

July 2, 2019

The regular bi-monthly meeting of the Lafayette Township Committee was held on Tuesday, July 2, 2019 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor Bruning, Committeemen Hughes, Corcoran, O’Leary

Members Absent Henderson

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

Mayor Bruning opened the meeting stating that it was being held in compliance with Public Law 1975, Chapter 231.

Minutes - Motion by Hughes, seconded by Corcoran, to accept and place on file the minutes of June 5, 2019. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, O’Leary-yes, Bruning-yes.

Fire Prevention Farm Inspections - David Korver, Fire Prevention Official

Mr. Korver explained the State has instituted the requirement of inspecting commercial farms and non-owner occupied buildings. He recommends reviewing the Tax Assessor’s farm list to determine which properties would require inspection. The Township Committee agreed with Mr. Korver’s approach and noted the Township’s fee schedule must be amended to include an inspection fee.

Fiber Optic Internet Access Presentation - Robert Boyle, CEO Planet Networks

Mr. Boyle explained the fiber optic network is upgrading and expanding. His company is small but growing.

Mr. Boyle said this is a courtesy presentation as the fiber optics are allowed by law to be placed in the right-of-ways. He noted he is in the process of obtaining permission from the electric and cable companies for use of their poles. He estimates the entire process for installation will be approximately six (6) months to one (1) year.

Cub Scout Recruitment - Al Thomas, Patriot’s Path Boy Scout Council

Mr. Thomas said Lafayette has not had a Cub Scout troop for approximately ten (10) years and would like to hold several events to introduce boys and their parents to scouting. He noted Mr. Scott Maat, Lafayette Boy Scout Troop, said the Lafayette Township Fire Department would charter the Cub Scouts.

Mr. Thomas would like to hold BB shooting in a range donated by Daisy, archery and model rockets. He said he is asking for the Township’s approval to hold the events and is researching locations. Committeeman Bruning suggested asking the Lafayette School; and Committeeman O’Leary suggested the “Lawlor” property on Warbasse Junction Road.

Mr. Thomas would like to hold the events in September or October and will visit the locations for suitability.

Tax Collector - For June 2019

Tax Map Fee	\$50.00
Prior Year Taxes	\$185.17
Current Year Taxes	\$32,840.44
Interest	\$456.68
Total	\$33,532.29

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

Treasurer’s Report Cash Report for May 2019

Cash Balances as of April 30, 2019	\$3,705,442.82
Cash Receipts for May 2019	\$1,135,113.57
Total	\$4,840,556.39

Cash Disbursements for May 2019	\$1,087,227.13
Cash Balances as of May 31, 2019	\$3,753,329.26
Account Balances as of May 31, 2019	
Current – Checking	\$1,869,470.03
Capital – Checking	\$1,190,563.46
Escrow – Checking	\$64,925.38
COAH - Developers Fees	\$25,038.76
COAH - Rehab Reserves	\$29,875.92
Open Space Municipal Tax	\$134,737.77
Snow Trust	\$12,737.92
Environmental Contingencies	\$0.00
Trust Accounts for Developers Agreement	\$400,955.66
Special Rec. – Checking	\$5,792.87
Special Donations	\$7,546.98
Fire Prevention	\$12,705.12
Green Acres Trust	\$621.61
Dog Trust Account	\$1,357.78
Total Account Balance	\$3,753,329.26

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

Committee Reports

Post Office - Hughes reported the Lafayette Post Office will be closing on August 17, 2019. The post office boxes will be moved to the Augusta Post Office; and mail service will come out of the Sparta Post Office.

Sidewalks - Hughes reported the sidewalks are in the design phase; and bids will soon be sought.

EMS - Corcoran reported the EMS responded to 20 calls in June; and 12 were to group homes.

Open Space (OSAC) - O’Leary reported the Open Space and Recreation Plan is being updated. He noted the State is changing the Planning Incentive Grant program; and Autumn Sylvester, from the County, will attend a meeting to discuss development/stewardship.

Land Use Board - O’Leary reviewed the meeting of June 27, 2019.

Sugar Sweet Farm - O’Leary reported the Zoning Officer will inspect the farm as it is advertising camping, which is not permitted.

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

Route 15 Bridge - Bruning reviewed the meeting held with NJDOT representatives. He noted the traffic signal for alternating, one-way traffic was strongly objected to. Another meeting will be held in the beginning of 2020.

Voight Lane Drainage - Road Foreman Macko reported the tree roots by the cleared drainage pipe are growing. He noted one of the property owners was not very cooperative last year. Bruning will speak to the property owner about the needed maintenance.

“Lawler” Property - A letter will be sent to the current leasee about maintaining the property as stated in the lease.

Garage Air Conditioning - Road Foreman Macko said the air conditioning unit needed to be recharged again this year; and the leak cannot be found. Bruning will pursue this matter.

