

April 22, 2009

The regular bi-monthly meeting of the Lafayette Township Committee was held on Wednesday, April 22, 2009 at 7:30 P.M. in the Municipal Building, 33 Morris Farm Road, Lafayette, NJ

Members Present: Mayor D'Angeli, Committeepersons Hughes, Corcoran, Sweeney

Members Absent: None

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

Mayor D'Angeli opened the meeting stating that it was being held in compliance with the Public Laws of 1975, Chapter 231, Sections 4 and 13.

Minutes - Motion by Hughes, seconded by Corcoran, to accept and place on file the minutes of April 7, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

2009 Municipal Budget

Motion by Bruning, seconded by Hughes, to introduce the following ordinance and set the public hearing date of May 5, 2009:

CALENDAR YEAR 2009 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two (2) succeeding years; and,

WHEREAS, the Township Committee of the Township of Lafayette in the County of Sussex finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$11,369.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring that in CY 2009 budget year, the final appropriations of the Township of Lafayette shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$39,793.22, and that the CY 2009 municipal budget for the Township of Lafayette be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

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

Motion by Bruning, seconded by Corcoran, to introduce the 2009 Municipal Budget with a Total Appropriation of \$2,282,532 and set the public hearing date of June 3, 2009. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Treasurer's Report

Cash Report for March 2009

Cash Balances as of February 28, 2009	\$2,174,352.41
Cash Receipts for March 2009	\$152,554.83
Total	\$2,326,907.24
Cash Disbursements for March 2009	\$623,325.60
Cash Balances as of March 31, 2009	\$1,703,581.64
Account Balances as of March 31, 2009	
Current – Checking	\$749,671.80
Capital – Checking	\$167,481.66
Escrow – Checking	\$115,144.37
COAH-Developers Fees	\$229,091.12
Open Space Municipal Tax	\$207,888.57
Trust Accounts for Developer's Agreements	\$218,904.53
Special Rec. – Checking	\$5,816.62
Special Donations	\$7,543.00
Dog Trust Account	\$2,039.97
Total Account Balances	\$1,703,581.64

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

Committee Reports

Buildings and Grounds - Bruning reported the foot bridge at the park is unsafe and suggested the Township Engineer evaluate the bridge and investigate the permitting process.

Bruning asked that the Road Department mulch around the Municipal Building.

Bruning reported the fishing contest was held on Saturday, April 18, 2009. There was a low turnout; but everyone had a good time.

Carpet Cleaning - Discussion ensued regarding the cleaning of the carpets for the hallway and municipal offices. Road Foreman Macko said the Township can borrow a carpet cleaning extractor from the school. The Township will utilize a person requiring community service hours to clean the carpets with the school's extractor.

Land Use Board - Corcoran reported the workshop was held on Thursday, April 16, 2009. The Land Use Board is working on a ridge line protection ordinance, revising the residential and affordable housing zone ordinances and a possible zone change on Old Beaver Run Road.

Affordable Housing

SCARC - Hughes reported the SCARC house is complete; and they anticipate occupying it next month. The organization would like the Township Committee to tour the home.

COAH - Hughes reported the 3rd round plan has been submitted to COAH; and Nouvelle has filed an objection. Nouvelle is proposing 350 residential units in the R-5 zone.

Advance Housing - Hughes reported Advance Housing is applying for the next round of tax credits.

Streets and Roads - D'Angeli reported routine work is being done. D'Angeli reported an Old Beaver Run Road resident feels the overflowing of water on their property is the Township's responsibility. Road Foreman Macko said he has tried to explain to the property that this is not located in the Township's right-of-way. D'Angeli will inspect the property with the Road Foreman and talk to the property owner.

D'Angeli reported the sweeper will be delivered this Friday, April 24, 2009 and will be used for two (2) weeks.

Correspondence

1. To John Phillips, Esq. from Roy Kurnos, Esq. re: Nouvelle Proposed Amendment to Lafayette's WMP

Hughes reported the review process will continue when the \$2,750 escrow is deposited.

2. From Linda Alvarez, HPRHS Board Administrator re: Lines of communication & Shared Services

Mayor D'Angeli will review this with Road Foreman Macko.

