

TOWNSHIP OF LOPATCONG

March 7, 2012

The meeting of the 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 Street, Phillipsburg, New Jersey 08865.

Mayor Steinhardt stated “adequate notice of this meeting has been provided indicating the time and place of this 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 CFO Dobes, Tax Collector Edinger, Attorney Campbell and Engineer Sterbenz.

Resolution 12-35- was passed to hold an Executive Session to discuss pool/pavilion fees for 2012 season, contract to repair Belvidere Road Bike Path, curb repair along North First Street, Title transfer of 1995 van to Delaware Park Engine Co., No. 1, quotes to smoke test sewer.

**Resignation:** Councilman Curry resigned his Council seat to become a judge which prevents him from fulfilling his term. Everyone wished him good luck. Councilman Curry left the dais.

**Old Business:**

**Ordinance No. 2012-04** – Second reading and public hearing to Amend, Revise and Supplement Chapter 243 entitled “Zoning and Land Use” Particularly Section 243-64 “Height Restrictions and Exceptions” to amend the Maximum Height Requirement for Accessory Structures in the ROM District and 243-78 “Minimum and Maximum Requirements” to amend the Minimum and Maximum Requirements for the ROM District. A Consistency Report was submitted to the Council for their review. Motion to open the public hearing by Councilman Mengucci, seconded by Councilman Baker. Questions were asked by the public and addressed by Council. Motion to close the public hearing by Councilman Mengucci, seconded by Councilman Baker.

ORDINANCE NO. 12 - 04

SECOND READING OF AN ORDINANCE

NOTICE is hereby given that at a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, March 7, 2012 at the Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey, the following Ordinance as amended on second and final reading, after a hearing thereon was passed and then ordered to be published according to law by title only with the following amendments to the passage thereof.

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 243 ENTITLED “ZONING AND LAND USE” PARTICULARLY SECTION 243-64 “HEIGHT RESTRICTIONS AND EXCEPTIONS’ TO AMEND THE MAXIMUM HEIGHT REQUIREMENT FOR ACCESSORY STRUCTURES IN THE ROM DISTRICT AND 243-78 “MINIMUM AND MAXIMUM REQUIREMENTS” TO AMEND THE MINIMUM AND MAXIMUM REQUIREMENTS FOR THE ROM DISTRICT

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey.

Margaret B. Dilts, CMC

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

**Ordinance No. 2012-05** – Second reading and public hearing to renew the Rent Control Ordinance for a three (3) year term. Mayor Steinhardt asked for a motion to open the matter for a public hearing. Motion by Councilman Mengucci, seconded by Councilman Baker. No comment from the public. Motion to close by Councilman Mengucci, seconded by Councilman Baker.

2012-05

SECOND NOTICE OF ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, March 7, 2012 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, and the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS IN CREATING A RENT LEVELING BOARD BY THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Ordinance on second reading. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Council President Camporine and Mayor Steinhardt.

**Ordinance No. 2012-06** – Second reading and public hearing to Amend, Revise, and Supplement Chapter 243 entitled “Zoning and Land Use” Particularly Section 243-78 “Minimum and Maximum Requirements for Detached Single-Family Dwellings in the R-150 Residential Zone that are Served by Public Sewers. Motion to open the matter for a hearing by Councilman Mengucci, seconded by Councilman Baker. Motion to close the public hearing by Councilman Mengucci, seconded by Councilman Baker.

ORDINANCE NO. 12 - 06

SECOND NOTICE OF ORDINANCE

NOTICE is hereby given that at a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, March 7, 2012 at the Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey, the following Ordinance as amended on second and final reading, after a hearing thereon was passed and then ordered to be published according to law by title only with the following amendments to the passage thereof.

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN,  
STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 243  
ENTITLED “ZONING AND LAND USE” PARTICULARLY SECTION 243-78  
“MINIMUM AND MAXIMUM REQUIREMENTS” TO INCLUDE  
THE MINIMUM AND MAXIMUM REQUIREMENTS FOR DETACHED  
SINGLE-FAMILY DWELLINGS IN THE R-150 RESIDENTIAL ZONE THAT  
ARE SERVED BY PUBLIC SEWERS

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey.

