

July 3, 2018

The regular bi-monthly meeting of the Lafayette Township Committee was held on Wednesday, July 3, 2018 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor Hughes, Committeemen Corcoran, Bruning

Members Absent D'Angeli (excused), Henderson (excused)

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

Mayor Hughes 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 Corcoran, to accept and place on file the minutes June 6, 2018. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Tax Collector - For June 2018

Prior Year Taxes	\$26,242.52
Current Year Taxes	\$61,751.87
Interest	\$5,630.24
Total	\$93,624.63

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

Steinberg Refund Resolution - 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 OF \$1,480.46 TO MATTHEW D. STEINBERG DUE TO AN OVERPAYMENT OF TAXES FOR THE YEAR 2018, AS A RESULT OF A COUNTY BOARD TAX APPEAL

WHEREAS, on May 9, 2018, the Sussex County Board of Taxation granted a tax appeal for property known as Block 14, Lot 4, owner of record Matthew D. Steinberg, deleting the property and reducing the assessment to 00.00; and

WHEREAS, the reduction of the assessment resulted in an overpayment for the year 2018 in the amount of \$1,456.19; and

WHEREAS, statutory interest pursuant to N.J.S.A. 54:3-27.2 in the amount of \$24.27 is also due to the owner, making the total refund due \$1,480.46.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, in accordance with State Statutes that the Tax Collector be authorized to make the necessary refund, payable Matthew D. Steinberg in the amount of \$1,480.46.

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

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

Treasurer's Report Cash Report for May 2018

Cash Balances as of March 31, 2018	\$3,481,978.55
Cash Receipts for April 2018	\$1,972,349.84
Total	\$5,454,328.39
Cash Disbursements for April 2018	\$1,599,343.96
Cash Balances as of April 30, 2018	\$3,854,984.43
Account Balances as of April 30, 2018	
Current – Checking	\$1,454,735.00
Capital – Checking	\$1,595,802.47
Escrow – Checking	\$58,529.05
COAH - Developers Fees	\$14,002.21
COAH - Rehab Reserves	\$29,860.15
Open Space Municipal Tax	\$191,271.73

Snow Trust	\$2,737.92
Trust Accounts for Developers Agreement	\$494,215.84
Special Rec. – Checking	\$5,867.86
Special Donations	\$7,546.98
Dog Trust Account	\$415.02
Total Account Balance	\$3,854,984.23

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

Committee Reports

EMS - Corcoran reported EMS responded to 25 calls in the month of June, with half of the calls being from Sunrise House.

Recreation Commission - Corcoran reported the pond opened for the season on Saturday, June 30, 2018.

Land Use Board - Corcoran reviewed the meeting of June 28, 2018.

Sussex County Economic Development Commission - Bruning reported an awards luncheon was recently held. The following were presented to Township entities: New Business Award-Lorraine’s Cake Shoppe and Tea Room, Municipal Award-Lafayette Township; and Environmental Leadership Award-SCMUA/Sussex County Solid Waste and Recycling Facility.

Welcome to Lafayette Signs - Bruning reported the new signs are complete and will be installed by the beginning of August.

JCP&L - Bruning reported a proposal will be submitted for the new street lights to be installed on Route 15.

Emergency Management - Hughes reported various training is taking place. The high band radio license will be renewed.

Elizabethtown Gas - Hughes reported Elizabethtown Gas has had some personnel and position changes. He will be contacting them again soon regarding natural gas in the Township.

Correspondence

1. Memo to Land Use Board to review ridgeline viewshed inspections
2. From Cris Kalaskey re: Truck signage on Sunset Inn/Randazzo Roads
3. From Senator Cory Booker re: Community Development Block Grant program
4. From Stephen Welsh, Bruno Assocs. Re: Grant writing services
5. From American Red Cross re: Outgoing/Incoming Officers & Request to meet
6. Hampton Township Ordinances: New District-the Affordable Housing Zone District & Amending Article IV-District regulations to include anew zone district
7. Hampton Township Resolutions: Support Route 23/Gingerbread Castle Road Improvement – Support the Campaign to “Change Direction” Initiative in Sussex County
8. From SC Freeholders re: Amending dates and meeting times of Board of Chosen Freeholders
9. From SC Freeholders re: Adoption of Ordinance amending previously established regulations governing road openings and access permits
10. Sparta Township Planning Board notice of approved amendment to Master Plan and update Land Use Element
11. From Bill Grant re: Route 94 north signage

