

TOWNSHIP OF LOPATCONG  
REORGANIZATION MEETING

January 5, 2011

The Reorganization Meeting of the Lopatcong Township Council was called to order at 7:30 pm by Mayor Steinhardt. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Mayor Steinhardt stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

A prayer was offered followed by the Oath of Allegiance.

Present: Mayor Steinhardt, Council President Camporine, Councilmen Baker, Mengucci, and Curry. Also present were Tax Collector Edinger, Attorney Campbell and Engineer Sterbenz.

Resolution No. 11-25 was passed to hold an Executive Session to discuss PBS Negotiating Committee, Sewer Collection System, Migliore v. Township of Lopatcong and Road Opening Permit for 167 Park Avenue.

**Swear in Councilmen** – Victor S. Camporine and H. Matthew Curry for a three-year term.

**Swear in Officer's for Fire Company No. 2** – Fire Chief Lou LaFord, Jr., Assistant Fire Chief Matthew Pisciotto, Captain Tim Weiss, Jr., Lieutenant Jarrod Brisson, Lieutenant Michael Bambrick, Cascade Officer Gary Woolf, Fire Police Chief Dave Jiorle.

**Swear in Delaware Park Engine Co., No. 1:** Assistant Fire Chief Brandon Stires, Captain Martin Olsson, Jr.

**Reorganization:**

**Resolution No. 11-1** – Annual Meeting Calendar.

R 11-01

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY IN REGARD TO EXECUTIVE SESSIONS AND  
REGULAR MEETINGS FOR THE YEAR 2011

WHEREAS, Section 113 of the Open Public Meetings Act, Chapter 231 P.L. 1975, requires that at least once a year, not later than January 10<sup>th</sup>, of such year, every public body shall post and mail to the newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey, as follows:

EXECUTIVE SESSIONS of the Council shall be held at the Municipal Building, 232 S. Third Street, Lopatcong Township, Phillipsburg, New Jersey 08865 at 7:00 PM prevailing time, and REGULAR MEETINGS will be held at the same location at 7:30 PM prevailing time, on the FIRST WEDNESDAY of each month for the year 2011.

If the FIRST WEDNESDAY of any month shall fall on a legal holiday, the meeting shall be held on the following day. The dates of such meetings are as follows:

EXECUTIVE SESSIONS AND REGULAR MEETINGS

January 5, 2011  
February 2, 2011

July 6, 2011  
August 3, 2011

March 2, 2011  
April 6, 2011  
May 4, 2011  
June 1, 2011

September 7, 2011  
October 5, 2011  
November 2, 2011  
December 7, 2011  
December 29, 2011

Reorganization Meeting – January 4, 2012

#### CERTIFICATION

I, Margaret B Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-02** – Charge for individuals requesting annual meeting calendar.

R 11-02

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY FIXING A REASONABLE SUM TO CHARGE FOR A LIST OF SCHEDULED COUNCIL MEETINGS

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act, be mailed to them individually; and

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

1. Each person who requests that individual notice as required under the Act be mailed to him shall pay annually the Township of Lopatcong Twenty-five Dollars (\$25.00) to cover the cost thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding Resolution by the public body.

This Resolution shall take effect immediately.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-03** – Designation of Depositories.

R 11-03

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY DESIGNATING DEPOSITORIES

WHEREAS, the laws of the State of New Jersey require that depositories be named for the Township funds by the governing body of each and every municipality within the boundaries of the State; and

WHEREAS, it is the desire of the members of the Council to comply with all of the requirements of the law on this subject.

NOW, THEREFORE, BE IT RESOLVED by the Township of Lopatcong, County of Warren and State of New Jersey that the following banks be named depositories for the Township of Lopatcong for the year 2011

SKYLANDS COMMUNITY BANK, TEAM CAPITAL BANK and ALL FEDERALLY  
AND GUPTA INSURED BANKS IN THE STATE OF NEW JERSEY

SKYLANDS COMMUNITY BANK STRYKER'S ROAD BRANCH, LOPATCONG TOWNSHIP is named as depository for the Collector of Taxes, the Treasurer, and the Collector of Sewer Rental Fees for the year 2011

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey, hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at its Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution 11-04 through 11-08** – Adopted by a group on motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-04** – Designation of official newspapers.