Margaret B. Dilts, CMC

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

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

**New Business:**

**Road Opening Permits** – Mayor Steinhardt asked Council for a motion to approve Road Opening Permits for gas line to be installed at 219 North Prospect Street and 10 Park Avenue. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

NAYS: None

**QC Laboratories** – Renew the contract for testing pool water. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

NAYS: None

**Garden State Fireworks** – Approve the contract for fireworks for Community Day in the amount of \$8500.00. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

NAYS: None

**SWMA Grant Program** – Renew the Grant Agreement with the South Warren Municipal Alliance. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

NAYS: None

**CODY Computer Services** – Working through the County who will provide the Police Department with a software program. Motion to approve by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

NAYS: None

**Baltimore Street Pump Station** – Approve Preliminary Expenses for the Route 57 Pump Station and Force Main Project through the USDA in the amount not to exceed \$150,000.00. This matter was tabled.

**Resolution No. 12-36** – Authorizing the transfer of Appropriations of the 2012 Lopatcong Township Municipal Appropriation Reserve Operating Budget During the First Three Months of the Year as per N.J.S.A.40A:4-59 in the amount of \$2,710.00.

R 12-36

RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRAITIONS OF THE 2012  
LOPATCONG TOWNSHIP MUNICIPAL APPROPRIATION RESERVE OPERATING  
BUDGET DURING THE FIRST THREE MONTHS OF THE YEAR AS PER NJSA 40A:4-59

WHEREAS, it has become necessary to expend an amount in excess of the respective items appropriated in the 2012 Lopatcong Township Municipal Appropriation Reserve Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, as per N.J.S.A.40A:4-59 that the Mayor and Council of the Township of Lopatcong authorize the Chief Financial Officer to make the following appropriation transfers:

FROM:			TO:		
10529010A	Road Maintenance Salary	\$1,300.00	10522520A	Unemployment Insurance	\$2,710.00
10543020A	Electricity	\$910.00			
10544620A	Gas	\$500.00			
TOTAL:		\$2710.00	TO:		\$2,710.00

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 Resoluituon adopted by Council at a meetng held on Wednesday, March 7, 2012.

Margaret B. Dilts, CMC

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

**Resolution No. 12-37** – Approve Temporary Appropriations as Amended for the Municipal Operating Budget for 2012 in the amount of \$455,245.50.

R 12-37

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING TEMPORARY APPROPRIATIONS AS AMENDED FOR THE MUNICIPAL OPERATING BUDGET FOR 2012

WHEREAS, N.J.S.A.40A:4-19.1 provides that where any contract, commitment or payments are to be made prior to final adoption of the 2012 Municipal Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, 1/12<sup>TH</sup> OF THE TOAL APPROPRIATIONS IN THE 2011 Municipal Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2012 Temporary Municipal Operating is the sum of \$455,245.50.

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.

Amended Temporary Municipal Operating Budget –	
2011 Budget Total Appropriations -	\$6,048,381.57
Less Appropriations for Interest and Debt Chgs	-\$585,447.50
And Capital Improvement Fund	\$0.00
	\$0.00
	\$5,462,934.07
2012 Amended Temporary Budget – 1/12 <sup>th</sup>	\$455,245.50
Revenue	
104000 Amount to be raised by Taxation	\$455,245.50

Expenditures		
10510120	Postage	\$1,000.00
10510220	Computer Services	\$1,000.00
10510520	Human Resource Edu.	\$500.00
10511010	Mayor and Council Salary	\$2,000.00
10512010	Municipal Admin. Salary	\$20,000.00
10512020	Municipal Admin Other Exp.	\$1,000.00