Vouchers

Action Drives & Bearings, Inc.	85.75
American Traffic & Street Sign Co.	181.85
American Wear	403.50
Aquatic Analysts, Inc.	380.00
Art Frisbie’s AirWorx	1,225.00
Atlantic Communications	216.00
Barbara McElroy	25.00
Bobcat of North Jersey-East	320.59
Camerota Truck Parts	1,015.00
CenturyLink Communications, Inc.	608.32

Chelbus Cleaning Co., Inc.	275.00
City Radiator, Inc.	2,845.00
E.A. Morse & Co., Inc.	186.19
Fastenal Company	15.25
Finelli Consulting Engineers, Inc.	400.00
Frankford Township	14,300.62
Griffith-Allied Trucking	1,615.17
Halo Branded Solutions	654.95
High Point Regional High School	145,282.00
Home Depot Credit Services	16.15
Ideal Farm & Garden Center	1,427.53
JCP&L	1,215.88
Joe's Heating & Cooling Service	409.00
Johnny-On-The-Spot, LLC	89.75
Laddey, Clark & Ryan, LLP	442.00
Lafayette Auto Parts Supply, LLC	710.76
Lafayette Preservation Foundation	600.00
Lafayette Twp. Board of Education	313,333.50
MacMillan Oil Co. of Allentown	420.96
Matthew D. Steinberg	1,480.46
MicroSystems-NJ.Com, LLC	352.25
Minisink Press, Inc.	1,040.00
Montague Tool & Supply Co.	345.65
Morris Asphalt Supply, LLC	144.76
ND Engineering, LLC	945.00
NJ Dept. of Health and Senior Services	30.00
NJ Division of ABC	6.00
NMC Foundation	740.00
North East Parts Group, LLC	408.18
North Jersey Garage Doors, LLC	180.00
Opdyke's Sales & Service	584.62
Pitney Bowes, Inc.	76.25
ReadyRefresh by Nestle	108.72
Roy E. Kurnos	375.00
S/NJ Dept. of Labor & Workforce Dev.	45.00
Service Electric Cable TV of NJ, Inc.	19.95
Ronetco Supermarket, Inc.	14.04
SK Office Supply, Inc.	21.99
Staples Business Advantage	294.28
Stavola Beaver Run Quarry, LLC	115.68
Sussex County Clerk	224.65
SYNCB/Amazon	140.60
The New Jersey Herald	16.20
The Printing Center, Inc.	1,392.66
Treasurer, S/NJ	500.00
Treasurer, S/NJ	75.00
Tri-County Refrigeration	235.00
Tri-State Rentals/Party World, Inc.	64.00
TruGreen Commercial	550.00
U.S. Postal Service	600.00
Verizon Wireless	284.27
Weldon Quarry Co., LLC	904.26

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

Old Business

Amend Chapter XIII-Cemetery Overlay Ordinance - Mayor Hugh opened the public hearing for the following Ordinance:

AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING THE ZONING CHAPTER, TO AMEND SECTION 13-13F., THE R-5 CEMETERY OVERLAY ZONE STANDARDS CLARIFYING CLEARING BUFFER DISTURBANCE LIMITS, FOREST AND EXISTING VEGETATION REMOVAL AND SITE DISTURBANCE AND GRADING LIMITS WITH THE RIDGELINE AND HILLSIDE VIEWSHED PROTECTION OVERLAY ZONE AS PERTAIN TO THE CEMETERY OVERLAY ZONE

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 and supplement Section 13-13F. "Cemetery Overlay Zone", subsection 13-13F.h.3 to read as follows:

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

Section 2. Amend and supplement Section 13-13F. "Cemetery Overlay Zone", subsection 13-13F by repealing and reserving subsection 13-13F.i as follows:

i. Reserved.

Section 3. Amend and supplement Section 13-13F "Cemetery Overlay Zone", subsection 13-13F.1 to read as follows:

a. Total site disturbance. For the purpose of this standard, the site disturbance and grading limits found at 13-13E, Ridgeline and Hillside Viewshed Protection Overlay Zone are not applicable to this Cemetery Overlay Zone and "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% (ten percent) 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. Further, existing hedgerows and forested slopes in excess of 15% (fifteen percent) shall not be disturbed except for site access as may be approved by the Board.

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. 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 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 7. This Ordinance shall take effect after publication and passage according to law.

