administratively by the Township Engineer.

If an application for development with the Township Ridgeline and Hillside Viewshed Protection Area does not comport with the requirements of this section, an application shall be made to the Lafayette Township Land Use Board.

The fees for an application for a Certificate of Compliance from the Township Engineer, and the fees for an application to the Lafayette Township Land Use Board for determination regarding the Ridgeline and Hillside Viewshed Protection Area shall be as set forth in Sections 14-5, 14-6, and Schedules H & I.

Section 2. §14-5, Schedule H, entitled “Application Fees & Miscellaneous Fees”, shall be and is hereby revised to add the following new numbered paragraphs under #5. “Miscellaneous Costs”:

“5. Miscellaneous Costs”:

15. Application for Certificate of Compliance for Ridgeline and Hillside Viewshed Protection Area Certificate of Compliance to the Township Engineer: \$100.00

16. Application to the Land Use Board for Ridgeline and Hillside Viewshed Protection Area Certificate of Compliance: \$200.00

Section 3. §14-6, Schedule I, entitled “Escrow Fees”, shall be and is hereby revised to add the following new numbered paragraph:

6. Ridgeline and Hillside Protection Area Applications: \$500.00

Section 4. 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 5. All ordinances or parts of ordinance or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 6. This Ordinance may be renumbered for codification purposes.

Section 7. The Township Clerk is directed to give notice at least ten (10) 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. Upon 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 8. This ordinance shall take effect after publication and passage according to law.

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

A’s Spirits Liquor License Renewal - Motion by Henderson, seconded by Corcoran, to adopt a resolution to renew the Liquor License of A’s Country Spirits for the year 2015-2016. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, D’Angeli-yes, Bruning-yes.

Beaver Run Solar Farm - Motion by D’Angeli, seconded by Corcoran, to authorize the Mayor to sign the developer’s agreement subject to the Township Attorney’s review and receipt of a Letter of Credit. Motion carried by roll call vote: Corcoran-yes, Henderson-yes, Hughes-yes, D’Angeli-yes, Bruning-yes.

Hopkins v. Lafayette Township - Attorney Kurnos advised the Committee to pay \$300 to settle the case. Motion by Henderson, seconded by Corcoran, to pay \$300 to settle the case of

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

Audience

Mrs. Nancy Trainor-Dorcas, 274 Warbasse Junction Road, said she's heard rumors of a dog park, helipad, walking park and community garden for the "Lawler" property. She does not feel a dog park and helipad would not fit in the neighborhood. She feels the areas in Newton, Sussex and Andover can be used.

Committeeman Hughes explained this would be an emergency landing zone and would only be used if the other areas cannot. Every municipality has designated areas to evacuate the injured.

Mr. William Dorcas, 274 Warbasse Junction Road, has recently seen a mother bear and four (4) cubs on the property. He feels the property should be left as a wildlife habitat as Green Acres promotes.

Mr. Norm Kangas, 265 Warbasse Junction Road, sees bear many times. He feels food and garbage left behind would attract bears.

Mr. Emery Castimore, 18 Lantz Road, said the Township purchase ten (10) acres of his land for preservation; and he would like to keep farming it so it doesn't grow wild.

The Township Attorney will send a license agreement this week for signature.

Jackie Espinoza, JCP&L Representative, the lights will be high pressure sodium, not LED as previously thought. Three (3) new lights will be installed along Route 94, two (2) of which will be 50 watts and the other, 150 watts.

John Stowe, EMS Captain, explained the helipad would be used when the ballfield or school cannot be used. An alternative area is needed because the other areas are grassy and cannot be used in the rain or snow. Mr. Stowe said the Township would keep the helipad plowed.

Adjourn

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC
Municipal Clerk