R 11-04

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY, DESIGNATING NEWSPAPERS TO RECEIVE  
NOTICES OF MEETINGS

WHEREAS, Section 3 (d) of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that certain notices of meetings shall be submitted to two (2) newspapers, one of which shall be designated as the official newspaper of the Township of Lopatcong; and

WHEREAS, the second newspaper designated by this body must be one that has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meetings.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey.

1. The STAR GAZETTE, Hackettstown, NJ is hereby designated as the official newspaper of the Township to receive all notices of meetings as required under the Open Public Meetings Act.
2. The EXPRESS-TIMES has the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-05** – Township Attorney.

R 11-05

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING COURTER, KOBERT AND COHEN  
AS TOWNSHIP ATTORNEYS

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey follows:

Courter, Kobert and Cohen are hereby retained as Township Attorneys for the year 2011 at a retainer of \$2500.00.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-06** – Township Physicians.

R 11-06

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING PHYSICIANS FOR THE YEAR 2011

WHEREAS, the Mayor and Township Council of the Township of Lopatcong require that medical doctors be appointed for Township purposes; and

WHEREAS, these appointments are made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong that Village Medical Associates be appointed as physicians for the Township for the calendar year of 2011

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on the Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-07 – Drug free workplace.**

R 11-07

RESOLUTION OF THE TOWNSHIP OF LOPATCONG COUNTY OF WARREN  
AND STATE OF NEW JERSEY ESTABLISHING A DRUG-FREE WORKPLACE

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Lopatcong does hereby direct and order that all employees working for the Township of Lopatcong shall not, during hours of employment, use, take or be under the influence of any illicit drug, controlled dangerous substance, narcotics or alcoholic beverage, and

BE IT FURTHER RESOLVED that the Township of Lopatcong will use best efforts to monitor and enforce the policy of a drug-free workplace.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on the Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-08 – Tax Appeals.**

R 11-08

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY AUTHORIZING LEGAL COUNSEL TO FILE AND  
PROSECUTE ROLL-BACK TAX COMPLAINTS, COMPLAINTS TO CORRECT  
ERRORS IN ASSESSMENTS AND COMPLAINTS FOR ADDED, OMITTED AND  
ADDED/OMITTED ASSESSMENTS; DEFEND, SETTLE OR STIPULATE TO  
RESOLVE ALL 2010 LOCAL PROPERTY TAX APPEALS

WHEREAS, the County Tax Board has issued a letter of request requiring a Resolution by the Mayor and Township Council of each municipality of the County of Warren by its County Tax Administrator, Melissa Pritchett; and

WHEREAS, the said County Tax Administrator requires that the Mayor and members of the Governing Body of each municipality in the County of Warren, in order to file municipal roll-back complaints, correct errors or file added, omitted and added/omitted complaints, adopt a Resolution allowing the Municipal Attorney or any member of his firm to file and prosecute said complaints.

NOW, THEREFORE, BE IT RESOLVED on this 5<sup>th</sup> day of January 2011, by the Township Council of the Township of Lopatcong, in the County of Warren and State of New Jersey, that the Municipal Attorney Katrina Campbell as Attorney for the Township, is hereby authorized to file, prosecute, defend, stipulate, modify, agree upon and otherwise perform the duties which are required of said Attorney, in the process of prosecution and/or filing of said roll-back tax complaints, complaints to correct errors in assessments for added assessments in 2010 and defending or settling all 20010/11 local property tax appeals and execute any and all stipulations relating to the same with the agreement of the Lopatcong Township Municipal Assessor.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to provide a true copy of this Resolution to the Warren County Board of Taxation, Warren County Court House, Belvidere, New Jersey 07823.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-09 – Interest charged on delinquent taxes.**

