

March 2, 2021

A special meeting of the Lafayette Township Committee was held on Tuesday, March 2, 2021 at 7:30pm. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ.

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

Absent: None

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

Mayor Corcoran opened the meeting stating that it was being held in compliance with the Public Laws of 1975, Chapter 231.

**Minutes** - Motion by Bruning, seconded by Hughes, to accept and place on file the minutes of February 16, 2021. Motion carried by roll call vote: O’Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

**Tax Collector** - For February 2021

|                    |                |
|--------------------|----------------|
| Tax Map Fee        | \$150.00       |
| Prior Year Taxes   | \$4,717.08     |
| Current Year Taxes | \$1,607,629.99 |
| Interest           | \$596.50       |
| Total              | \$1,613,093.57 |

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

**Treasurer’s Report** Cash Report for January 2021

|   |                |
|---|----------------|
| Cash Balances as of December 31, 2020   | \$3,978,334.05 |
| Cash Receipts for January 2021          | \$751,522.75   |
| Total                                   | \$4,729,856.80 |
| Cash Disbursements for January 2021     | \$666,031.64   |
| Cash Balances as of January 31, 2021    | \$4,063,825.16 |
| Account Balances as of January 31, 2021 |                |
| Current – Checking                      | \$1,437,784.77 |
| Capital – Checking                      | \$1,764,667.54 |
| Escrow – Checking                       | \$97,880.59    |
| COAH - Developers Fees                  | \$35,258.83    |
| COAH - Rehab Reserves                   | \$29,899.89    |
| Open Space Municipal Tax                | \$220,844.83   |
| Snow Trust                              | \$34,437.92    |
| Trust Accounts for Developers Agreement | \$415,861.93   |
| Special Rec. – Checking                 | \$6,293.30     |
| Special Donations                       | \$7,546.98     |
| Fire Prevention                         | \$9,371.46     |
| Green Acres Trust                       | \$530.32       |
| Dog Trust Account                       | \$3,446.80     |
| Total Account Balance                   | \$4,063,825.16 |

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

**Committee Reports**

**Land Use Board** - O’Leary reviewed the meeting of February 25, 2021.

**U.S. Postal Service** - Hughes reported the US Postal Service is anticipating the signing of a lease by the end of March. Completion is expected in approximately 120-180 days.

**Elizabethtown Gas** - Hughes reported easements are needed; and he reviewed his recent discussions with representatives.

**High Point Regional High School Budget** - Hughes reported the litigation has been rejected. O’Leary reviewed the meeting held today with Senator Oroho and the mayors from the sending districts.

Hughes reported there are to be no further charges regarding this issue; and he will inform the law firm.

**Advance Housing PILOT** - Hughes reported speaking to the director of the facility. Documents are being evaluated by their finance department.

**Harmony Foundation** - Hughes reported speaking to the project manager. Repairs have begun on the existing building; and plans for the new building are being prepared.

**Fire Department** - Henderson reported the fire department responded to eight (8) calls in January. They are seeking a grant writer.

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

Bruning asked the Road Department to remove fencing at Lafayette Park. The posts and net are to be repurposed. The pine trees at the entrance are to be removed.

Motion by Bruning, seconded by Hughes, to introduce the following Ordinance and set the public hearing for March 16, 2021:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, PROVIDING FOR THE REPAIR/REPLACEMENT OF ELECTRICAL COMPONENTS IN THE MUNICIPAL GARAGE POLE BUILDING AND ALL RELATED APPURTENANCES AND APPROPRIATING \$5,000.00 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 repair/replacement of electrical components in the Municipal Garage Pole Building and all related appurtenances is hereby authorized; and the cost is not to exceed \$5,000.00 which sum is hereby appropriated for such purposes.