Correspondence

1. Rep. Josh Gottheimer re: Hometown Hero Bill Macko
2. Douglas Gabel, Boy Scouts of America re: Jersey Jam, Waterloo Village
3. SC Freeholder Resolution re: Submittal of Wastewater Management Plan Amendment
4. Franklin Borough Resolution Supporting Designating “Franklinite” as Official Mineral of NJ
5. Vernon Township Resolution Requesting NJDEP Resignations

Vouchers

American Wear	111.90
Andover Township	18,078.26
Associated Artists	785.00
Atlantic Communications	1,023.00
Aurora Electrical Supply	20.72
Bill’s Equipment Repairs	4,987.50
Bob’s Auto Upholstery	90.00
Bucket Supply & Equipment Parts	239.21
Campbell Supply Co. of Sussex County	35.62
CenturyLink	641.57
Chambers Tractor Sales, Inc.	93.52
Chelbus Cleaning Co., Inc.	550.00
Diamond Sand & Gravel, Inc.	350.00
Gregory Corcoran	9.13
Griffith-Allied Trucking	919.97
Gus Schetting Welding	120.00
Halo Branded Solutions	986.53
High Point Regional High School	159,489.00
Home Depot Credit Services	489.55
JCP&L	1,114.91
Johnny-On-The-Spot, LLC	106.50
Laddey, Clark & Ryan, LLP	1,564.00
Lafayette Auto Parts Supply, LLC	103.22
Lafayette Twp. Board of Education	312,500.00
Montague Tool & Supply Co.	97.32
ND Engineering, LLC	2,061.00
Old Dominion Brush	631.18
Roy E. Kurnos	5,135.00
S/NJ Dept. of Labor & Workforce Development	46.50
Service Electric Cable TV of NJ, Inc.	21.95
Smith Tractor & Equipment, Inc.	90.04
Staples Business Advantage	392.76
Statewide Insurance Fund	25,618.50
Sussex County Chamber of Commerce	266.00
Sussex County Clerk	285.73
Sussex County Economic Development Partners	500.00
SYNCB/Amazon	127.27
The New Jersey Herald	99.30
Township of Wantage	2,240.50
Tri County Refrigeration	528.00
Verizon Wireless	272.15

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

Old Business

Amend Chapter XIII-Small Community Solar Systems Ordinance - Mayor Bruning opened the public hearing for the following Ordinance:

AN ORDINANCE AMENDING CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, ZONING, SECTIONS 13-5 AND 13-6.17 REGARDING SMALL COMMUNITY SOLAR SYSTEMS

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

Motion by O’Leary, seconded by Corcoran, to adopt Amend Chapter XIII-Small Community Solar Systems Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, O’Leary-yes, Bruning-yes.

Furnace Conversion - Motion by Bruning, seconded by Hughes, to introduce the following Ordinance and set the public hearing date of August 6, 2019:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE PURCHASE AND INSTALLATION OF A NATURAL GAS BOILER AND ADDITIONAL COSTS FOR THE LAFAYETTE MUNICIPAL BUILDING AND APPROPRIATING \$13,000.00 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 and installation of a natural gas boiler and additional costs for the Lafayette Municipal Building and appropriating \$13,000 from the Capital Improvement Fund.

Section 2. The total amount of \$13,000.00 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: Hughes-yes, Corcoran-yes, O'Leary-yes, Bruning-yes.

Amend Chapter XII-Curbs and Gutters Ordinance - Motion by O'Leary, seconded by Corcoran, to introduce the following Ordinance and set the public hearing date of August 6, 2019:

AN ORDINANCE AMENDING SECTION 12-7.2, IMPROVEMENT STANDARDS OF THE LAFAYETTE TOWNSHIP CODE REGARDING CURBS AND GUTTERS

WHEREAS, the Land Use Board and the Township Committee of the Township of Lafayette have reviewed current zoning ordinances and identified the need to eliminate the need for constructing curbing on future municipal roadways constructed in association with subdivision in the Township.

NOW, THEREFORE, BE IT ORDAINED that Section 12-7.2(a)(4) shall be revised and adopted as follows:

Section 1. Section 12-7.2(a)(4), Curbs and Gutters, sections (a) and (b) shall be deleted in their entirety and replaced as follows:

(a) Curbing shall not be required unless necessary for drainage, safety or aesthetic purposes. Where feasible and safe in the judgment of the Township or Land Use Board Engineer, curbing may be required.

(b) Where curbing is not required, some sort of edge definition, protection and stabilization shall be furnished for safety reasons and to prevent pavement unraveling. Curbing may be required: (1) at ten (10) feet on each side of drainage inlets, (2) at intersections and (3) at small radii.

Section 2. 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 3. 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 4. This Ordinance shall take effect after publication and passage according to law.

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

Dirt Dumping Sites - Bruning reported the NJDEP has inspected the dumping sites and will send a report next week.

Foreclosures - Bruning reported a proposal will be submitted for the foreclosure process. Attorney Kurnos reported Mr. Mark Bacco would like to deed his property to the Township at no cost. It was the consensus of the Township Committee that Attorney Kurnos is to proceed with a title search on the Bacco property.

