

September 6, 2016

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, September 6, 2016 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

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

Members Absent None

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

Mayor Henderson 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 August 2, 2016. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes, Henderson-yes.

Lafayette Township School - Jennifer Cenatiempo, Superintendent/Principal and Gerry Fazio, Assistant Principal, introduced themselves and discussed the school year.

Reports

Tax Collector - For August 2016

Tax Searches	\$50.00
Tax Map Fee	\$250.00
Cost of Sale	\$196.22
Prior Year Taxes	\$37,671.38
Current Year Taxes	\$1,777,808.97
Prepaid Taxes 2017	\$6,139.48
Interest	\$6,918.52
Total	\$1,829,034.57

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

DeFeo Tax Refund - Motion by Bruning, seconded by Corcoran, to adopt the following Resolution:

RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO GEORGE & DEBRA DE FEO IN THE AMOUNT OF \$793.36 FOR AN OVERPAYMENT IN THE 2ND QUARTER 2016 TAXES FOR BLOCK 5.01, LOT 20

WHEREAS, credit was applied from the State of New Jersey representing a 2013 Homestead Rebate in the amount of \$793.36 to the 2nd quarter 2016 taxes for Block 5.01, Lot 20, known as 25 Snover Road; and

WHEREAS, the property owner, George De Feo, is a fully exempt veteran and beginning year 2015 does not pay property taxes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, that a refund be issued to George and Debra De Feo in the amount of \$793.36.

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

Committee Reports

Affordable Housing - Motion by Hughes, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of October 4, 2016:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE AMENDING THE ZONING ORDINANCE OF LAFAYETTE TOWNSHIP ESTABLISHING THE AH-2 / LC RESIDENTIAL AFFORDABLE HOUSING/COMMERCIAL DISTRICT ESTABLISHING STANDARDS TO ADDRESS A PORTION OF THE TOWNSHIP OF LAFAYETTE'S AFFORDABLE THIRD ROUND HOUSING OBLIGATION

BE IT ORDAINED, that "The Zoning Ordinance of Lafayette Township", Chapter XIII of the Code of the Township of Lafayette is hereby amended and supplemented to establish the AH-2 / LC Residential Affordable Housing / Commercial District.

SECTION 1. Amend Chapter XIII, Zoning, of the Zoning Ordinance of Lafayette Township by establishing the following new zoning district entitled the "AH-2 / LC Residential Affordable Housing / Commercial District," as follows:

New Section §13-8A-2

AH-2 / LC RESIDENTIAL AFFORDABLE HOUSING/ LIMITED COMMERCIAL DISTRICT

13-8A-2.1 Purpose.

(1) The purpose of the AH-2/LC Residential Affordable Housing/Commercial District (the AH-2/LC District) is to provide a realistic opportunity for the construction of affordable housing as part of a comprehensively planned housing development with a mixed use development option in response to Lafayette Township's affordable third round housing obligation. In addition, the AH-2/LC District recognizes previously approved commercial development within a portion of the District, the development of which is dependent upon sufficient water and wastewater infrastructure that must be provided. The AH-2/LC District is a component of Lafayette Township's Housing Element and Fair Share Plan for the third round. Residential development in the AH-2/ LC shall comply with the regulations of this chapter governing affordable housing (§12-20), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq. (U.H.A.C.)), the NJ Fair Housing Act, and applicable regulations of the State of New Jersey governing affordable housing.

(2) The AH-2/LC District provides two separate and distinct development areas including (1) the AH-2 portion of the AH-2/LC District within which inclusionary residential development of a maximum 150 townhouses shall be permitted which shall include a fifteen percent (15%) set aside of 23 affordable units, which may be provided in the form of stacked flat apartments; and (2) the LC portion of the AH-2/LC District within which up to 65,000 sq. ft. of commercial development shall be permitted. The two development areas are intended to be separate and distinct but may share infrastructure, such as sidewalks, wastewater disposal and potable water, but specifically not including access roads connecting the AH-2 and LC zones such that there shall be no means for cut-through traffic between Sunset Inn Road and State Highway 15 and 94. These two development areas are delineated on the attached map entitled "AH-2 / LC – Residential Affordable Housing/Limited Commercial District, Township of Lafayette," dated July 2016.