Section 2. The total amount of \$5,000.00 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: O’Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

**EMS** - Corcoran reported the EMS responded to 20 calls in February.

Motion by Corcoran, seconded by Henderson, to approve Julianna Conklin as a member of the Lafayette Township EMS. Motion carried by roll call vote: O’Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

### **Correspondence**

a. Statewide Insurance Fund re: Daniel’s Law

b. Sparta Township Ordinances Amending Chapter 18

c. Hampton Township Resolutions: Establishing a Business Non-Interference Policy;

Support A4687/S3189 - EMT and Paramedic Certificate Extensions; NJ State

Legislature Responsibility to Administer the Affordable Housing Act

d. Rutgers – NJ Medical School re: National Poison Prevention Week

Motion by O’Leary, seconded by Henderson, to Endorse National Poison Prevention Week:

### **PROCLAMATION**

*WHEREAS*, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and, since then, this week has helped to raise national awareness of the dangers of potentially dangerous medicines, household produce and chemicals, environmental contaminants and other substances; and

*WHEREAS*, poison centers across the country will focus the public’s attention on the free, lifesaving services provided by poison centers, as well as, educating the public on ways to prevent poisoning exposures; and

*WHEREAS*, the New Jersey Poison Control Center, a division of the Department of Emergency Medicine at Rutgers New Jersey Medical School provides 24/7 expert poisoning treatment advice, drug information and prevention education at no cost to the public accessing center services through the Poison Help hotline; and

*WHEREAS*, specialized medical professionals (doctors, pharmacists and nurses) provide accessible, fee and confidential healthcare to all; and

*WHEREAS*, poison center services save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and result in shorter lengths of stays for patients hospitalized for poisoning; and

*WHEREAS*, the poison center is instrumental in the surveillance and management of poisoning exposures across the state, including the use, misuse and abuse of medication, legal and illicit drugs, environmental contaminants, bioterrorism agents and common household products and chemicals; and

*WHEREAS*, the state’s poison control center is involved in New Jersey’s efforts in homeland defense, counterterrorism, emergency preparedness and pandemic response and biosurveillance; and

*WHEREAS*, the COVID-19 hotline at the New Jersey Poison Control Center, a collaboration with the New Jersey Department of Health; has assisted nearly 90,000 additional callers to provide up-to-date, unbiased, accurate information as well as medical guidance and links to services; and

*WHEREAS*, unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and

*WHEREAS*, a poison is defined as anything that can cause harm if taken in the wrong amount, in the wrong way or by the wrong person; and

*WHEREAS*, although most reported poison exposures involve children five (5) years old or younger, most poisoning deaths occur in adults aged 20 to 59; and

*WHEREAS*, overdose deaths from prescription opioids, over-the-counter medications and illegal drugs remain at epidemic proportions for both New Jersey and the United States; and

*WHEREAS*, lead exposure and carbon monoxide (CO) poisoning remain major public health concerns; and

*WHEREAS*, poison center experts encourage the public not to guess, wait for symptoms or waste time looking up medical information online when potential poisoning exposures occur: call 1-800-222-1222, text 973-339-0702, or chat [www.njpies.org](http://www.njpies.org); and

*WHEREAS*, all residents should save the Poison Help hotline (800-222-1222) in their cell, home and office phones because a fast response can make all the difference in preventing serious injury and saving lives.

*NOW, THEREFORE, WE*, the Township Committee of the Township of Lafayette, do hereby proclaim the week of March 21-27, 2021 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families and their community.

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

### **Vouchers**

|                                   |            |
|-----------------------------------|------------|
| Agra Environmental Services, Inc. | 110.00     |
| American Wear                     | 94.72      |
| Amerigas-Chester                  | 529.67     |
| Atlantic Communications           | 259.20     |
| Bagful O’ Bagels                  | 38.75      |
| Bergey’s Inc.                     | 734.98     |
| Foley Incorporated                | 146,934.00 |
| General Code, LLC                 | 1,195.00   |
| High Point Regional High School   | 207,457.50 |
| JCP&L                             | 221.51     |
| Lafayette Twp. Board of Ed        | 318,750.00 |
| Montague Tool & Supply Co.        | 144.95     |
| Moonlight Imaging, Inc.           | 145.00     |
| North Church Gravel, Inc.         | 2,056.36   |
| North East Parts Group, LLC       | 316.04     |
| Opdyke’s Sales & Service          | 677.82     |
| Staples Business Advantage        | 25.14      |

|                                    |          |
|------------------------------------|----------|
| Sussex County Assessor's Assoc.    | 175.00   |
| SYNCB/Amazon                       | 28.99    |
| The Gledhill Road Machinery Co.    | 275.56   |
| Township of Wantage                | 420.00   |
| Van Cleef Engineering Assocs., LLC | 3,054.75 |
| Van Dine's Inc.                    | 418.52   |
| Verizon Wireless                   | 218.41   |