With there being no comments from the public, Mayor Hughes closed the public hearing. Motion by Corcoran, seconded by Bruning, to adopt the Ordinance to Amend Chapter XIII-Cemetery Overlay. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Acquisition of "Morgan Property" Ordinance - Motion by Corcoran, seconded by Bruning, to introduce the following Ordinance and set the public hearing date of August 7, 2018:

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY LISTED ON THE TOWNSHIP'S OFFICIAL TAX MAPS AS A PORTION OF BLOCK 20, LOTS 2.01 and 2.02 IN THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ("THE MORGAN PROPERTY")

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to acquire a portion of Block 20, Lots 2.01 and 2.02 (the "Property") as described on the tax map for the Township of Lafayette for the sum of Three Hundred Thousand (\$300,000.00) Dollars; and

WHEREAS, the parties estimate that the size of the Property is 42.794 acres; and

WHEREAS, this acquisition will cost the Township of Lafayette an amount not to exceed Forty-Two Thousand (\$42,000) Dollars, which amount includes the purchase price and closing costs; and

WHEREAS, the purchase of the property is specifically contingent upon the Township receiving open space grants from the County of Sussex in the approximate amount of One

Hundred Thousand (\$100,000) Dollars, and from New Jersey Green Acres in the approximate amount of One Hundred Sixty-Six Thousand Five Hundred (\$166,500) Dollars; and

WHEREAS, the Township Council desires to purchase this property, as it is in the best interest of the Township.

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

SECTION 1. The Township of Lafayette hereby authorizes the Mayor and Township Clerk to execute a contract for the acquisition of the Property, subject to the receipt of monies from the County of Sussex and New Jersey Green Acres.

SECTION 2. The Township of Lafayette hereby authorizes the construction of trails, trailheads, parking areas, and such other uses permitted by Green Acres on the Property.

SECTION 3. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 4. No debt is to be authorized by the enactment and passage of this Ordinance.

SECTION 5. All ordinances of the Township of Lafayette which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect upon final passage and publication as required by law.

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

Future Parking on Route 15 Spending Ordinance - Motion by Bruning, seconded by Corcoran, to introduce the following Ordinance and set the public hearing date of August 7, 2018:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE OF BLOCK 8, LOTS 7 AND 29 (87-89 ROUTE 15) AND ALL RELATED APPURTENANCES INCLUDING ENGINEERING AND APPROPRIATING \$165,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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 purchase of Block 8, Lots 7 and 29 (87-89 Route 15) and all related appurtenances including engineering, is hereby authorized; and the cost is not to exceed \$165,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$165,000.00 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, Bruning-yes, Hughes-yes.

Motion by Bruning, seconded by Corcoran, to authorize the Mayor to sign the contract with the Sonnenberg's for the purchase of the property. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Gardeners - Bruning explained the gardeners have, for the second time, gone beyond the budget and their proposal for gardening services. It was the consensus of the Committee that they will be paid for their work up to June 29, 2018 and will not continue.

Vacant/Abandoned/Foreclosed Properties - The Clerk was asked to send a letter to the Zoning Officer requesting him to ride through the Township to inspect properties and report his findings to the Committee.

New Business

The MedRoom Adam Zweibel Jared Feldman

This proposal is for the cultivation, manufacturing and distribution to dispensaries of marijuana for medical purposes. This is not a customer based operation.

Mr. Feldman said they are waiting for the Governor's decision to expand the medical licenses. They will have 90 days to submit their application for a license after a decision is made. /also, the Township would reap a tax revenue of approximately one (1%) percent to three (3%) percent.

Mr. Zweibel explained they were attracted to the property in Lafayette because of its location, existing structures, utilities and water.

Mayor Hughes stated this project needs to obtain Land Use Board approval before going forward.