(a) AH-2 Portion of District – the AH-2 portion of the AH-2/LC District includes two separate upland areas that may accommodate residential townhouse and affordable housing development, including one primary upland area proximate and adjacent to NJ Route 94 on the northerly side of the District; and a secondary upland area located to the south and west of the primary upland. These two areas are separated by wetland and transition area environmental constraints. This condition results in the need for a separate future residential access road to extend from the vicinity of Sunset Inn Road into the secondary upland area for access to residential townhouses that may be constructed within this area.

(b) LC Portion of District – the LC portion of the AH-2/LC District is reserved for commercial development for a wide variety of retail commercial uses. This area shall be effectively separated from all dwelling units by design and through the use of buffering to effectively screen the view of the commercial development from residential uses. There shall be no commercial traffic circulation or roadway interconnection with roadways serving the residential units.

(3) All development in the AH-2 / LC District shall either be served by:

(a) a centralized sewer collection system to be extended to the site; or

(b) an on-site wastewater collection and treatment system within the AH-2 / LC District.

The Township of Lafayette assumes no responsibility for an approval to extend wastewater collection facilities to the District except to cooperate with the developer's efforts for approval of same, such as by providing a resolution of support for the

developer's application to the NJDEP that may be required as part of an amendment to the Lafayette Township Chapter of the Sussex County Wastewater Management Plan to extend sewer collection lines to the District.

The capacity of an on-site wastewater collection and treatment system is subject to negotiation with the Township Committee. Only upon execution of a development agreement with the Township Committee and the posting of sufficient performance guarantees for construction and maintenance of an on-site wastewater treatment system, shall the Land Use Board approve development within the AH-2/LC District, provided that (1) the on-site collection and treatment system complies with all applicable NJDEP regulations, and (2) the Land Use Board finds that the proposed development complies with the development requirements and standards in Lafayette Township's ordinances for subdivision and or site plan approval.

(4) Prior to any development approval within the AH-2/LC District, an applicant shall demonstrate that an adequate water supply is provided for which sufficient performance guarantees shall be required for the construction and maintenance of water supply to the development.

13-8A-2.2 Permitted Principal Uses

In the AH-2 portion of the AH-2/LC District there shall be permitted:

a. Townhouse dwelling units, which shall not exceed five (5) market rate units per market rate building. The affordable unit buildings shall not exceed six (6) affordable units per building, which may be provided as stacked flats in buildings designed to look like and blend in with the surrounding townhouses. A maximum of 150 townhouse and stacked flat dwelling units shall be permitted including a fifteen percent (15%) affordable housing set aside of not less than 23 affordable housing units.

1. The affordable housing units shall be constructed as low- or moderate-income housing of which at least 50% shall be low income units; not less than 13% of the total affordable units shall be affordable to very-low income households. Affordable units shall be governed by deed restrictions insuring long term affordability controls of not less than thirty (30) years in accordance with the Rules and Regulations promulgated by the appropriate agency charged with the responsibility of implementing affordable housing in the State of New Jersey as the Rules and Regulations may be amended from time to time. Each affordable housing unit shall be deed-restricted in accordance with applicable regulations including, but not limited to N.J.A.C. 5:80-26.1 et seq. (U.H.A.C.), as may be supplemented and amended, and any other affordable housing regulations that may be applicable.

2. The development, phasing and marketing of the dwelling units constructed for low- and moderate-income households shall be undertaken in accordance with the Rules and Regulations promulgated by the appropriate agency charged with the responsibility of implementing affordable housing in the State of New Jersey as the Rules and Regulations may be amended from time to time.

b. Public facilities.

c. Essential services subject to the requirements of subsection 13-14b.3.

