

July 5, 2016

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 5, 2016 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Deputy Mayor Corcoran, Committeemen Hughes, Bruning

Members Absent Henderson, D'Angeli

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

Deputy Mayor Corcoran 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 Hughes, to accept and place on file the minutes of June 8, 2016. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Reports

Tax Collector - For June 2016

O/S Liens	\$20,239.17
Tax Map Fee	\$150.00
Prior Year Taxes	\$14,151.64
Current Year Taxes	\$53,353.76
Interest	\$2,170.24
Total	\$90,064.81

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

Committee Reports

Recreation Commission - Bruning reported it is being recommended by the risk management company that the Township have two (2) lifeguards on duty at all times. Bruning said this was not included in the budget and recommended only one (1) lifeguard remain. It was consensus of the Committee to keep one (1) lifeguard on duty.

Bruning thanked the Road Department for hanging the flags at the park. He asked the CFO to purchase seven (7) buntings for the municipal building and Mabee House.

Emergency Management

9-1-1 Dispatch - Hughes reported the 9-1-1 dispatch contract expires this year. Proposals for three (3) and five (5) years will be obtained by the County.

Generators - Motion by Hughes, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of August 2, 2016:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, FOR THE INSTALLATION OF GENERATORS, THEIR MATERIALS AND APPURTENANCES FROM FUNDS AVAILABLE IN THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$25,000.00

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 installation of generators, their materials and appurtenances in the amount of \$25,000.00 which sum is hereby appropriated for such purposes.

Section 2. The sum of \$20,250.00 is hereby appropriated from the Capital Improvement Fund. The additional sum of \$4,750.00 is hereby appropriated in a reserve in the Current Fund for State and Federal Grant Fund-OEM Grant.

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

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

EMS - Corcoran reported the EMS responded to 23 calls in June; and the purchase of a portable lift is being pursued.

Land Use Board - Corcoran reviewed the meeting of June 23, 2016.

Correspondence

a. From Todd Miller, HPRHS Rep. re: Suggests attendance at HPRHS Board of Ed Mtg. The Clerk was asked to send a letter to Mr. Miller requesting his presence at the next meeting on August 2, 2016 to meet him.

b. Vernon Twp. Resolution re: Supports C.L.E.A.R. Program

c. Andover Twp. Resolution re: Opposes State Legislature's Gas Tax

d. From Tom Russo & Jackie Espinoza asking Township to join SCEDP

This letter will be carried to the next meeting on August 2, 2016.

Vouchers

Action Drives & Bearings, Inc.	52.86
Agra Environmental Services, Inc.	31.50
Allied Oil, LLC	422.23
American Wear	182.00
Andover Township	22,056.48
Andrew Henderson	245.00
Aquatic Analysts, Inc.	380.00
Aurora Electrical Supply	80.04
Banisch Associates, Inc.	14,775.50
Beaver Run Farms	170.37
Beaverkill Trout Hatchery, Ltd.	1,159.20
Carol Hoernle	25.00
Chelbus Cleaning Co., Inc.	275.00
Dennis Noonan	534.38
Eager Beaver Trailers	55.00
G&G Diesel Service, Inc.	75.78
Gail Magura	469.32
High Point Regional High School	152,221.00
Home Depot Credit Services	268.14
Ideal Farm & Garden Center	464.58
JCP&L	1,238.46
Joe's Heating & Cooling Service	356.00
Johnny-On-The-Spot, LLC	320.00
Laddey, Clark & Ryan, LLP	663.00
Lafayette Auto Parts Supply, LLC	281.29
Lafayette EMS	2,249.20
Lafayette Mill Market Partnership	400.00
Lafayette Preservation Foundation	400.00
Lafayette Twp. Fire Department	21,500.00
Lafayette Twp. Fire Department	71.76
Lafayette Twp. Board of Ed	314,150.00
MGL Printing Solutions	229.00
MicroSystems-NJ.Com, LLC	337.20
Montage Enterprises, Inc.	532.40
Municipal Clerks Assoc. of NJ	100.00
ND Engineering, LLC	1,662.00
NJ Dept. of Health & Sr. Services	4.80
Pitney Bowes, Inc.	71.25
Roy E. Kurnos	8,284.38
Royal Pontiac-Buick-GMC	182.48
ReadyRefresh by Nestle	5.00
Service Electric Cable TV of NJ, Inc.	19.51
Smith Tractor & Equipment, Inc.	28.95
Statewide Insurance Fund	24,389.50
Sussex County Board of Elections	388.26
Sussex County Clerk	8.00
The Land Conservancy of NJ	2,625.00

The New Jersey Herald	136.20
The Printing Center, Inc.	1,363.32
Verizon Wireless	240.43
William Macko	325.36
Witmer Public Safety Group	49,768.00

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

Old Business

Skid Steer Spending Ordinance - Deputy Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, FOR PURCHASE OF ADDITIONAL EQUIPMENT FOR THE SKID STEER LOADER IN THE AMOUNT OF \$1,200.00