Supporting The MedRoom Resolution - Motion by Bruning, seconded by Corcoran, to adopt the following Resolution supporting The MedRoom project:

RESOLUTION ENDORSING THE ADAPTIVE AND BENEFICIAL REUSE OF EXISTING AGRICULTURAL LANDS AND FACILITIES ON TOWNSHIP BLOCK 5, LOT 7.03

WHEREAS the Township has a long history of dedicating itself to helping protect, preserve, sustain, and expand agricultural uses, by not only preserving the Township's agricultural landscape, but by making efforts to continue the viability, growth, and success of our agricultural enterprises; and

WHEREAS the State of New Jersey has been moving towards the expanded medical use of cannabis, with existing demand being satisfied primarily through the adaptive reuse of former industrial buildings and other urban properties, rather than the use of traditional agricultural lands and techniques for which the Township of Lafayette is a recognized leader; and

WHEREAS the anticipated expansion of medical cannabis use, or the legalization of recreational cannabis use, will require an expansion of cannabis cultivation facilities throughout the State of New Jersey, which demand can be satisfied through cannabis cultivation using existing agricultural lands and facilities long associated with the Township; and

WHEREAS, The MedRoom, which is beginning the anticipated process required to seek State licensure for the purposes of cultivating cannabis and undertaking related processing activities, has appeared before the Economic Development Committee seeking the Township Committee's formal endorsement of its proposed adaptive reuse of an existing commercial greenhouse located on an approximately 20-acre farm located at 152 Hampton House Road, Block 5, Lot 7.03 (the "Property"); and

WHEREAS, the Township Committee, having considered the proposal, as well as the recent trends in legislative activity that are anticipated to result in the expansion of cannabis cultivation, believes that such an adaptive reuse of certain existing agricultural lands and facilities in the Township would be in furtherance of the Township's long standing support for agriculture, be in the public interest, and provide a beneficial use for the community and the region.

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

1. The use of the Property for cannabis cultivation and processing, subject to State licensure and consistency with future zoning amendments, is hereby endorsed.

2. This endorsement is provided in anticipation that The MedRoom provides to both the Township Committee's satisfaction, as well as the Township Land Use Board, that the layout, design, and other features of the Property as depicted by The MedRoom can be developed and operated in a safe and secure manner, consistent with all applicable local, county and state laws and regulations.

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

Junior Camp Counselor - Motion by Corcoran, seconded by Bruning, to hire Madison Mueller as the Junior Camp Counselor for the summer recreation program for the rate of \$10 per hour. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Ordinance to Amend the Salary Ordinance - Motion by Bruning, seconded by Corcoran, to introduce the following Ordinance and set the public hearing date of August 7, 2018:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2018" WHICH WAS ADOPTED DECEMBER 19, 2017

1. Effective January 1, 2018, the annual salary of the officer named hereafter for the year 2018 and for each year thereafter, until amended or repealed, is hereby established and fixed at the following sum 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:

	Minimum	Maximum	Payable
Finance Clerk	\$17.00	\$25.00	Bi-Weekly

2. That the aforesaid salary shall be paid at the time and in the manner established by the Township Committee for payment of salaries.

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

Finance Clerk - Motion by Corcoran, seconded by Bruning, to hire Stephanie Fryer as the Finance Clerk effective July 9, 2018 at the rate of \$17 per hour for 18 hours per week. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Ridgeline/Viewshed - Bruning is concerned the ordinance is not being implemented correctly. He feels all properties on Fox Hill and Old Beaver Run Roads do not affect the ridgeline/viewshed and questioned an inspection being required for an inground pool. The criteria will be reviewed by the Land Use Board.

Housing Density - Bruning feels the township should have higher density areas to allow for zero (0) lot line properties and townhomes. Hughes noted the Gateway Overlay zone allows this. The Land Use Board will review this issue.

Township Road Repairs/Overlay - Bruning and Road Foreman Macko will discuss Township roads.

Mason Truck Purchase - Road Foreman Macko reported the information has been sent to the Township Attorney for review. He asked that the bid opening date be Tuesday, August 7, 2018.

Motion by Bruning, seconded by Corcoran, to authorize the bid process to begin for a new mason truck with the bid opening date of Tuesday, August 7, 2018 at 10:30am. Motion carried by roll call vote: Corcoran-yes, Bruning-yes, Hughes-yes.

Audience

Mr. Kevin O'Leary, 13 Brandywine Court, does not feel the gardeners should be paid for work done beyond their proposal.

Mr. O'Leary is concerned the new, proposed lights on Route 15 will disturb residents. Bruning said the proposed locations are not near homes. Mr. O'Leary reminded the Committee that the lights should not shine upward.

Executive Session - Motion by Bruning, seconded by Corcoran, 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 contracts 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: Corcoran-yes, Bruning-yes, Hughes-yes.

Exec. Session - Contracts

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

Mayor Hughes stated Contracts were discussed in Executive Session.

Adjournment

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

Respectfully,

ANNA ROSE FEDISH, RMC
Municipal Clerk