(Ord. No. 2012-06 § 13-8A.2)

13-8A-2.3 Permitted Principal Uses

In the LC portion of the AH-2/LC District there shall be permitted:

a. Office, business.

b. Office, medical.

c. Financial institutions.

d. Retail sales establishments.

e. Retail sales establishment neighborhood.

f. Retail services establishments.

g. Specialty stores.

h. Restaurants.

i. Agricultural uses.

j. A mixed-use development comprised of residential dwelling units above first-floor retail stores or other permitted non-residential development, which shall be permitted as a development option that may include a portion of the maximum of 150 dwelling units and may include market-rate townhouses and affordable units otherwise permitted in the in the AH-2 portion of the AH-2/LC zone.

k. Public utility uses.

l. Public facility.

m. Child care centers.

n. Open space.

13-8A-2.4 Permitted Accessory Uses

The accessory uses as provided in subsection 13-8.3, entitled Permitted Accessory Uses, of this chapter with the caveat that all accessory structures shall be designed to serve or be developed in relation to the affordable housing development and shall be subject to site plan approval.

- a. Each unit of residential development shall contain not less than 512 cubic ft. (8' x 8' x 8') of fully-enclosed storage which shall be used for no other purpose than occupant's storage.
- b. Trash and recycling facilities shall be provided within enclosed structures throughout residential neighborhoods, which shall be conveniently located to residents and which shall provide for ample storage of trash, recycling and disposal of household generated refuse. Such structures may be used for storage of such materials as snow salt to supplement snow removal. Such facilities shall be designed, constructed and maintained in such a manner as to prevent nuisance animal disturbance and pest infestation.

13-8A-2.5 Design and Architectural Standards and Considerations

To the maximum extent feasible, the design of buildings and other improvements to the zone shall incorporate the rural, historic, and environmental priorities of Lafayette Township. These include:

1. Preservation of the site's rural character through the design of any new buildings to reflect the rural and historic characteristics of Lafayette Township.

1. Incorporation of common open space for passive/active recreation and community space. A minimum of four (4) acres of passive and active recreation shall be provided, which shall include not less than two (2) acres of active recreation areas and shall include:

- a. Active recreation play fields, such as for soccer, baseball, volleyball, field hockey and facilities for court games, such as tennis and basketball.
- b. Tot lot and playground equipment.
- c. Pavilion and picnic area including picnic tables and grills.
- d. Walking paths shall be provided throughout the entire site in addition to sidewalks along roads. Pedestrian paths establishing convenient walking access among residential neighborhoods and nonresidential development in the AH-2 /LC District shall be provided, which paths shall be a minimum width of five (5') feet.

Passive and active recreation areas shall be devoted solely to this use and shall not be used for any other purpose above or below ground such as drainage facilities, leach fields and overhead power line rights-of-way.

2. Incorporation of landscaping, building materials and design to minimize nuisances to adjoining properties and sky glow.

- a. Provide landscaping in public areas, on recreation sites and adjacent to buildings, to screen parking areas, mitigate adverse

impacts, and provide windbreaks for winter winds and summer cooling for buildings, streets and parking.

- b. Select the plant or other landscaping material that will best serve the intended function, and use landscaping materials appropriate for local soil conditions, water availability, and environment.
- c. Vary the type and amount of landscaping with type of development and accent site entrances with special landscaping treatment.
- d. Consider massing trees at critical points rather than in a straight line at predetermined intervals along streets.
- e. Consider the impact of any proposed landscaping plan at various time intervals, i.e. shrubs may grow and eventually block sight distances.
- f. Design landscaping to maximize preservation of existing vegetation.

3. Incorporation of "green" technologies where practical and feasible that promote energy conservation and the use of environmentally-friendly building materials.