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

### Unfinished Business

**100% Disabled Veteran Tax Refunds Ordinance** - Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY, SUPPLEMENTING CHAPTER 2 OF THE LAFAYETTE TOWNSHIP CODE BY CREATING SECTION 2-19, "100% DISABLED VETERAN TAX REFUNDS"

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

Motion by Hughes, seconded by O'Leary, to adopt the 100% Disabled Veteran Tax Refunds Ordinance. Motion carried by roll call vote: O'Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

**Amend Chapter 2-Administration Ordinance** - Mayor Corcoran opened the public hearing for the following Ordinance:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, ENTITLED "ADMINISTRATION"

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

Motion by O'Leary, seconded by Henderson, to adopt the Amend Chapter 2-Administration Ordinance. Motion carried by roll call vote: O'Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

**Tax Foreclosure Ordinance** - Motion by Bruning, seconded by Hughes, to introduce the following Ordinance and set the public hearing date of April 6, 2021:

**AUTHORIZING THE PUBLIC SALE OF THE REAL PROPERTIES LISTED BY BLOCK AND LOT NUMBER ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF, OF LANDS SITUATE IN THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-13(a)**

**WHEREAS**, the Township of Lafayette has determined that the properties set forth by block and lot designations per the Tax Map of the Township constitute real properties that were acquired by the Township of Lafayette and known as the block and lot, shown on Schedule A attached hereto, on the Township of Lafayette Tax Map; and

**WHEREAS**, the Township Committee of the Township of Lafayette has determined that the properties set forth on Schedule A attached hereto are not needed for public use; and

**WHEREAS**. The Township Committee is desirous of selling the property at public sale by auction pursuant to N.J.S.A. 40A:12-13(a).

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

1. Pursuant to N.J.S.A. 40A:12-13(a), the Township Committee does hereby ordain to sell via public sale at auction the parcels of real property set forth on Schedule A.
2. The properties shall be sold by open public sale at auction to the highest bidder after advertisement thereof in a newspaper circulating in the Township of Lafayette in which the lands resituated, by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to such sale.
3. The auction shall be conducted by a professional auctioneer, licensed and authorized by law, whose practice is regulated by law, to auction real estate, who will be retained by the Township of Lafayette. The successful bidder at auction will pay for all costs incurred by the professional auctioneer retained.
4. The Lafayette Township Committee reserves the right to reject all bids where is highest bid is not accepted, notice of which shall be included in the advertisement of the sale.
5. The sale is made subject to such state of facts as an accurate survey may disclose, easements, conditions, covenants and restrictions of record, tenancies, leaseholds, right

of persons in possession, codes, regulations and ordinances of the Township of Lafayette or federal, state or county governments. No representations of any kind are made by the Township of Lafayette as to the condition of the lands; and the property is being sold in its present condition on an “as is” basis.

6. The property will be conveyed to the successful bidder by a Bargain and Sale Deed with covenants against grantors acts.
7. The highest bid must be accompanied by a deposit payable to the Township of Lafayette in the form of cash, bank check, certified check or cashier’s check in the amount of ten (10%) percent of the total bid. The purchaser must close title and pay the balance of the purchase price with 60 (60) days of the acceptance of the bid.
8. All prospective bidders are placed on notice to consult appropriate public and private authorities as to the provision of utility services.
9. The Township Clerk shall post and advertise copies of the Ordinance as required by N.J.S.A. 40A:12-13(a).
10. The Mayor and Township Clerk are authorized to execute a Bargain and Sale Deed with covenants against grantors acts and all other necessary documents to convey this property to the successful bidder, subsequent to the Township adopting a resolution awarding the bid.
11. As this Ordinance is not legislative in nature, it is not required to be codified.
12. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this Ordinance.
13. 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.
14. This Ordinance shall take effect upon final passage and publication thereof as provided by law.

