

Township of Lopatcong

OFFICE OF THE MAYOR

Douglas J. Steinhardt



January 30, 2004

Dear Lopatcong Township Residents:

In my four years as Mayor of Lopatcong, I've been pleased to report twice annually the State of the Township. Please accept this letter as my eighth such installment.

Since writing in July 2003, we've settled certain of our lawsuits while we continue to pursue or defend others. We are planning and discussing several programs and municipal improvement projects including, but not limited to, the acquisition of our new tennis facility, the Lopatcong Park recreational complex, road repairs, drainage improvements and sidewalk installations. We've undergone personnel changes and anticipate more in the months to come. We are preparing the 2004 budget. We are prepared to begin our court ordered property reassessment. The new middle school opened as planned. In sum, I am pleased to report that Lopatcong remains strong.

In keeping with Council's commitment to preserve Lopatcong's rural roots, we have endured no fewer than four State and Federal lawsuits intended to compel several large developments in the Township and sanction us for defending our rural integrity. Still pending is Larken Associates' first lawsuit, which seeks to compel the construction of some 320 age-restricted units along Belview Road. Also pending are Larken's State and Federal suits to compel the construction of some 180 age-restricted homes between Brakeley Avenue and Edwards Street in Morris Park. Despite repeated criticism by the media and the developer, I am extremely proud and pleased to report that we were successful in the well-publicized defense of our so-called "two-bedroom rule". We asked, and the trial court agreed, to view the dispute as a contractual issue rather than a municipal planning issue, namely that when Larken promised to restrict its development to one and two bedroom units in exchange for the zone change it was granted the year prior to my taking office in 2000, Larken made a contract and that contract was valid and enforceable. We argued that despite what the zoning might be interpreted to allow, Larken must be held to its promise. The court agreed and the two-bedroom restriction survived. However, since all that was denied was Larken's initial order to show cause (its emergent application), the underlying lawsuit remains pending in State Court. Finally, we continue to receive advice from our attorneys over the condemnation of Larken's 40 plus acres in Morris Park. I will report back to you in June or July our progress on all fronts.

In keeping with our commitment to litigate rather than concede issues of community importance, we defended a suit by Overlook in Lopatcong, the condominium, apartment and townhouse development along Route 519, that challenged our right to charge both sewer capacity and hookup fees from our developers. These are the fees that we charge and are charged to us by Phillipsburg for the use of its sewer plant and our respective infrastructure and improvements. The matter was heard before the Honorable John J. Coyle, Jr., in Belvidere and a judgment was entered in our favor, saving us more than \$400,000.00 in assessments. Likewise, I am pleased to report that we settled our largest outstanding tax appeal in October 2003 generating an additional \$170,000.00 in municipal revenue. We will continue to weigh our litigation options carefully and I will update you from time to time of our progress.

Earlier last year we took title to the "Frank J. Kingfield Memorial Tennis Club". The once private, two-court and clubhouse facility located along Aurora and N. Prospect Streets came courtesy of the generous donation of John F. Kingfield, Harold J. Curry and the members of the former tennis club. It is anticipated that memberships will be made available to Township residents for a nominal fee and that the facility should be open this spring. Please contact our Municipal Clerk, Beth Dilts, for details.

Paul Sterbenz, P.E., Township Engineer, advises that he will be prepared to go to bid in March 2004 on the Lopatcong Park, our 80 plus acres active and passive recreation facility surrounding our municipal pool property. Construction should begin shortly thereafter. The ambitious project includes bike and walking paths, much needed baseball, softball, football and soccer fields, other sports and recreation facilities and ancillary improvements. Mr. Sterbenz also advised that he is in the process of preparing preliminary engineering plans for road and drainage improvements throughout the Township. We anticipate his report in February 2004. Finally, several residents presented concerns with pedestrian traffic along Belvidere Road between N. First Street and Charles Road. We have begun the process of exploring sidewalk installations in those areas as a means of moving pedestrian traffic off of that now heavily traveled road. Questions or concerns can be directed to Mr. Sterbenz, our Clerk or the Council.

December 2003 marked the end of an era, of sorts, as longtime Municipal Attorney Thomas Scott Ferguson, Esq. left to take office as Warren County Prosecutor. I feel privileged to have worked side-by-side with and to ultimately have befriended Scott, his wife and family. He is a man of honor and integrity, who was always mindful of the Township's best interests. As I pointed out at the December Council Meeting, our loss is truly the County's gain. On behalf of a grateful Township, I wish him and his family all of the best as he undertakes his new office.