3. To David Muscalo, Pres. Board of Health from Herb Yardley, SC Health Department re: Kennel Ordinance

4. From Gary Carlson, Patriot's Path Council BSA re: Service to Community Month Motion by Corcoran, seconded by Sweeney, to adopt the following resolution:

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO DECLARE MAY 2009 AS SERVICE OF COMMUNITY MONTH

WHEREAS, February 8, 2010 will be the 100th Anniversary of Scouting in America; and the Boy Scouts of America are in the process of preparing to celebrate this milestone by declaring 2009 as the Year of Service; and,

WHEREAS, Although the Boy Scouts and Girl Scouts of America continually provide service to their communities in which they are chartered, it is the plan of the Sussex District 100th Anniversary Committee of the Patriots' Path Council of the Boy Scouts of America to do larger, more meaningful projects in 2009 that would benefit more people at any given time.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey to declare the month of May 2009 as Service of Community Month.

BE IT FURTHER RESOLVED that a list of services will be prepared and provided to the Patriots' Path Council; and they will recruit the assistance of every type of volunteer organization to perform various services in Lafayette Township during this period.

AND, BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Sussex District 100th Anniversary Committee of the Patriots' Path Council of the Boy Scouts of America, the Sussex County Board of Chosen Freeholders and all Sussex County Municipalities for their records.

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

5. Andover Township

a. Zoning Ordinance - "Private Housing of Equine Animals"

b. Resolution - Service of Community Month

6. Fredon Township Resolution supporting S-2262 & A-3401 dedicating \$700,000 annually from pleasure boat fees to Lake Hopatcong fund

7. From Stephanie Pizzulo re: Girl Scouts planting azaleas

It was the consensus of the Township Committee to allow the Girl Scouts to plant azaleas around the flag pole

Vouchers

20/20 BUSINESS SOLUTIONS INC.	95.00
AIRGAS EAST	78.50
ALLIED OIL LLC	498.80

AMERIGAS – FREDON	239.01
AQUATIC ANALYSTS, INC.	621.67
ATLANTIC COMMUNICATIONS	780.00
CHELBUS CLEANING CO., INC.	275.00
CINTAS CORP #111	585.73
CULLIGAN	11.00
D. LOVENBERG'S PORTABLE TOILET	65.00
DECKER'S FIRE & SAFETY	595.00
DISCOVER SECURITY	420.00
EMBARQ	415.71
EMBARQ COMMUNICATIONS INC.	47.13
FINCH FUEL OIL CO., INC.	1,012.15
FINELLI CONSULTING ENGINEERS, INC.	4,334.41
FRANKFORD TOWNSHIP	14,292.79
G & H SERVICE INC.	34.24
G.F.O.A. OF NEW JERSEY	90.00
HIGH POINT REG. HIGH SCHOOL	174,185.03
HIGH POINT REGIONAL HIGH SCHOOL	500.00
IIMC	125.00
J & B MOTOR SVC. LLC	470.00
JCP & L	2,107.74
JOE ONOREVOLE	90.00
KATHIE REIMELS	60.00
LAFAYETTE AUTO PARTS	70.83
LAFAYETTE PRESERVATION FOUNDATION	500.00
LAFAYETTE TWP BD OF ED	289,525.00
LAFAYETTE TWP SCHOOL	300.00
LORRAINE JIROUX	280.05
MGL PRINTING SOLUTIONS	46.00
NISIVOCIA & COMPANY LLP	9,820.00
NJ STATE TREASURER	50.00
OPDYKE'S SALES & SERVICE	70.11
PUBLIC ALLIANCE INSURANCE COVERAGE	31,125.00
SERVICE ELECTRIC CABLE TV	17.00
SIGNS ETC.	187.00
SPRINT	263.71
STAPLES BUSINESS ADVANTAGE	779.11
SUSSEX CTY LEAGUE OF MUNICIPALITIES	140.00
TC/TREAS ASSOC SUSSEX/WARREN	50.00
THE NEW JERSEY HERALD	779.05
TJ'S SPORTWIDE TROPHY	67.95
TOWNSHIP OF SPARTA	8,352.50
TRI-STATE POWER & PUMP	95.00
VISION SUPPLY INC.	309.67
W. JIROUX	1,250.00
ZION GROVE TROUT HATCHERY	829.00
CERENZIO & PANARO, P.C.	402.00
DOLAN & DOLAN, P.A.	514.56
FINELLI CONSULTING ENGINEERS, INC.	299.38
H2M ASSOCIATES INC.	8,916.45
LISA DEUTSCH, ACO	240.00
NJ DEPT OF HEALTH & SENIOR SERVICES	121.20
WM E. KAUFMAN SR.	488.00

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

Old Business

Recycling Ordinance - Mayor D'Angeli opened the public hearing for the following ordinance:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3-8 OF THE CODE OF THE TOWNSHIP OF LAFAYETTE ENTITLED TRANSPORTATION AND DISPOSAL OF REFUSE AND RECYCLABLES

Mr. Kevin O'Leary, Land Use Board Chairman, said the Land Use schedule would need to be amended to include the recycling plan.