R 11-09

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, Governor Florio signed into law Assembly Bill No. 4425, Chapter 75 and Senate Bill No. 2579, Chapter 89 effective March 29, 1991 and April 4, 1991 respectively; and

WHEREAS, the Governing Body of the Municipality wishes to comply with this law; and

WHEREAS, N.J.S.A. 54:4-67 has been changed to define a tax delinquency as follows:

“Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years”; and

WHEREAS, the Governing Body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. The penalty as fixed shall not exceed 6% of the amount of the delinquency; and

WHEREAS, the Governing Body of the Municipality may charge by Resolution, the sum of eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in the excess of \$1,500.00 on taxes and assessment after the date that same would become delinquent until the date of actual payment; and

WHEREAS, most of the taxpayers of said Township of Lopatcong have had to bear an additional burden because of the fact that some taxpayers invest their funds at higher rates of interest than the penalty heretofore provided for under such statute; and

WHEREAS, the Council of the Township of Lopatcong deems it equitable and just that every taxpayer shall bear an equal share of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren that a tax delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED that a penalty of 6% will be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year.

BE IT FURTHER RESOLVED that the rate of interest to be charged for the non-payment of taxes or assessments shall be eight percent (8%) per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 after the date that they would become delinquent.

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

BE IT FURTHER RESOLVED that after the sale of property for non-payment of taxes or assessments, the property shall be subject to redemption upon the payment of eighteen (18%) percent per annum interest over and above the amount of the taxes, assessments and other charges due the municipality.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-10** – Tax refunds or delinquencies for less than ten dollars.

R 11-10

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS AND CANCEL ANY MUNICIPAL CHARGE REFUNDS OR DELINQUENCY OF LESS THAN TEN (\$10.00) DOLLARS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have reviewed a request by the Tax Collector of the Township of

Lopatcong to allow the Tax Collector to process and cancel any property tax usage charge refund or delinquency of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong hereby authorize the Tax Collector to process and cancel any municipal charge refund or delinquency of less than \$10.00.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-11 through 11-19** – Adopted by a group on motion of Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-11** – Civil Rights Policy.

R 11-11

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY THAT THE TOWNSHIP OF LOPATCONG IS IN COMPLIANCE WITH THE CIVIL RIGHTS POLICY

IT IS HEREBY RESOLVED by the Governing Body of the Township of Lopatcong that this entity shall conduct all vestiges of governing in compliance with the Civil Rights legislation and policies inherent in law of the State of New Jersey and the United States of America.

IT IS FURTHER RESOLVED that this Governing Body shall exercise all of its authority in compliance with the Constitution of the State of New Jersey so as to protect the civil rights of individuals dealing with the Township of Lopatcong.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-12** – Township Labor Attorney.

R 11-12

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING MICHAEL A. SHADIACK AS  
LABOR COUNSEL

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong,  
County of Warren and State of New Jersey as follows:

Michael A. Shadiack, Esquire, of Connell Foley, LLP, is appointed as Labor Counsel for  
the year 2011 as outlined in a Professional Service Contract at a rate of \$150.00 per hour.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren  
and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a  
Resolution adopted by Council at the Reorganization Meeting held on Wednesday,  
January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-13 – Roberts Rules of Order.**

R 11-13

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY ADOPTING ROBERT'S RULES OF ORDER AS A  
BASIC GUIDE FOR FAIR AND ORDERLY PROCEDURE IN MEETINGS

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of  
Lopatcong, County of Warren and State of New Jersey, that Robert's Rules of Order  
Newly Revised 9<sup>th</sup> edition is hereby adopted as parliamentary authority for procedure in  
meetings.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren  
and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a  
Resolution adopted by Council at the Reorganization Meeting held on Wednesday,  
January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-14 – 911 Coordinator.**

R 11-14

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING WAYNE DEGAN AS 911  
COORDINATOR

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren  
and State of New Jersey are required by the State to appoint a 911 Coordinator to assist  
the Warren County Department of Public Safety; and

WHEREAS, the Mayor and Council decided to appoint Wayne Degan as the 911  
Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint Wayne Degan as the 911 Coordinator for the Township of Lopatcong for the year 2011.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-15** – Computer services.

