

January 17, 2017

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, January 17, 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, Attorney Kurnos, CFO Magura, 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 January 3, 2017 (Reorganization and Regular Meetings). Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

### Reports

#### Tax Collector - For December 2016

O/S Liens	\$27,203.51
Tax Map Fee	\$50.00
Current Year Taxes	\$81,408.21
Prepaid Taxes 2017	\$27,780.84
Interest	\$3,279.29
Total	\$139,721.85

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

**Resolution** - Motion by Bruning, seconded by D'Angeli, to adopt the following Resolution:  
RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE TO ISSUE A TAX REFUND TO US BANK FOR PRO CAP III, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 2013-007 SOLD FOR DELINQUENT TAXES FOR BLOCK 15, LOT 20 IN THE AMOUNT OF \$34,303.51

WHEREAS, on October 21, 2013, tax sale certificate #2013-007 was sold for delinquent 2012 taxes on Block 15, Lot 20, owner of record Kimberly V. Alexander, to US Bank For Pro Cap III, LLC in the amount of \$1,761.56, and a premium was paid by the lienholder in the amount of \$7,100.00; and

WHEREAS, the lien holder, US Bank For Pro Cap III, LLC, paid subsequent taxes from the 1<sup>st</sup> quarter 2013 thru the 4th quarter 2016 in the amount of \$17,743.78; and

WHEREAS, on December 20, 2016, Law Firm Nicosia, Emmons, Pavez & Henderson paid the lien and subsequent principal of \$19,505.34, recording and search fees in the amount of \$52.00, penalties in the amount of \$35.23, legal fees in the amount of \$1,421.00, and interest in the amount of \$6,189.94 through January 18, 2017, for the redemption of Tax Sale Certificate #2013-007.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, that upon certification of Daryn L. Cashin, Tax Collector, a refund be issued to US Bank For Pro Cap III, LLC in the amount of \$34,303.51.

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

#### Treasurer's Report Cash Report for December 2016

Cash Balances as of November 30, 2016	\$3,477,552.41
Cash Receipts for December 2016	\$620,492.89
Total	\$4,098,045.30
Cash Disbursements for December 2016	\$878,498.28
Cash Balances as of December 31, 2016	\$3,219,547.02

Account Balances as of December 31, 2016

Current – Checking	\$1,452,101.87
Capital – Checking	\$1,255,883.43
Escrow – Checking	\$60,965.57
COAH - Developers Fees	\$10,384.09
COAH - Rehab Reserves	\$29,839.79
Open Space Municipal Tax	\$186,599.38
Snow Trust	\$2,737.92
Trust Accounts for Developers Agreement	\$207,934.89
Special Rec. – Checking	\$5,447.76
Special Donations	\$7,546.98
Dog Trust Account	\$105.34
Total Account Balance	\$3,219,547.02

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

**Committee Reports**

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

**Recreation Commission** - Corcoran reviewed the meeting of January 9, 2017.

**Fire Department** - Henderson reported the Fire Department responded to eight (8) calls in December.

**Economic Development (EDC)** - Hughes reviewed the meeting of January 10, 2017. It was suggested that the EDC be added to the Township’s website.

**Correspondence**

From: Nevitt Duveneck, PE re: Annual Quarry License Review

**Vouchers**

Agra Environmental Services, Inc.	41.50
Allied Oil, LLC	2,002.36
American Wear	341.00
Amerigas-Chester	183.36
Aurora Electrical Supply	118.84
CenturyLink	588.66
Chelbus Cleaning Co., Inc.	825.00
Dr. Bruce Eisenstein, Ph.D, PE	2,793.50
G&G Diesel Service, Inc.	214.08
High Point Regional High School	145,471.34
Home Depot Credit Services	54.62
J&P Crusing, LLC	864.44
JCP&L	1,115.82
Jim Dale	140.00
Johnny-On-The-Spot, LLC	65.00
Laddey, Clark & Ryan, LLP	765.00
Lafayette Auto Parts Supply, LLC	995.31
Lafayette Twp. Board of Education	314,150.00
Mean Mister Tools, LLC	396.50
MGL Printing Solutions	314.00
Kimball-Midwest	274.20
Montague Tool & Supply Co.	338.22
ND Engineering, LLC	502.50
NJ State League of Municipalities	378.00
North Church Gravel, Inc.	1,399.81
Old Dominion Brush	1,158.00
Opdyke’s Sales & Service	396.44
Peerless Concrete Products Co.	2,057.60
Pitney Bowes Inc.	76.25
R&L Data Centers, Inc.	494.39
ReadyRefresh by Nestle	5.29
Registrars Assoc. of NJ	50.00
Roy E. Kurnos	9,239.12

Service Electric Cable TV of NJ, Inc.	19.95
Staples Business Advantage	496.96
Stavola Beaver Run Quarry, LLC	87.56
TC/Treas. Assoc. of NJ	100.00
TC/Treas. Assoc. Sussex/Warren	30.00
The New Jersey Herald	6.90
Treasurer, S/NJ	50.00
US Bank Cust for Pro Cap III, LLC	34,303.51
Weldon Quarry Co., LLC	182.81

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

**Old Business**

**Salary Ordinance** - Mayor Corcoran opened the public hearing for the following Ordinance: AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2017

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

Motion by D'Angeli, seconded by Hughes, to adopt the Salary Ordinance for 2017. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

**Drug/Alcohol Testing Program** - The Clerk explained a baseline test will be done on all Road Department employees within the next month. The NJDOT requirements are 25% of employees be drug tested each year and 10% be alcohol tested each year.

