

TOWNSHIP OF LOPATCONG  
COUNCIL MEETING

February 6, 2013

The Council 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, Councilman Belcaro, Councilwoman Ciesla and Councilwoman McCabe. Also present were Tax Collector Edinger, Attorney Campbell and Engineer Sterbenz.

Resolution No. 13-31 - was passed to hold an Executive Session to discuss contractual matters.

**Warren County Integrated Municipal Advisory Council – “Smoke Free Parks”** – Representatives spoke to Council and the public to advise adopting an ordinance prohibiting smoking in Lopatcong parks. Motion by Councilwoman Ciesla, seconded by Councilman Belcaro to adopt an ordinance preventing smoking in Lopatcong parks. Roll call vote:  
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Public Comment** – Public asked questions on agenda items.

**Old Business:**

**Minutes** - Mayor Steinhardt asked for a motion to approve the minutes of December 27, 2012 and January 2, 2013. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:  
AYES: Mayor Steinhardt and Councilwoman McCabe for December 27, 2012. Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt for January 2, 2013.  
NAYS: None

**New Business:**

**Warren Heights Condominium Association** – Assume responsibility for repair and maintenance of Sundance, Dogwood and Limerick Lanes. Engineer Sterbenz will look into this matter further. Motion to table by Mayor Steinhardt, seconded by Councilman Belcaro. Roll call vote:  
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Morris County Cooperative Pricing Council** – Renew membership for a cost of \$1,100.00. Motion by Council President Camporine, seconded by Councilwoman McCabe. Roll call vote:  
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Municipal Building DVR and Camera Replacement** – Mayor Steinhardt asked for a motion to approve the replacement of this antiquated and broken equipment in the amount of \$3,975.00. Motion by Council President Camporine and seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Qualified Purchasing Agent** – This appointment is for the year 2013.

R 13-32

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, February 6, 2013.

Margaret B. Dilts, CMC

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

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Bloomsbury Elementary School PTO** – Donate individual pool membership. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Eagle Scout Project** – Derek Mann informed the Council that his project is to install a ceremonial space around the flag pole at the Lopatcong Municipal Park. Mayor Steinhardt advised he speak to Mr. William Mandry who installed the flag pole and monument about his intentions and to work with Engineer Sterbenz on proper installation. Motion by Council President Camporine, seconded by Councilwoman McCabe. Roll call vote:  
 AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
 NAYS: None

**Resolution No. 13-33** – Authorize transfer of Appropriation Reserves of the 2012 Lopatcong Township Municipal Budget during the first three months of the year as per N.J.S.A. 40A:4-59 in the amount of \$10,428.00.

R 13-33

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
 STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF APPROPRIATION  
 RESERVES OF THE 2012 LOPATCONG TOWNSHIP MUNICIPAL BUDGET DURING  
 THE FIRST THREE MONTHS OF THE YEAR AS PER N.J.S.A. 40:4-59

WHEREAS, it has become necessary to expend an amount in excess of the respective items appropriated in the 2012 Lopatcong Township Municipal 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:		
10514510A	Revenue Admin. S&W	\$3,000.00	10518320A	Planning Brd. Misc. OE	\$10,000.00
10516520A	Engineering Services OE	\$7,000.00	105371A	Parks & Playgrounds OE	\$428.00
10537110A	Parks & Playgrounds OE	\$428.00			
<b>TOTAL</b>		<b>\$10,428.00</b>			<b>\$10,428.00</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, February 6, 2013.

Margaret B. Dilts, CMC

**Scenic Ridge Subdivision Deed** – Approve Deed of Dedication for Scenic Ridge Subdivision. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:  
 AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
 NAYS: None

**Consent Agenda:**  
**(Tax Collector)**

Motion by Council President Camporine, seconded by Councilman Belcaro to adopt the following resolutions. Roll call vote:  
 AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
 NAYS: None

**Resolution No. 13-34** – Authorize redemption of Tax Sale Certificate No. 2012-045 and Premium to outside lienholder on Block 141, Lot 4 in the amount of \$576.05.

R 13-34

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER ON BLOCK 141, LOT 4 IN THE AMOUNT OF \$576.05

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 141, Lot 4, also known as 19 Grant Way for 2011 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-045 was sold to US Bank Cust/Pro Capital I, LLC for a Premium of \$200.00; and

WHEREAS, Chase Home Mortgage, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-045 in the amount of \$376.05.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of February, 2013 that the Chief Financial Officer be authorized to issue a check in the amount of \$576.05 for the redemption of Tax Sale Certificate No. 2012-045 and Premium to:

US BANK CUST/Pro Capital I, LLC  
50 S. 16<sup>th</sup> St., Suite 1950  
Philadelphia, Pa 19120

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, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-35** – Authorizing redemption of Tax Sale Certificate No. 2012-039 and Premium to outside lienholder and Premium on Block 116.11, Lot 13 C0105 in the amount of \$469.71.

R 13-35

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER ON BLOCK 116.11, LOT 13 C0105 IN THE AMOUNT OF \$469.71

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 116.11, Lot 13 C0105, also known as 105 Limerick Lane for 2011 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-039 was sold to US Bank Cust/Pro Capital I, LLC for a Premium of \$100.00 and

WHEREAS, JP Morgan Chase Bank, N.A., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-039 in the amount of \$369.71.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of February, 2013 that the Chief Financial Officer be authorized to issue a check in the amount of \$469.71 for the redemption of Tax Sale Certificate No. 2012-039 and Premium to:

US Bank CUST/PRO CAPITAL I, LLC  
50 S. 16<sup>th</sup> St., Suite 1950  
Philadelphia, Pa 19120

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, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-36** – Authorize redemption of Tax Sale Certificate No. 2012-43 and Premium to outside lienholder on Block 138, Lot 23 in the amount of \$2009.17.