(Ord. No. 2012-06 § 13-8A.4)

13-8A-2.6 Residential Development Design

No dwelling unit shall hereafter be erected, constructed, placed, altered or enlarged which shall be like or substantially like any existing or proposed neighboring building or for which a building permit has been issued if said neighboring building is adjacent to, across the street from or within three hundred feet (300') of the building to be erected, constructed, placed, altered or enlarged and faces on the same street. End-to-end reversal of house plans or roofline changes alone shall not render a dwelling unit substantially unlike a neighboring building to allow its construction, placement, alteration or enlargement within the prohibited distance above set forth. Nothing in this section shall prohibit the townhouse buildings from having the same footprint and/or same interior floor plan.

1. Topography, privacy, building height, orientation, drainage, and aesthetics shall be considered in placement of units. Provide units with private outdoor space where appropriate and practical.

2. Space shall be provided between and among buildings so that adequate privacy is provided for units. A minimum of 40' between buildings shall be provided.
3. Space shall be provided between and among buildings so that emergency apparatus is provided between all buildings. Suitable surface treatment shall be provided to accommodate emergency apparatus access.
4. The façades of all townhouse buildings shall vary such that the front exterior wall of each townhouse is offset from the adjoining front exterior wall with a minimum offset of four (4') feet to be provided.
5. Each townhouse building within the development shall vary in exterior architectural detail and color such that no two adjoining units shall be the same color or same architectural style; however each townhouse façade shall be thematically coordinated for a unified architectural appearance. Varying exterior treatments shall be used on the exterior of townhouse units, which shall include materials such as brick, stone, stucco, and clapboard.
6. Exterior architectural design shall be subject to Land Use Board approval. The Land Use Board may establish an architectural review subcommittee to assist in architectural review and approval.

Residential development design shall incorporate the rural, historic, and environmental priorities of Lafayette Township consistent with those priorities and objectives as required in this Chapter and the Lafayette Township Master Plan.

13-8A-2.7 Commercial Development Design

Commercial developments shall be designed according to the same principles governing design of residential developments, including but not limited to, locating buildings based on topography; avoiding to the maximum extent practical environmentally critical areas or

environmentally sensitive areas; considering factors such as drainage, noise, odor and surrounding land uses in siting buildings; buffering where adverse impacts exist. Notwithstanding the foregoing language, all commercial development shall be governed where feasible by the design standards specific to that zone set forth at subsection 12-8.3f.

1. All nonresidential uses shall be separated from residential uses by a distance of not less than 100', except in a mixed use configuration where residential units are attached to nonresidential uses.
2. A minimum landscaped buffer of 50' shall be provided between all nonresidential uses and residential uses which shall be used for no other purpose except buffering.
3. Nonresidential to residential buffers shall establish an effective year-round screen which shall be established through the use of a berm, fence, landscaping or a combination of the three.
4. Noise attenuation shall be established to buffer noise generated by non-residential uses from residential development. Such noise attenuation shall include measures and structures designed to reduce noise generated by HVAC, trash, recycling and other nonresidential development equipment, functions and appurtenances.
5. Exterior architectural design of all nonresidential buildings shall be subject to Land Use Board approval. The Land Use Board may establish an architectural review subcommittee to assist in architectural review and approval.
6. Nonresidential development design shall incorporate the rural, historic, and environmental priorities of Lafayette Township consistent with those priorities and objectives as required in this Chapter and the Lafayette Township Master Plan.
7. Affordable low- and moderate-income housing units shall be provided in accordance with the following schedule whether some or all of the affordable units are incorporated into the LC zone in a mixed use configuration (i.e. above the non-residential uses), or the affordable units are provided in the AH-2 zone:

Minimum Percentage of Low and Moderate Income Units Completed	Percentage of Market Housing Units Completed
0	25
10	25 + 1
50	50
75	75
100	90
	100

- a. No certificates of occupancy shall be issued for market-rate units above the maximum percentage of market housing units completed until and unless the minimum percentage of low and moderate-income affordable housing units required have been completed and received certificates of occupancy.