10513010	Financial Admin. Salary	\$10,000.00
10513020	Financial Admin Other Exp.	\$200.00
10513520	Audit Services	\$15,000.00
10514510	Revenue Admin. Salary	\$10,000.00
10514520	Rev. Admin. Other Exp.	\$2,000.00
10515010	Tax Assessor Salary	\$5,000.00
10515320	Tax Assessor Misc. Exp.	\$10,000.00
10515510	Legal Services Salary	\$650.00
10518010	Planning Brd. Salary	\$2,000.00
10518020	Planning Brd. Other Exp.	\$2,000.00
10518510	Zoning Brd. of Adj. Salary	\$750.00
10518520	Zoning Brd. of Adj. Oth. Exp.	\$250.00
10519610	Bldg. Subcode Insp. Salary	\$15,000.00
10519620	Bldg. Subcode Insp. Oth. Exp.	\$1,000.00
10520010	Zoning Officer Salary	\$500.00
10520110	Rent Leveling Brd. Salary	\$500.00
10521020	Liability Ins.	\$37,000.00
10521520	Worker Comp. Insurance	23,000.00
10522020	Employee Group Insurance	\$45,000.00
10524010	Police Dept. Salary	\$100,000.00
10524020	Police Department Other Exp.	\$29,595.50
10526020	First Aid Org. Other Exp.	\$2,500.00
10526420	Fire Companies Other Exp.	\$2,500.00
10529020	First Aid Org. Other Exp.	\$10,000.00
10531010	Bldg. and Grds. Salary	\$3,000.00
10531020	Road Maintenance Other Exp.	\$3,000.00
10537110	Parks and Playgrounds Salary	\$300.00
10537120	Parks and Playgrounds Other Exp.	\$12,000.00
10544020	Telephone (exclude equip. acq.)	\$2,000.00
10544820	Fire Hydrant Service	\$40,000.00
10546020	Gasoline	\$20,000.00
10546620	Interlocal Municipal Court	\$15,000.00
10547220	Social Security	\$10,000.00
	<b>TOTAL</b>	<b>\$455,245.50</b>

#### 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, March 7, 2012.

Margaret B. Dilts, CMC

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

**Announcements:** Easter Egg Hunt is scheduled for Saturday, March 31<sup>st</sup> at 10:00 am at the Lopatcong Park. Rain date is April 1<sup>st</sup> at 2:00 pm.

**Council Reports:**

Councilman Baker – No report.

Councilman Mengucci – No report.

Council President Camporine – No report.

**Tax Collector – Resolution No. 2012-38** – Authorize redemption of Tax Sale Certificate No. 09-18 in the amount of \$33,830.00 on Block 99, Lot 1.

R 12-38

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 09-18 ON BLOCK 99, LOT 1

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on December 10, 2009, a lien was sold on Block 99 Lot 1 also known as 198 Strykers Road for 2008 delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No.09-18 was sold to Delaware Strategies LLC for 18% interest; and assigned to Garden State Tax Liens, LLC. Stearns Bank NA as Custodian; and

WHEREAS, Property owners have satisfied the redemption amount on Certificate No.09-18 in the amount of \$33,830.00.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of March, 2012 that the Chief Financial Officer is authorized to issue a check in the amount of \$33,830.00 for the redemption of Tax sale Certificate No. 09-18 to:

Delaware Strategies, LLC, assigned  
Liens, Stearns Bank NA, Att: Fautsch  
4191 2<sup>nd</sup> Street South  
St. Cloud, MN 56301

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, March 7, 2012

Margaret B. Dilts, CMC

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

**Chief Financial Officer** – Reported that 12 SRECS were sold at \$3,128.00.

**Mayor Steinhardt:** - Addressed the following:

**Bike Path Agreement** – Mayor Steinhardt asked Attorney Campbell to draw up an agreement between the Township and Mr. and Mrs. Pace for the repairs on the Bike Path in the amount of \$2,018.00. Motion by Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Pool/Pavilion Fees Season 2012** – Mayor Steinhardt asked for a motion to increase the fees as directed by Ms. Dilts - \$10 for full memberships, \$5 for senior memberships. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**1995 Van – Delaware Park Engine Co., No. 1** – Mayor Steinhardt asked for a motion to turn over title to the fire company. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

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

**Department Reports** – Mayor Steinhardt asked for a motion to approve all Department Reports. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Payment of Bills** - Mayor Steinhardt asked for a motion to approve payment of bills. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Public Comment:**

Council addressed numerous questions and 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