With there being no further public comments, Mayor D'Angeli closed this portion of the meeting. Motion by Hughes, seconded by Corcoran, to adopt the Recycling Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Loader Spending Ordinance - Mayor D'Angeli opened the public hearing for the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE PURCHASE OF FOUR (4) WHEEL DRIVE ARTICULATED LOADER WITH DIESEL ENGINE AND 2.4 CUBIC YARD G.P. LOADER BUCKET AND APPROPRIATING \$69,600 FROM THE RESERVE FOR ROAD EQUIPMENT AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE

With there being no public comments, Mayor D'Angeli closed this portion of the meeting. Motion by Corcoran, seconded by Bruning, to adopt the Loader Spending Ordinance. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Cul-De-Sac Ordinance - Mayor D'Angeli opened this portion of the meeting to the public for comments on the proposed cul-de-sac ordinance.

A lengthy discussion ensued regarding the time no parking is allowed and the location of no parking. Mrs. Katie Silvernail, Mullen Lane, feels the time of no parking is too restrictive.

Motion by Bruning, seconded by Sweeney, to introduce the following ordinance and set the public hearing for May 19, 2009:

AN ORDINANCE ADDING CUL-DE-SACS TO SCHEDULE I OF CHAPTER VII, TRAFFIC, OF THE TOWNSHIP OF LAFAYETTE CODE TO RESTRICT PARKING PURPOSE: There exists a safety issue arising from the parking of motor vehicles on the following listed roads. As a result of the parking of motor vehicles on roads that terminate in a cul-de-sac, school buses and other vehicles are unable to safely navigate the roads listed in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey that Chapter 7 of the Revised General Ordinances of the Township of Lafayette, being the Traffic Ordinance, Schedule I-No Parking, is hereby amended by the addition of the following:

Section 1. Prohibition: No person shall park a vehicle on the roadway of the listed roads within the radius of a cul-de-sac (the cul-de-sac bulbs) or on the roadway within fifty feet (50 ft.) of a cul-de-sac during the hours of 6:30am.-5:00pm., Monday through Friday, excluding holidays. This is to be in effect during the calendar year when school is in session.

This ordinance shall, also, apply to any other roads that end in a cul-de-sac that may be approved by the Township of Lafayette after the dated of the enactment of this ordinance.

<u>Name of Street</u>	<u>Side</u>
Alpine Court	Both
Brandywine Court	Both
Cliffview Drive	Both
Country Squire Lane	Both
Dennis Road	Both
Hampton Heights Road	Both
Indian Terrace	Both
Millpond Drive	Both
Mullen Lane	Both
Race Road	Both
Sophie Court	Both
Thomas Road	Both
Val Court	Both
Violet Trail	Both
Voight Lane	Both

William Way

Both

Section 2. Inconsistent Ordinances Repealed: All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only the extent of such inconsistencies.

Section 3. Effective Date: This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

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

New Business

Corrective Action Plan - Motion by Bruning, seconded by Hughes, to accept the Corrective Action Plan for the 2008 Audit. Motion carried by roll call vote: Hughes-yes, Corcoran-yes, Sweeney-yes, Bruning-yes, D'Angeli-yes.

Salary Ordinance Amendment - Motion by Bruning, seconded by Sweeney, to introduce the following ordinance and set the public hearing date of May 5, 2009:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS IN THE TOWNSHIP OF LAFAYETTE FOR THE YEAR 2009" WHICH WAS ADOPTED DECEMBER 16, 2008 - Recycling Coordinator

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

Board of Health Fees - Bruning suggested the Board of Health review its fees and supply them with a copy of the survey of other municipalities' fees.

9-1-1 House Numbers - Bruning suggested the ordinance be reviewed to ensure every home is identified.

Fire Department - Bruning reported the Fire Department is insured for \$200,000 for the bar under the Township's policy; and the Fire Department can remove it from their part of insurance.

Audience

Mr. Kevin O'Leary suggested the recycling ordinance be given to the Land Use Board secretary for her to amend the Land Use schedule.

Mr. Ron Decker, EMS Captain, asked if the Township or insurance policy requires a person be at least 21 years of age to drive an emergency vehicle. Bruning stated every vehicle on the submitted list is covered by insurance. Corcoran suggested the age restriction be included in the Department's by-laws.

Adjournment

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

Respectfully submitted,

ANNAROSE FEDISH, RMC
Municipal Clerk