R 11-15

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING NISIVOCCIA CONSULTING, LLC  
TO PROVIDE COMPUTER SERVICES FOR THE YEAR 2011

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

Lou Nisivoccia is appointed to provide computer services to the Township as outlined in a Professional Service Contract.

This award is in accordance with N.J.S.A. 19:44A-20.5 et. Seq.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-16** – Appoint Christopher Troxell, Prosecutor.

R 11-16

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING CHRISTOPHER TROXELL AS  
PROSECUTOR

WHEREAS, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Christopher Troxell be appointed Prosecutor for the Township of Lopatcong for the year 2011 at a salary appropriated within the Salary Ordinance.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-17** – Appoint Scott Wilhelm, Municipal Public Defender.

R 11-17

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING SCOTT M. WILHELM MUNICIPAL  
PUBLIC DEFENDER

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Scott M. Wilhelm is appointed Municipal Public Defender for the year of 2011 at a salary of \$200.00 per case.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-18** – Appoint Township Auditor.

R 11-18

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPOINTING NISIVOCIA & COMPANY, LLP AS  
TOWNSHIP AUDITOR FOR THE YEAR 2011

BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey, as follows:

NISIVOCIA & COMPANY, LLP, of Randolph, New Jersey, are hereby appointed Township Auditor for the year 2011 at a fee outlined in a Professional Service Contract.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a

Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-19 – Public Agency Compliance Officer.**

R 11-19

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY DESIGNATING BETH DILTS AS THE PUBLIC  
AGENCY COMPLIANCE OFFICER AS REQUIRED BY THE DEPARTMENT OF  
TREASURY, DIVISION OF CONTRACT COMPLIANCE & EQUAL  
EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall appoint Beth Dilts as Public Agency Compliance Officer as mandated by N.J.A.C. 17:27-3.2 by January 10<sup>th</sup> of each year; and

WHEREAS, Beth Dilts, Clerk/Administrator shall have the authority to serve as the point of contact for all matters concerning implementation and administration of the statute and its regulations; and

WHEREAS, Ms. Dilts will also be responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers which shall include but shall not be limited to goods and services vendors, professional service vendors and construction contractors.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey approve the appointment of Beth Dilts as the P.A.C.O. for the Township for the year 2011.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-20 – Qualified Purchasing Agent.**

R 11-20

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY INCREASING THE BID THRESHOLD AND  
APPOINTING A QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A.  
40A:11-3a and N.J.S.A.C. 5: 34-5 et seq.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$36,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.C.5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Margaret B. Dilts possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A.C.5:34-5.; and

WHEREAS, Lopatcong Township desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Lopatcong Township, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$36,000; and

BE IT RESOLVED, that the governing body hereby appoints Margaret B. Dilts, as the Qualified Purchasing Agent to exercise the duties of a purchasing agent to N.J.S.A.40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit: and

BE IT RESOLVED, that in accordance with N.J.A.C.5-34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Margaret B. Dilts, QPA certification to the Director of the Division of Local Government Services.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing is a true and correct copy of a Resolution adopted by Council at a regular meeting of said governing body held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolutions 11-21 through 11-23** – Adopted by group on motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-21** – Recycling Coordinator.

R 11-21

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF THE 2010 RECYCLING TONNAGE GRANT APPLICATION AND THE APPOINTMENT OF A RECYCLING COORDINATOR

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 198/c. 102, established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, certifiable records or materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycle and to indicate the assent of Lopatcong Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Governing Body of the Township of Lopatcong hereby endorses the submission of the 2010 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Stephen Hockman as Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated trust fund to be used solely for the purpose of recycling.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-22** – Appointment of Council President and Council department assignments.

