

January 3, 2017

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, January 3, 2017 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor Corcoran, Committeemen Henderson, Hughes, Corcoran, Bruning,

D'Angeli

Members Absent None

Also Present: Clerk Fedish, Road Foreman Macko

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 Henderson, seconded by Hughes, to accept and place on file the minutes of December 20, 2016. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

Committee Reports

Fire Department - Henderson reported Bill Macko is the Fire Chief and John Elzinga is Assistant Chief.

Open Space (OSAC) - Henderson said the ROSI needs to be updated and was sent to David Banisch, Planner.

Farm to Table Project - Hughes reported mediation is scheduled for January 18, 2017; and he and Attorney Kurnos will be in attendance.

Affordable Housing - Hughes reported ordinances that were needed have been provided for fair share housing.

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

Land Use Board - Corcoran reviewed the meeting of December 22, 2016.

EMS - Corcoran noted the year-end report has been received. The EMS responded to nine (9) call in December.

Correspondence

From Dominic Santanna, Manager re: ISO Rating of 8B/10

Old Business

Sidewalks - Bruning reported Township Engineer Duveneck will be submitting a grant for sidewalks from the pond to Olde Lafayette Village.

Vehicles for Sale - The Clerk was asked to contact the Township Attorney to discuss the problem of too vehicles being for sale on properties and being sold on someone else's property.

Decker Road Bridge - The Clerk was asked to send a letter to the County Road Department asking when this bridge will be repaired.

New Business

Temporary Budget - Motion by Hughes, seconded by Henderson, to adopt the following Resolution:

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2017 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year; and

WHEREAS, the total appropriation in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$1,855,207.87; and

WHEREAS, 26.25% of the total appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance in said budget is the sum of \$486,992.07,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, in the County of Sussex, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

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

Defend Tax Appeals - Motion by Bruning, seconded by D'Angeli, to adopt the following Resolution:

BE IT RESOLVED by the Township Committee of the Township of Lafayette that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Lafayette tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Township of Lafayette; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and hereby designated as agents of the Township of Lafayette for the purpose of signing settlements of the foregoing matters by stipulation.

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

Risk Management Consultant Appointment - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

WHEREAS, Lafayette Township (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Hunterdon and State of New Jersey, as follows:

1. Lafayette Township hereby appoints George Morville & The Morville Agency its local Risk Management Consultant.
2. The Mayor and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2017 in the form attached hereto.

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

Risk Management Consultant Agreement - Motion by Bruning, seconded by Henderson, to authorize the Mayor to sign the 2017 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

Deputy Records Custodians - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

BE IT RESOLVED by the Township Committee of the Township of Lafayette that all Department Heads and Tax Assessor be designated as Deputy Custodians of Public Records to assist the Custodian of Records in the performance of duties related to P.L. 2001, c404, commonly referred to as the Open Public Records Act (OPRA).

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

Cancel Tax Delinquencies - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

WHEREAS, N.J.S.A. 40A:5-17.1 permits authorized employees to process cancellation of property tax refunds or delinquencies of less than \$10.00 without action of the governing body; and

WHEREAS, the Tax Collector has requested authorization to cancel those taxes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that the Tax Collector be authorized to process cancellation of property tax refunds or delinquencies of less than \$10.00 as may occur.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and Township Auditor for their records.

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

Partial Tax Payments - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

WHEREAS, N.J.S.A. 54:4-68 authorizes the Governing Body to adopt a resolution authorizing the Tax Collector to accept as partial payment less than one hundred percent (100%) of the amount due and owing; and

WHEREAS, the tax collection computer program is set up under strict guidelines, as per the Division of Local Government Services and must be in accordance with the Mod 4 formula and will allow for accepting such partial payments.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey to authorize the Tax Collector to accept payment of less than 100%, but no less than the full amount of interest due.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and Township Auditor for their records.

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

Recycling Tonnage Grant Application - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Lafayette Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette that Lafayette Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Stephanie Pizzulo, Recycling Coordinator, 33 Morris Farm Road, Lafayette, NJ 07848 to ensure that said Application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

Certified Recycling Professional Services - Motion by Bruning, seconded by Henderson, to adopt the following Resolution:

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter “SCMUA”), among other things, employs a District Recycling Coordinator as the designated operating agency within Sussex County as provided in the Sussex County District Solid Waste Management Plan; and

WHEREAS the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et. seq.) (hereinafter, “the Act”) provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, the Township of Lafayette will prepare the 2016 Lafayette Township Recycling Tonnage Report; and

WHEREAS, the Township of Lafayette is requesting the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2015 Lafayette Township Recycling Tonnage Report to NJDEP by April 30, 2017; and

WHEREAS, SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by Lafayette Township and electronically submit it to NJDEP on behalf of Lafayette Township under the terms and conditions set forth in the Shared Services Agreement.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute a Shared Services Agreement, a copy of which is attached hereto, with Sussex County Municipal Utilities Authority for the provision of a Certified Recycling Professional Services to certify and submit the 2016 Recycling Tonnage Report to NJDEP.
2. This Resolution shall take effect immediately.
3. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution.