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

Motion by Bruning, seconded by Hughes, to adopt the Skid Steer Spending Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Improvements to Various Roads Spending Ordinance - Deputy Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, FOR IMPROVEMENTS TO VARIOUS ROADS FROM FUNDS AVAILABLE IN THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$140,000.00

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

Motion by Bruning, seconded by Hughes, to adopt the Improvements to Various Roads Spending Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Residential Property Maintenance Ordinance - Deputy Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE GOVERNING PROPERTY MAINTENANCE OF RESIDENTIAL PROPERTIES

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

Motion by Bruning, seconded by Hughes, to adopt the Residential Property Maintenance Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Vacant/Abandoned Residential Properties Ordinance - Deputy Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE AMENDING CHAPTER XXIII, ENTITLED "PROPERTY MAINTENANCE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, NEW JERSEY, ADDING A NEW SECTION TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES INCLUDING PROPERTIES IN FORECLOSURE

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

Motion by Bruning, seconded by Hughes, to adopt the Vacant/Abandoned Residential Properties Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Economic Development Commission Ordinance - Deputy Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE AMENDING CHAPTER II ENTITLED "ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, ADDING A NEW SECTION FOR THE CREATION OF AN ECONOMIC DEVELOPMENT COMMITTEE

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

Motion by Bruning, seconded by Hughes, to adopt the Economic Development Commission Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Underage Drinking Ordinance - This issue will be carried until the next meeting on August 2, 2016.

New Business

Raffle License - Motion by Bruning, seconded by Hughes, to approve a raffle license for HPRHS Educational Foundation for October 1, 2016. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes.

Annual Audit Resolution - Motion by Bruning, seconded by Hughes, to adopt the following Resolution:

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
RESOLUTION 2016-28**

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 2015 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: Hughes-yes, Corcoran-yes, Bruning-yes.

Old Beaver Run, LLC-Waive Residential Development Fee Resolution - Motion by Bruning, seconded by Hughes, to adopt the following Resolution:

WHEREAS, Old Beaver Run, LLC, is the owner of record for property at 22 Old Beaver Run Road, Block 32, Lot, 21.03; and

WHEREAS, Old Beaver Run, LLC has constructed a home on the property to be used as a group home for subsidized housing.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, to waive the affordable housing residential development fee due to Old Beaver Run, LLC submitting documents per the Ordinance qualifying the group home as affordable housing.

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

Cemetery Ordinance - Motion by Hughes, seconded by Bruning, to introduce the following Ordinance and set the public hearing date for August 2, 2016:

AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ZONING CHAPTER, TO ESTABLISH AN OVERLAY ZONING DESIGNATION IN THE R-5 ZONE TO PERMIT CEMETERY USE

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

Section 1. Amend §13-8 entitled 5.0, R-4.0 AND R-2.5 RESIDENTIAL DISTRICTS, subsection 13-8.1, principal permitted uses by adding the following:

c. Within the R-5 Residential District, a Cemetery for Human Interment in accordance with §13-13 F, R-5 Cemetery Overlay Zone, including only the permitted cemetery uses, accessory uses and accessory structures identified therein.

Section 2. Establish a new §13-13 F., entitled “R-5 Cemetery Overlay Zone,” as follows:

§13-13 F. R-5 Cemetery Overlay Zone.

Purpose. The purpose of the R-5 Cemetery Overlay Zone is to permit cemetery use in the R-5 zone on larger tracts of land with County and State highway access to serve a range of coordinated uses for comprehensive cemetery planning and development in accordance with Lafayette Township’s land use protection objectives and ordinances.

a. Any tract of land for use as a cemetery for human interment shall conform to the standards for the R-5 Zone as provided at §13-8. Where the following requirements may be more restrictive than those provided at §13-8, the following requirements shall apply.

b. Minimum tract size: 75 acres.

c. Location: Tract shall have not less than 1,000’ of frontage on a State highway and 1,000’ of separate frontage on a County highway.

d. Permitted cemetery uses, accessory uses and accessory structures.

1. Permitted Cemetery Uses include all typical cemetery services, including, but not limited to committal services, burial services, scattering services, memorial services, prayer services, Military Honors, Sunrise services, holiday services and religious services and other commemorative services which may include music as well as temporary facilities required to support said events. Cemetery use may include Audubon or other natural designations and walking paths or arboretum trails.

2. Permitted Accessory Uses shall include all uses typically undertaken at a cemetery including but not limited to offices, maintenance yards, the stockpiling and removal of soil, the disposal of cremated remains, the memorialization of the dead by way of religious or other memorial services, the installation of features and monuments including, but not limited to gates, head markers, gravestones, statues, terraced walls, gardens, flags, fountains, water features and other such customary items, on site outdoor storage of equipment.