R 11-22

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ASSIGNING COUNCILMEN BAKER, MENGUCCI, CURRY AND CAMPORINE TO SPECIFIC DEPARTMENTS RESPONSIBILITIES

WHEREAS, the Mayor of the Township of Lopatcong, County of Warren and State of New Jersey hereby assigns each Councilman to the following departments:

**Douglas J. Steinhardt** – Mayor, Administrative and Executive personnel, Negotiations Committee, and Community Day.

**Victor S. Camporine** – Council President, Board of Education, Animal Control, Shade Tree Commission and Community Day.

**James E. Mengucci** – Municipal Public Safety Director, Sewer Department Pump Station 1<sup>st</sup> call, Public Buildings and Grounds 2<sup>nd</sup> call, Board of Education 2<sup>nd</sup> call, and Community Day.

**William W. Baker, Sr.** – Public Bldgs. and Grounds, Municipal Insurance and Fund Commissioner, 911 Representative, Negotiations Committee and Community Day.

**H. Matthew Curry** – Department of Public Works, Public Safety 2<sup>nd</sup> call, Sewer Committee, Sewer Pump Station 2<sup>nd</sup> call, Planning Board and Community Day.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve department assignments.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong County of Warren and State of New Jersey do hereby certify the foregoing is a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-23** – Approve appointments to all expired and vacated municipal boards.

R 11-23

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING THE MAYOR’S APPOINTMENTS TO THE EXPIRED AND VACATED TERMS ON ALL MUNICIPAL BOARDS

WHEREAS, the Mayor of the Township of Lopatcong, County of Warren and State of New Jersey nominates the following people to the expired and vacated terms on all Municipal Boards:

**Planning Board**

Class I – Mayor Douglas Steinhardt  
Class II – Wayne Degan  
Class III – H. Matthew Curry  
Class IV – Garrett VanVliet  
Class IV – Robert Stewart  
Alternate 1 – Gary Woolf

**Lopatcong Athletic Association**

John Kosar  
John Donnelly  
Corinne Steinmetz  
Frank Russo  
Neil Day  
Tracy Keating  
Jim Palitto

**Zoning Board of Adjustment**

Jesse DeGross  
Joseph Marchie

**Shade Tree Commission**

Lorraine Dobbins  
Virginia Rutledge

**Rent Leveling Board**

Kathy Devos  
Frank Toltl

NOW, THEREFORE, BE IT RESOLVED that by unanimous vote the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey all boards are approved.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

**Resolution No. 11-24** – Approve temporary Municipal and Sewer Utility Budget.

R 11-24

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY APPROVING TEMPORARY MUNICIPAL AND  
SEWER UTILITY BUDGET FOR YEAR 2011

WHEREAS, NEST 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2011 Municipal and Sewer Utility Budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this Resolution is within the first thirty days (30) of January 1, 2011; and

WHEREAS, 26.25% of the total appropriations in the 2010 Municipal and Sewer Utility Budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2011 Temporary Municipal Budget is the sum of \$1,450,792.20 and in said 2011 Temporary Sewer Utility Budget is the sum of \$362,775.00.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made, and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for the record.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Old Business:**

**Minutes** – Mayor Steinhardt asked for a motion to adopt the minutes of December 29, 2010. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, and Council President Camporine.

NAYS: None

ABSTAIN: Mayor Steinhardt.

**New Business:**

**Resolution No. 11-26** – Reassign Kupper LLC’s Contract to Johnson, Mirmiran & Thompson, Inc.

R 11-26

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY TO APPROVE CONTRACT AND FILES BE  
TRANSFERRED FROM KUPPER LLC, “A JMT COMPANY” TO JOHNSON,  
MIRMIRAN & THOMPSON, INC.

WHEREAS, the Township Sewer Engineer Joseph Pryor has notified the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that his company has changed from Kupper, LLC, “A JMT Company” to Johnson, Mirmiran & Thompson, Inc.; and

WHEREAS, the Mayor and Council have authorized the transfer of all Township files to the firm.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have authorized the transfer of all files from the firm of Kupper LLC, “A JMT Company” to Johnson, Mirmiran & Thompson, Inc.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, and Council President Camporine.