13-8A-2.8 Gateway Overlay Zone

The AH-2/LC District is situated within Lafayette Township's GOZ, Gateway Overlay Zone and the Township's GCD, Gateway Commercial District.

1. All residential development in the AH-2/LC District shall conform to the requirements of the GOZ, § 13-13C.
2. All nonresidential development in the AH-2/LC District shall conform to the requirements of the GCD, § 13-13D.
3. All development in the AH-2/LC District shall conform to the design standards found at § 12-8.

13-8A-2.8 Homeowners' Association

All residential development and common areas in the AH-2/LC District shall be incorporated into a Homeowner's and/or Condominium Association, which shall be approved by the Township Committee after review by the Land Use Board to ensure that:

1. Roads and sidewalks shall be owned and maintained by the Homeowner's and/or Condominium Association.
2. The Homeowner's and/or Condominium Association shall be responsible for maintenance of all roads, sidewalks, common areas, and passive and active recreation areas and facilities.

13-8A-2.9 Roads & Parking Areas

1. All roads and parking for residential development shall conform to the requirement of N.J.A.C. 5:21-1.1 et seq., the NJ Statewide Residential Improvement Standards (RSIS).

There shall be no roadway interconnection between residential and nonresidential development in the AH-2 / LC District.

13-8A-2.10 AH-2 Requirements

- (1) Minimum tract area. The minimum tract area for the AH-2/LC District shall be 160 acres. All development in the AH-2 portion of the AH-2/LC District shall be under the control of a Homeowner's and/or Condominium Association.
- (2) Maximum number of residential units: 150
- (3) Tract frontage and width. The minimum tract frontage and width shall be 200 feet.
- (4) Setback from rights-of-way. The minimum building setback from existing public rights-of-way shall be 100 feet.
- (5) Setback from property boundaries. The minimum building setbacks shall be:
 - (a) 50' from all tract boundaries.
- (6) Setback from internal roadways.
 - (a) The minimum building setback from internal roadways shall be 32 feet from the right-of-way.
 - (b) Where there is no right-of-way, the minimum building setback shall be 32 feet from the edge of pavement.
 - (c) There shall be a minimum four (4') feet planting strip between the sidewalk and any curb. The sidewalk shall be a minimum of width of four (4') feet.
- (7) Setback from sidewalk.
 - (a) There shall be a minimum two (2') feet building (garage) setback from the edge of the sidewalk
- (8) Dwelling configuration.
 - (a) Market-rate dwellings shall be provided as townhouses with a garage.
 - (b) Low and moderate income housing may be provided as townhouses or stacked flats and may include a garage. If the affordable units are provided as stacked flat apartments, the buildings shall be designed to look like and blend in with the surrounding townhouses.
 - (c) Townhouses may not be constructed in buildings of not more than five (5) market rate townhouses per building.
 - (d) Affordable housing units may be constructed as stacked flats of not more than six (6) units per affordable building.
- (9) Distance between residential buildings. The minimum distance between residential buildings shall be as follows:
 - (a) Front to front: 90 feet.
 - (b) Rear to rear: 50 feet.
 - (c) Rear to side: 80 feet.
 - (d) Side to side: 80 feet.
- (10) Building coverage. The maximum building coverage for the total development (residential and non-residential) shall be not more than 20% of the overall tract area.
- (11) Impervious lot coverage. The maximum impervious lot coverage shall be not more than 30% of the overall tract area.
- (12) Building height. The maximum building height shall be no greater than 35 feet.

13-8A-2.11 Restoration Bond

(1) As a condition of any approval that may be granted for development in the AH-2/LC District, the applicant/developer shall post a performance and restoration bond to ensure that all improvements approved are constructed and/or to provide sufficient funding for site restoration if approved development is commenced and not completed. The performance and restoration bond amount shall be subject to approval by the Township Engineer. Notwithstanding the foregoing, the development may be phased in accordance with a phasing plan to be approved by the Land Use Board, in which case only the improvements for each phase need to be bonded.