New Business

Audit Resolution - Motion by Hughes, seconded by O'Leary, to adopt the following Resolution:

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one (1) year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lafayette, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Correction Plan Resolution - Motion by Hughes, seconded by Corcoran, to adopt the following Resolution:

CORRECTIVE ACTION PLAN FOR THE 2018 AUDIT

WHEREAS, Local Finance Notice 97-16 requires the Chief Financial Officer, with assistance from other officials affected by the audit recommendations, to prepare and submit a Corrective Action Plan for approval by the governing body within 60 days from the date the audit is received by the governing body; and the 2018 Audit was received on June 12, 2019.

BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, that the following Corrective Action Plan, dated June 12, 2019 be approved, placed on file in the Clerk’s Office, and submitted by the Clerk to the Division of Local Government Services. Copies of this Resolution will be forwarded to the Township Auditor and Chief Financial Officer for their records.

**As required by Local Finance Notice 97-16,
Respectfully submitted by
Toni Grisaffi, Chief Financial Officer**

Finding 2018-1

Description: Consideration is given to providing for a more adequate segregation of duties with respect to the recording and treasury functions.

Analysis: The Township Committee is aware that the State recommends segregation of duties with respect to the recording and treasury functions.

Corrective Action: It was determined that due to limited staffing, no resolution can be made at this time. The Township Committee will continue to monitor this situation and will make any necessary changes when/if staffing permits.

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

SCMUA TWA Application Resolution - Motion by Hughes, seconded by O’Leary to adopt the following Resolution:

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has prepared an application to the New Jersey Department of Environmental Protection (NJDEP) for their SCMUA Leachate Pump Station and Force Main at their Lafayette Township location.

BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, to authorize the Mayor to sign the *Statements of Consent* for the submission of the SCMUA Leachate Pump Station & Force Main, Lafayette, NJ – Treatment Works Approval Application – NJPDES/SIU Permit #NJ0103811.

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

Improvements to Roads Spending Ordinance - Motion by O’Leary, seconded by Corcoran, to introduce the following Ordinance and set the public hearing date of August 6, 2019:
AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR ENGINEERING AND ADDITIONAL COSTS FOR THE IMPROVEMENTS TO VARIOUS ROADS AND APPROPRIATING \$220,000.00 FROM THE CAPITAL IMPROVEMENT FUND – IMPROVEMENTS TO ROADS

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

Section 1. The funding for Engineering and additional costs for the Improvements to various roads and appropriating \$220,000 from the Capital Improvement Fund – Improvements to Roads.

Section 2. The total amount of \$220,000.00 is hereby appropriated from the Capital Improvement Fund – Improvements to Roads.

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

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

Fire Hose Spending Ordinance - Motion by Corcoran, seconded by Hughes, to introduce the following Ordinance and set the public hearing date of August 6, 2019:
AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF FIRE HOSE AND RELATED APPURTENANCES AND APPROPRIATING \$4,000.00 AVAILABLE IN 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 Acquisition of fire hose and related Appurtenances is hereby authorized and the cost is not to exceed \$4,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$4,000.00 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: Hughes-yes, Corcoran-yes, O’Leary-yes, Bruning-yes.

High Point Regional High School - The Clerk was asked to send a letter to the Board of Education to attend a meeting to review the high school’s budget.

Lifeguards - Motion by Bruning, seconded by Hughes to hire the following lifeguards at a rate of \$11.50 per hour: Brandon Robbins, Gina Healey, Erynn Brady and Kayla Onorevole. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, O’Leary-yes, Bruning-yes.

Summer Camp Program - Motion by Bruning, seconded by Corcoran, to hire the following for the summer camp program: Alisa Posner - \$11.50 per hour and Maddie Miller - \$10.50 per hour.

In discussion, Bruning noted that only ten (10) children are registered for the summer camp program. Mrs. Pizzulo is requesting registration be held open one (1) more week to allow others to register. However, if no others do, she is requesting to cancel the program for lack of attendance.

It was the consensus of the Township Committee that it be up to Mrs. Pizzulo’s discretion about whether or not to cancel this year’s program due to the lack of attendance.

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

Sunset Inn Road Truck Traffic - Bruning reported a letter was received from Mr. Cris Kalaskey regarding the increased truck traffic and jake-braking on Sunset Inn Road.

The Clerk was asked to send a letter to the County asking that truck traffic be directed to stay on Limecrest Road as Sunset Inn Road is a residential area.

Audience

Mr. Ted L'Estrange explained and presented information regarding China's harvesting of organs from Falun Gong practitioners for profit.

Executive Session - Motion by Bruning, 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 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, O'Leary-yes, Bruning-yes.

Exec. Session - Personnel

Motion by Bruning, seconded by Corcoran, to return to the regular meeting.

Mayor Bruning stated personnel was discussed in Executive Session.

Adjournment

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

Respectfully,

ANNA ROSE FEDISH, RMC
Municipal Clerk