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

2017 Budget Meeting - The 2017 Budget Meeting will be held on Wednesday, January 25th at 4:00pm.

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 property acquisition and personnel 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: Henderson-yes, Hughes-yes, Bruning-yes, D’Angeli-yes, Corcoran-yes.

Exec. Session – Property Acquisition and Personnel

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

Audience

Mr. Kevin O’Leary, Open Space (OSAC) Secretary, was asked about the OSAC goals. Mr. O’Leary explained the plan was adopted over ten (10) years ago as part of the Township’s Master Plan. The referendum voted on was to buy open land to preserve areas. Committeeman Bruning is concerned land is bought and nothing is being done with it. Mr. O’Leary said most is for passive open space to preserve habitats for animals.

Mr. O’Leary explained that if the Township does not continue the program with Green Acres, State money will be lost; and the Township would have to reapply to State. He said the \$315,000 expired in 2015 and can be given to other municipalities that are active. The Township needs to stay active.

2017 Salary Ordinance - Motion by D’Angeli, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of January 17, 2017:

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE
TOWNSHIP OF LAFAYETTE FOR THE YEAR 2017

1. The annual salaries of all officer names hereafter for the year 2017 and for each year thereafter, until amended or repealed are hereby established and fixed at the following sums in lieu of any and all fees and remuneration to which the respective incumbents of said office might otherwise be entitled, except, however, that which may be authorized by resolution of the Township Committee, to wit:

| | Annually | Minimum | Maximum | Payable |
|--|-------------|----------------------|----------|-----------|
| Mayor | \$ 2,868.80 | | | Quarterly |
| Committee Member | 2,639.30 | | | Quarterly |
| Municipal Clerk | 41,969.54 | | | Bi-weekly |
| Treasurer/CFO | 32,689.12 | | | “ |
| Finance-Interlocal-Andover Twp. | 53,481.99 | | | “ |
| Finance-Interlocal-Sussex Borough | 16,892.00 | | | “ |
| Deputy Tax Collector | 1,000.00 | | | “ |
| Tax Assessor | 15,836.25 | | | “ |
| Tax Assessor-Interlocal-Hamburg | 16,161.51 | | | “ |
| Police | 1,000.00 | | | “ |
| Administrator-Animal Control/ Dog License | | 1.00 per license | | Quarterly |
| Secretary to the Land Use Board | | | | |
| Construction Official, Board of Health | 30,397.50 | | | Bi-weekly |
| Recycling Coordinator | 2,856.94 | | | “ |
| Assessment Search Officer | 1,000.00 | | | “ |
| Registrar | 1,000.00 | | | “ |
| Zoning Officer | 4,797.00 | | | “ |
| Zoning Officer Inspections | | 30.00 per inspection | | Quarterly |
| Road Foreman | | 17.00 | 37.00 PH | Bi-weekly |
| Assistant Road Foreman | | 15.00 | 28.00 PH | “ |
| Road Employee #1 | | 16.00 | 19.00 PH | “ |
| Road Employee #2 | | 16.00 | 19.00 PH | “ |
| Road Employee #3 | | 16.00 | 19.00 PH | “ |
| Temporary Road Employee | | 15.00 | 24.00 PH | “ |
| Fire Prevention Official | 3,115.37 | | | Bi-weekly |
| Fire Inspector | | 25.00 per inspection | | Quarterly |
| Life Guard | | 7.00 | 16.00 PH | Bi-weekly |
| Recreation Director | | 13.00 | 18.00 PH | “ |
| Assistant Recreation Director | | 7.00 | 16.00 PH | “ |

That the aforesaid salaries shall be paid at the time and in the manner established by the Township Committee for payment of salaries. Any and all portions of any and all ordinance that may be inconsistent with the provision of this ordinance are hereby rescinded.

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

Adjournment

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

Respectfully,

ANNA ROSE FEDISH, RMC
Municipal Clerk