SECTION 2. Amend Chapter XIII, Zoning, Section 13-5, Definitions, by adding the following two (2) new definitions to the existing definitions for “*Dwelling unit, types*”:

Flat – “flat apartment,” “stacked flat” or “stacked flat apartment” shall mean a self-contained dwelling unit that occupies only part of a building on a single level without a stair within the dwelling unit.

Town House – shall mean a one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. (Note: Town houses usually have separate utilities, such as individual hot water and heating systems, separate electric meters, and so forth. However, in some condominium developments, the condominium association may arrange for bulk purchase of certain utilities and distribute them to individual dwelling units.)

SECTION 3. Amend § 13—3.2 Zoning Map, subsection b. by adding the following new subsection b. “2.” as follows:

2. Ordinance No. 2016-16, adopted October 4, 2016: Exhibit 1: the existing Lafayette Township Official Zoning Map is hereby revised by including Block 9, Lot 21.01 in the AH-2/LC Residential Affordable Housing/Limited Commercial District, and the Township Official Zoning Map shall be so revised (Ord. No. 2016-16)

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 ordinances 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. 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 8. This ordinance shall take effect after publication and passage according to law.

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

Economic Development Committee (EDC) - Motion by Hughes, seconded by Bruning, to appoint the following to the EDC:

One (1) year term (expiring December 2017): Sue Van Sickle, Land Use Board member; Don Kihlstrom, Business Owner; Warren Potter, Resident.

Two (2) year term (expiring December 2018): Joan Smith, Resident; Laura Camp, Business Owner; Sal Torre, Resident.

Three (3) year term (expiring December 2019): Celia Ostertag (Chairwoman), Business Owner; Rich Bruning, Township Committeeman; Nick Corrado, Business Owner.

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

The first meeting will be held on Thursday, September 29, 2016 at 7:30pm.

EMS - Corcoran reported the EMS responded to 13 calls in August.

Land Use Board - Corcoran reviewed the meeting of August 25, 2016. An ordinance to change accessory structure setbacks should be ready for Board review at the next meeting in September.

Recreation Commission

Movie Night - Bruning reported the next family movie night is scheduled for Saturday, September 10, 2016. Refreshments will be able at 6:30pm.; and the movie will begin approximately 7:45pm. “Monsters, Inc.” will be shown.

Commission Members - Motion by Bruning, seconded by D’Angeli, to accept the resignation of Walt Keever from the Recreation Commission. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes, Henderson-yes.

Motion by Bruning, seconded by Corcoran, to appoint Stephanie Pizzulo to Mr. Keever’s unexpired term on the Recreation Commission to expire December 31, 2016. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes, Henderson-yes.

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

Open Space Committee (OSAC) - Henderson reported the OSAC is concerned the “Lawler” property is not being maintained. A letter will be sent to the Lessee asking his intentions with the property.

Correspondence

- a. From Ladies Auxiliary – Requesting \$500.00
Motion by D’Angeli, seconded by Bruning, to donate \$500.00 to the Lafayette Twp. Fire Department Ladies Auxiliary. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes, Henderson-yes.
- b. From Tom Russo & Jackie Espinoza asking Township to join SCEDP
- c. Andover Township Master Plan Hearing – September 6, 2016
- d. From Ron Tappan, Acting County Admin. – Departments Merger
- e. From Jennifer Cenatiempo – Parking Lot Thank You
- f. SC Freeholders Resolution – Construction Across C.R. 669 (project now complete)
- g. Montague Township Resolution Opposing Assembly Bill 1780