NAYS: None

ABSTAIN: Mayor Steinhardt

**Resolution No. 11-27** – Redemption of Tax Sale Certificate No. 09-02.

R 11-27

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE  
CERTIFICATE NO. 09-02, ON BLOCK 14, LOT 1

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 10, 2009, a lien was sold on Block 14, Lot 1 also known as 27 Delaware Street for 2008 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 09-02 was sold to US Bank Cust. for Pro Capital I, LLC for 18% interest; and

WHEREAS, Dovenmuehle Mortgage Company for property owners has satisfied the redemption amount on Certificate No. 09-02 in the amount of \$347.72.

NOW, THEREFORE, BE IT RESOLVED on this 5<sup>th</sup> day of January, 2011 that the Chief Financial Officer is authorized to issue a check in the amount of \$347.72 for the redemption of Tax Sale Certificate No. 09-02 to:

US Bank Cust. for Pro Capital I, LLC  
2 Liberty Place

50 S 16<sup>th</sup> Street, Suite 1950  
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-28** – Sewer refund.

R 11-28

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY AUTHORIZING TO REFUND PAYMENT POSTED  
IN ERROR ON SEWER SYSTEM FOR TAX YEAR 2010

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to company listed below in the designated amounts representing a posting error that was incorrectly posted in Block 85, Lot 5.01 for the tax year 2010.

<u>Block &amp; Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
	Union Fuel Company	\$97.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refund made to:

Union Fuel Company  
700 Bushkill Drive  
P.O. Box 1507  
Easton, PA 18044-1507

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Strykers Fire House No. 2** – Mayor Steinhardt asked for a motion to approve membership for Nicolas Pisciotto to Fire House No. 2. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Council Reports:**

Councilman Baker – No report.

Councilman Mengucci – No report.

Councilman Curry – No report.

Council President Camporine – No report

Mayor Steinhardt – Reported that Lopatcong scored 84 out of a possible 88 and received 100% of the Energy Receipt Tax monies from the State. All 565 municipalities in the state received “Best Practices” checklist for local governments. Lopatcong scored No. 1 in Warren County and No. 3 in the State. Governor Christie presented this with his “Toll Kit” reforms.

Mayor Steinhardt informed the Council and the public that there will be a joint meeting with the Lopatcong Township Board of Education on Tuesday, February 8<sup>th</sup> at 7:00 pm at the middle school. Clerk Dilts will advertise this meeting as required.

**Resolution No. 11-29** – Engineer Sterbenz recommended that Council approve a TWA Application submitted by Alexis Pablis of Lock Street Residence apartments pending his review and approval.

R 11-29

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO EXECUTE  
TREATMENT WORKS APPROVAL PERMIT APPLICATION TWA-1 FOR LOCK  
STREET APARTMENTS - BLOCK 102, LOT 1.1

WHEREAS, the Township Engineer and Township Attorney have reviewed and approved an application for a Treatment Works Approval Permit for Lock Street Apartments in Block 102, Lot 1.1 in the Township of Lopatcong; and

WHEREAS, the Council of the Township of Lopatcong has considered the recommendation of the Township Engineer and Township Attorney to execute Form TWA-1 for approval of Septic Repair.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that the Mayor is authorized to execute the Treatment Works Approval Permit Application for Lock Street Apartments, Block 102, Lot 1.1.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 5, 2011.

Margaret B. Dilts, CMC

Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Department Reports** – Mayor Steinhardt asked for a motion to approve Department Reports. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Payment of Bills** - Mayor Steinhardt asked for a motion to approve Department Reports. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Audience Participation:** No comments from the public.

Mayor Steinhardt asked for a motion to adjourn the meeting. Motion by Councilman Mengucci, seconded by Councilman Baker. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Clerk/Administrator

Douglas J. Steinhardt  
Mayor