3. Permitted Accessory Structures shall include any structure typically found at a cemetery which shall include but not be limited to buildings for meetings and gatherings, buildings for storage of maintenance equipment, offices, vaults, columbaria, mausoleum buildings (both public and private), pavilions or other open air structures for protection from the elements during a service, features and monuments including, but not limited to gates, head markers, gravestones, statues, terraced walls, gardens, flags, fountains, water features and other such customary items. Fences, gates, dumpsters, signage (including a main entrance sign) and lighting shall be permitted under Chapter XII Land Use Standards. Notwithstanding the foregoing, signage and entranceways shall be permitted on each public right of way frontage.

e. Access:

1. Primary Access. Primary access shall be provided via an existing driveway located on a County highway. A second primary access may be provided from a State highway, subject to NJDOT approval and site plan approval.

2. Secondary Access. One secondary access driveway limited to maintenance, service and administrative uses, and egress only shall be permitted on a State highway and one on a County highway.

f. Drainage. Sufficient data shall be provided to show that the drainage shall not create any erosion or flooding of adjacent lands and shall conform to stormwater management requirements found at Chapter 21 of the Revised General Ordinances of the Township of

Lafayette. It shall be demonstrated that adequate stormwater management and drainage facilities are provided for all existing and proposed impervious coverage.

g. Impervious coverage: 15% maximum permitted. The top/face of grave monuments / markers / headstones and the foundations / ribbons for the monuments / markers / headstones and paved driveways existing at the time of site plan approval shall not be computed toward the maximum permitted impervious coverage and lot coverage, provided, however, that such features are less than 100 sq. ft. in area. Paved driveways, however, shall be subject to stormwater management control requirements as part of the overall stormwater management system for the cemetery.

h. Landscaped buffer.

1. Residential buffer. A minimum landscaped buffer at least 50' in width shall be established and maintained adjacent to any residential use, which shall effectively screens the cemetery use from view of the adjacent residential use.

2. Perimeter buffer. A minimum landscaped buffer at least 100' in width shall be established and maintained adjacent to any public road, State, County or local.

3. There shall be no clearing of existing forest, treelines and hedgerows that serve as the required buffer without prior site plan approval. Clearing for access driveways shall be permitted, subject to site plan approval, however such clearing shall be limited to the minimum amount necessary to construct such access driveways.

i. Forest & existing vegetation removal. There shall be no site clearing or disturbance and no removal of forest, treelines or hedgerows in existence as of [insert the date of adoption of this overlay ordinance amendment here] without prior site plan approval.

j. Any cemetery shall be permitted to construct, as an accessory use, a building for ceremonial services, mausoleum(s), and a building for storage of maintenance equipment. Such structures shall be situated above the 700' elevation contour line and shall be buffered from view by an existing forested strip of land at least 50' in width located so as to buffer structures from off site, or such buffer shall be established at the time of site plan approval. The Board shall have the authority to grant relief from this standard in conjunction with the review procedures found at §13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone.

1. All development in excess of 100 sq. ft. or 10' in height shall be subject to the review and buffering requirements of §13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone.

k. Minimum setbacks:

1. Graves:

- a. One hundred (100) feet from any public right-of-way.
- b. Fifty (50) feet from all property lines.

2. Permitted accessory buildings:

a. Two hundred (200) feet from the property line or public right-of-way line, whichever is greater, provided that such accessory structure is situated above the 700' elevation contour line, subject to review in accordance with § 13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone.

b. Two hundred (200) feet from any other property line.

3. Parking and access roads. All designated parking areas and access roads shall be set back from tract boundaries not less than 100'. To the extent that temporary parking may be required during burial services, such parking may be permitted within 100' of the tract boundary for enhanced access by the elderly or disabled.

4. Stockpile and maintenance areas. All areas used for stockpiling of material, soil and supplies and maintenance activities shall be set back from property boundaries at least one hundred feet (100') from any public right-of-way and fifty feet (50') from any property boundary. The location and development of all such areas shall be subject to site plan approval and shall be screened from view off site through the use of a berms, fences, and / or landscaping as may be required by the Board.

l. Lighting. Notwithstanding applicable ordinance standards for lighting, there shall be no direct view of any light source from off site. Lighting, including security and site identification may be permitted dusk to dawn and shall be controlled by timers, subject to site plan approval.

m. Total site disturbance. For the purpose of this standard, "new disturbance" shall be defined as areas of the property that have not been previously disturbed for agriculture or other use as indicated on 1992 aerial photography. New disturbance shall be limited to 10% of the gross site area; however, all such disturbance shall be subject to site plan

approval and shall not contravene the purposes of perimeter buffering of the tract and shall be subject to the review procedures found at §13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone. Further, existing hedgerows and forested slopes in excess of 15% shall not be disturbed except for site access as may be approved by the Board.

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: Hughes-yes, Corcoran-yes, Bruning-yes.

Audience

Mr. John Stowe, EMS Captain, asked to have a meeting with dispatch to review costs and their monitoring prior to the renewal of the contract.

Mrs. Mary Flaherty, 169 Statesville Quarry Road, asked if the lifeguards are able to call for another guard during really busy times. Committeeman Bruning said the lifeguards said they do have authority to call another guard.

Adjourn

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC
Municipal Clerk