Vouchers

CMT Sound Systems	250.00
EMSL Analytical, Inc.	325.00
George & Debra DeFeo	793.36
Lafayette Auto Parts Supply, LLC	638.01
Rachel Start	55.51
Roy E. Kurnos	2,319.15
Sparta Lanes	74.75
United States Postal Service	581.75
US Postal Service	175.01
Verizon Wireless	239.61
William Macko	4,000.00
Woop Brothers Contracting, LLC	14,300.00

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

Old Business

Underage Drinking Ordinance - Motion by Hughes, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of October 4, 2016:

AN ORDINANCE TO AMEND CHAPTER VI OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ALCOHOLIC BEVERAGE CONTROL CHAPTER, ADDING SECTION 6-7 “CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES ON PRIVATE PROPERTY BY PERSONS UNDER THE LEGAL AGE”

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

Section 1: Chapter VI (Alcoholic Beverage Control) of the code of the Township of Lafayette is hereby amended and supplemented by adding Section 6-7 “Consumption and Possession of Alcoholic Beverages on Private Property by Persons Under the Legal Age” to read as follows

Definitions

“Guardian” shall mean a person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment.

“Relative” shall mean the underage person’s grandparent, aunt or uncle, sibling or any person related by blood or affinity.

Consumption or Possession Prohibited on Private Property

It shall be unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property within the Township of Lafayette, except as hereinafter provided or as may be permitted by State statute:

A. Any underage person who consumes or possesses an alcoholic beverage in connection with a religious observance, ceremony or rite or consumes or possesses an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

B. Any underage person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post-secondary educational institution.

1. This section shall not be construed to preclude the imposition of a penalty under section N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

Violations and Penalties

Except as may be provided in N.J.S.A. 33:1-1 et seq., any person who violates any provision of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars (\$500.00) or by a period of community services for not more than forty (40) hours, or any combination thereof.

Section 2. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 4. This ordinance shall take effect 20 days after final passage and publication according to law.

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

High Point Regional High School Representative - Due to Mr. Todd Miller, Lafayette representative to the HPRHS Board of Education, not responding to letters to attend a Committee meeting, Henderson asked that a letter be sent to the HPRHS Board President asking Mr. Miller to attend.

Zoning Officer - Motion by D’Angeli, seconded by Bruning, to approve additional time of three (3) per week, as needed, for the Zoning Officer for the property maintenance ordinances. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D’Angeli-yes, Henderson-yes.

Audience

Mr. Kevin O’Leary, Land Use and OSAC member, explained the ordinance for the setbacks is being worked on; and action should be taken at the next Land Use Board meeting.

Mr. O’Leary reported the following Lessees: “Lawler” property - Raj Sinha; Warbasse Jct. Rd. property – Sue Van Sickle; and Castimore/Moose property - Emery Castimore.

Mrs. Jackie Espinoza, JCP&L Representative, said the company was well prepared for the storm that did not hit.

She said the Champion of the Grill/Sussex County Day will be held on Sunday, September 18, 2016 and will begin at 12noon. A municipal officials egg toss contest will be held at 1:00pm.

Executive Session - Motion by D'Angeli, seconded by Hughes, to adopt the following resolution:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF LAFAYETTE, COUNTY OF SUSSEX, STATE OF NEW JERSEY,
AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE
WITH THE PUBLIC EXCLUDED

WHEREAS, it is deemed appropriate that the Township Committee discuss the matter(s) hereinafter mentioned without the presence of the public in accordance with the provisions of R.S. 10:4-12b, being Section b of the Open Public Meetings Act.

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

A matter relating to personnel and land acquisition shall be discussed by the Township Committee without the presence of the public. It is anticipated that this matter can be disclosed to the public upon resolution of the matter.

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

Exec. Session - Personnel & Land Acquisition

Motion by Hughes, seconded by Bruning, to return to the regular meeting. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Bruning-yes, D'Angeli-yes, Henderson-yes.

Mayor Henderson stated personnel & land acquisition were discussed in Executive Session.

Adjourn

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

Respectfully submitted,

ANNA ROSE FEDISH, RMC
Municipal Clerk