**SCHEDULE A**

|                     |                            |
|---------------------|----------------------------|
| Block 5.01, Lot 26  | 39 Snover Road             |
| Block 6, Lot 4      | 57 Snover Road             |
| Block 6, Lot 5      | 53 Snover Road             |
| Block 6, Lot 6.02   | Off Snover Road            |
| Block 18, Lot 14.07 | 27 Statesville Quarry Road |
| Block 19, Lot 4.06  | 12 Statesville Quarry Road |
| Block 30, Lot 5     | 21 Lewisburg Road          |

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

**Municipal Parking Lots Ordinance** - Motion by Bruning, seconded by O’Leary to introduce the following Ordinance and set the public hearing date of March 16, 2021:

**AN ORDINANCE PROHIBITING OVERNIGHT PARKING IN MUNICIPAL PARKING LOTS WITHOUT A PERMIT**

**WHEREAS**, the Township is the owner of a number of municipal parking lots (the “Municipal Lots”), the location of which are set forth on SCHEDULE A attached hereto; and

**WHEREAS**, the Township has undertaken the task of improving the Municipal Lots and providing all maintenance with respect to their upkeep; and

**WHEREAS**, the Township has experienced difficulty in maintaining the Municipal Lots, in particular in regard to snowplowing services, due to the parking of vehicles overnight and/or for extended periods of time; and

**WHEREAS**, it is in the best interests of the residents of the Township that overnight parking in the Municipal Lots be controlled by the issuance of permits.

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

Section 1. **Definition of Overnight Parking.** The parking of a motor vehicle in any Municipal Lot from seven o’clock p.m. (7:00pm) to six o’clock a.m. (6:00am) of the following date (a “period”), without having a current, in force permit issued by the Township.

Section 2. **No Overnight Parking.** This Ordinance hereby prohibits parking in all Municipal Lots located within the Township and generally identified on SCHEDULE A attached hereto.

- Section 3. **Permits.** The exception to overnight parking in the Municipal Lots shall be granted to those owners of duly licensed passenger cars and light trucks that exhibit a valid Permit issued by the Township.
- Section 4. **No Commercial Vehicles.** No permits for overnight parking shall be issued to commercial vehicles, unless a passenger car or light truck utilized by the owner both for business and pleasure use.
- Section 5. **Enforcement.** Enforcement of this Ordinance shall be by the Township Zoning Officer or such other municipal official as the Township may, from time to time, designate.
- Section 6. **Violations and Penalties.** In the event a vehicle that does not display a valid permit permitting overnight parking in a Municipal Lot, the violator shall be subject to the following:
- (1) For the first offense, a minimum fine of fifty (\$50) dollars.
  - (2) If a violation occurs for three (3) consecutive periods, the Township has the authority to have the offending vehicle towed at the owner's expense.
  - (3) In addition to fines provided for in subparagraph (1) above, the Municipal Court may impose an additional fine for each day the violation is not cured, commencing on the Court date. The fine shall be in the amount of one Hundred (\$100) per day for each violation.
- Section 7. **Severability.** All Ordinances and parts of Ordinances inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent. If any section, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid by any court, such decision shall not invalidate any remaining portion of this Ordinance.
- Section 8. **Codification.** This Ordinance may be renumbered for codification purposes.
- Section 9. **Effective Date.** This Ordinance shall take effect upon passage and publication as soon as practicable and in the manner provided by law.
- Motion carried by roll call vote: O'Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

**Snow in Road Fines** - This issue will be carried to the next meeting on March 16, 2021.

**New Business**

**Dog License Late Fee** - Corcoran reported a late fee is being charged after January 31<sup>st</sup>; however, the Ordinance states after February 28<sup>th</sup>. He feels the current late fee of \$15 per dog per month is excessive. Corcoran will discuss this issue with the Board of Health at the next meeting.

**Meal Allowance Policy** - This issue will be carried to the next meeting on March 16, 2021.

**Cannabis Ordinance** - This issue will be carried to the next meeting on March 16, 2021.

**Executive Session** - Motion by Bruning, seconded by O'Leary, 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: O'Leary-yes, Hughes-yes, Henderson-yes, Bruning-yes, Corcoran-yes.

Exec. Session - Personnel

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

**Adjournment**

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

Respectfully,

ANNA ROSE FEDISH, RMC  
Municipal Clerk