**New Business**

**Durling Realty Tax Settlement** - Motion by Bruning, seconded by Henderson, to approve the tax settlement for Durling Realty (Quick Chek – 35 Rt. 15; B:9, L:25). Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

**Junkyard License Renewal** - Motion by D'Angeli, seconded by Bruning, to approve the junkyard license renewal for Lafayette Salvage, Inc. for 2017. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

**Fire Department Appointment** - Motion by Henderson, seconded by Hughes, to appoint Matthew Decker as a full member of the Lafayette Township Fire Department. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

**Municipal Alliance** - Motion by Bruning, seconded by Hughes, to adopt the following Resolution and authorize the Mayor to sign the Strategic Plan for Funding Municipal Alliances: GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014-JUNE 2019 - FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Central Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$12,658.00
Cash Match	\$ 3,164.00
In-Kind	\$ 9,494.00

The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements. Motion carried by roll call vote: Henderson-yes, Hughes-yes, Bruning-yes, D'Angeli-yes, Corcoran-yes.

**Moyano Lot Merger Ordinance** - Motion by D'Angeli, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of February 7, 2017:

BE IT ORDAINED by the Township Committee of the Township of Lafayette the following:

Pamela Moyano (the "Property Owner") is the owner of Block 7, Lot 37 and recently purchased Block 7, Lot 36.07. The Property Owner seeks to merge Lot 36.07 with Lot 37 as both lots are undersized and eliminate the restriction imposed by the Lafayette Township Land Use Board.

In order for the lots to merge, the restriction of no construction being allowed on Lot 36.07 must be removed. This restriction was placed on the lot by the Township Land Use Board when the subdivision on Race Road was approved as Block 7, Lot 36.07 is undersized.

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

**Elizabethtown Gas Extension** - Hughes explained the town merchants and Economic Development Committee (EDC) are asking about a gas line being extended into the Township. Hughes will ask a local representative from Elizabethtown Gas to attend a Township meeting.

**Decker Road Bridge** - The Clerk reported an email was sent to the County Engineer; and the Engineer acknowledged receipt of the request to repair the bridge on Decker Road.

#### **Audience**

Mr. Carl Luthman, OSAC member/Township resident, said that Open Space recommends an appraisal of the property on Gorney Road. He is asking the Township Committee to reconsider its decision and obtain an appraisal. He explained the Open Space plan is a part of the Township's Master Plan. This property would connect Lantz and Gorney Roads.

Mr. Luthman said the OSAC had submitted grants for the "Lawler" property. He explained 50% of the cost of the appraisal would be reimbursed by the State if the property is purchased. The State money will be lost if the Township does nothing. He feels the \$3,000 cost for the appraisal is a good investment; and OSAC will not offer or pay more than the fair market value. Constraints on the property will reduce its value.

Mr. Kevin O'Leary, OSAC Secretary, said he sent the open space plan to the Committee members. An appraisal is needed to determine the best use of the property.

Mr. Dave Muscalo, OSAC Chairman, said the wetlands and steep slopes would impact the value of the Gorney Road property.

Mr. Bill Macko, Fire Chief, asked about a grant for fire house testing. This issue will be pursued further.

Motion by Bruning, seconded by Henderson, to proceed with an appraisal for the Gorney Road property for a cost not to exceed \$3,000.

Committeeman Hughes stated Ms. Glosinski was to provide more definitive information to identify constraints. Committeeman Henderson said she could not provide more because she is not an engineer. Committeeman Hughes feels information should be provided before the Committee approves any expenditure. The Land Conservancy should have someone on staff that could provide the information.

Committeeman Bruning said Ms. Glosinski is an environmental specialist; and the Committee needs measurements and more definitive constrained areas. He would like to see the 300' wetlands buffer, steep slopes and how the remainder of the land would be used.

Mr. O'Leary said the objective of the open space plan is to protect aquifers and habitat areas. This property is part of the ridgeline area that the Township wants to protect.

Mr. O’Leary said the plan is not just to protect areas from building but to, also, protect and preserve land. He feels this land falls into the objectives of the open space plan.

Mr. Luthman feels only two (2) building lots would be available for construction on this property. He feels the \$3,000 cost of the appraisal will be well spent.

The motion to approve an appraisal for the Gorney Road property passed by roll call vote: Henderson-yes, Hughes-no, Bruning-yes, D’Angeli-no, Corcoran-yes.

**Adjournment**

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

Respectfully,

ANNA ROSE FEDISH, RMC  
Municipal Clerk