Following Scott's departure and at our January 7, 2004 reorganization meeting, my friend and colleague Michael B. Lavery, Esq., of Sirkus and Lavery in Hackettstown, was installed by Council's unanimous vote as our new municipal attorney. Michael brings with him the benefit of his experience as Township Attorney in Liberty Township and Harwick Township as well as Special Counsel for Open Space and Farmland Preservation for the County of Warren. I look forward to working closely with him as we continue our pursuits of years past. I am confident and comfortable that the Township will be well served under his guidance.

The next several months mark our budgetary planning process. Carl Meixsell, Municipal Chief Financial Officer, will be reporting shortly on our budgetary needs. As always, Council remains ever mindful of controlling municipal spending and taking advantage of every county, state and federal incentive with the singular goal of controlling, and whenever possible, reducing municipal taxes. As I've reported previously and in other writings, I am pleased to report that the

municipal tax rate remained as low, in 2003, as it had been since 1996. We look forward to the challenges of perpetuating that feat.

In an effort to further balance municipal demands with fiscal accountability, Council voted in January 2004 to participate in the State's Early Retirement Incentive Program. I will report back to you this summer the results of our decision.

The new Lopatcong Middle School opened in September 2003 on time and under budget. Congratulations to the administration, school board and construction committee for their hard work, dedication and attentiveness.

In keeping with that theme, Council welcomed Girl Scouts Leslie Reid and Nicole Ham in late 2003. Under the supervision of their troop leaders, Leslie and Nicole raised some \$8,578.00 to help stock the new middle school library. Council was pleased to be able to assist in their efforts by raising and contributing some \$3,000.00 to their fund. The Township also donated \$1,000.00 toward the purchase of new books for the library. On Council's behalf, I would again like to thank Leslie and Nicole for their efforts and wish them well in their future endeavors.

Many of you, I hope, have noticed the new "Welcome to Lopatcong" signs scattered throughout the Township. Thanks to our donors and to JHM Communications of Lopatcong for assisting in the production and placement of those signs. A special thanks to our Council President Victor Camporine and Township Engineer Paul Sterbenz for coordinating the entire effort.

My sincere congratulations to Councilmen Jim Mengucci and Bill Baker on their respective reelections. I look forward to working with them and with Councilman Matthew Curry and Council President Victor Camporine in the years to come.

As a reminder, if you haven't already done so, please renew your dog license which was due by January 31, 2004.

Please be aware that a snow emergency shall be in effect upon the accumulation of four inches of snow and all vehicles must be removed from the streets. Our ordinance requires that all sidewalks be kept clear of snow and ice within twelve hours of daylight after a storm. For those of you on a corner property would you please clear the section of sidewalk between the curb and the main sidewalk, especially if your street is a designated walking route to the school.

As always, I wish to recognize and thank our emergency and fire personnel for their commitment, contribution and dedication to our community. Please make an effort to support their respective departments.

Across the nation and here in New Jersey, our communities are giving top priority to the tasks of planning and preparing for potential threats from acts of terrorism. In any emergency, whether resulting from a natural disaster, crime, terrorist related act, or an emergency of any kind, local government personnel will be the first responders, as well as the first line of defense. Following a major disaster, first responders who provide emergency services will not be able to meet the demands placed upon them. People will have to rely on each other for help to meet their immediate needs until professional emergency responders can reach them. The New Jersey Citizens Corps Council has been established by Governor McGreevey with emphasis on the creation of Local Citizens Corps Councils and Community Emergency Response Teams (CERT). CERT is an organized team capable of assisting their communities in times of disaster. Every

County has established a member of their office of emergency management as their CERT Coordinator. Any citizen with an interest in being a member of this team can attend a meeting to be held at the municipal building on March 25, 2004 at 7:30 pm. Please call Gary Woof, our Emergency Management Coordinator, at 859-3355, Ext. 234 for further information.

I want to take this opportunity, an opportunity I've been remiss in taking in any of my prior letters, to thank and acknowledge my wife Trudy for her love and support, without whom and without which I would never be able to perform my duties.

Finally, and as always, Council meets on the first Wednesday of every month with every effort being made to start promptly at 7:30 p.m. I look forward to seeing you there.

Sincerely,

Douglas J. Steinhardt
Mayor, Lopatcong Township