R 13-36

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION MONIES TO OUTSIDE  
LIENHOLDER ON BLOCK 138, LOT 23 IN THE AMOUNT OF \$2009.17

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 138, Lot 23, also known as 304 Stonehenge Drive for 2011 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-043 was sold to Virgo Municipal Finance Fund LP for a premium of \$600.00; and

WHEREAS, JP Morgan Chase Bank, N.A., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-043 in the amount of \$1,409.17.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of February 2013, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,009.17 for the redemption of Tax Sale Certificate No. 2012-043 and Premium to:

Virgo Municipal Finance Fund LP  
P.O. Box 1227  
Hoboken, NJ 07030

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, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-37** – Authorize redemption of Tax Sale Certificate No. 2012-004 on Block 47, Lot 7 in the amount of \$477.83.

R 13-37

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2012-004 ON BLOCK 47, LOT 7

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 47, Lot 7 also known as 106 Rosehill Avenue for 2011 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2012-004 was sold to US Bank Cust/Crestar Capital, LLC for 4% interest; and

WHEREAS, JP Morgan Chase Bank, N.A., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-004 in the amount of \$477.83.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of February, 2012, that the Chief Financial Officer is authorized to issue a check in the amount of \$477.83 for the redemption of Tax Sale Certificate No. 2012-004 to:

US Bank Cust/Crestar Capital, LLC  
50 S. 16<sup>th</sup> St., 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 a meeting held on Wednesday, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-38** – Authorize refund of sewer overpayments to Morris Park Associates on Block 85.04, Lot 12 in the amount of \$1475.77 and Block 85.04, Lot 11 in the amount of \$1679.14.

R 13-38

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND SEWER OVERPAYMENTS FOR TAX YEAR 2013

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the property owners listed below in the designated amounts representing sewer overpayments as follows for the tax year 2013.

<u>Block &amp; Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
85.04, 12 Acct. 28366	Morris Park Assoc.	\$1475.77
85.04, 11 Acct. 28359	Morris Park Assoc.	\$1679.14

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 refunds made rather than applying these payments to the 2013 sewer taxes due.

#### 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, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-39** – Authorize refund of duplicate tax payment for 2012 on Block 39, Lot 5 in the amount of \$1192.41.

R 13-39

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND DUPLICATE TAX PAYMENTS FOR TAX YEAR 2012

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the property owners listed below in the designated amounts representing duplicate tax payments as follows for the tax year 2012.

<u>Block &amp; Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 39, Lot 5	Tezlaf, Russell & Kimberly	\$1192.41

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 refunds made rather than applying these payments to the 2013 property taxes due.

#### 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, February 6, 2013.

Margaret B. Dilts, CMC

**Resolution No. 13-40** – Authorize correction of Duplicate Added Assessment on Block 86.07, Lot 1 for 2012.

R 13-40

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE CORRECTION OF A 2012 PROPERTY

WHEREAS, the Assessor for the Township of Lopatcong, County of Warren and State of New Jersey has informed the Mayor and Council of a 2012 Added Assessment correction on Block 86.07, Lot 1; and

WHEREAS, the following property received an added assessment and had already been assessed for 2012 prior.

NOW, THEREFORE, BE IT RESOLVED that the Assessor and the Tax Collector of the Township of Lopatcong are hereby authorized to make the necessary corrections as listed above and correct assessment for the tax year 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 a meeting held on Wednesday, February 6, 2013.

Margaret B. Dilts, CMC

#### Consent Agenda:

By motion of Council President Camporine, seconded by Councilman Belcaro the following contracts were approved. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Nisivoccia Consulting LLC** – Professional Service Contract for Computer Services.

**Courter, Kobert & Cohen** – Professional Service Contract for Township and Labor Attorney.

**Winegar, Wilhelm, Glynn & Roemersma** – Professional Service Contract for Public Defender.

**Nisivoccia and Company LLP** – Professional Service Contract for Auditor.

**Maser Consulting P.A.** – Professional Service Contract for Township Engineer.  
**Kupper Associates – JMT Company** – Professional Service Contract for Sewer Engineer.

**Council Reports:**

Councilman Belcaro – Maintenance must be performed on the filters in the Pool Pump House that involves replacing the Mer Made filters along with sand and stone. Numerous quotes were received with the lowest one being Deep Run Aquatics for a total of \$6500.00. Motion by Council President Camporine, seconded by Councilwoman Ciesla. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.

NAYS: None

Councilman Belcaro also reported that he attended a sewer meeting with Sewer Engineer Joe Pryor in Phillipsburg with regard to a rate increase. Also reported that the pump station bid will go out in early spring with the project starting in the summer and be completed in approximately nine months.

Councilwoman Ciesla – Reported she attended the Lopatcong Athletic Association meeting. Don Martin is now the Baseball Commissioner and the president's position still remains vacant. She announced that there will be a meeting for planning Community Day on February 21<sup>st</sup> at 7:00 in the court room. Lastly, Councilwoman Ciesla reported that the Salary Subcommittee is in the process of gathering data.

Councilwoman McCabe - Reported that she met with Statewide Insurance Fund representatives along with the Administrator, Chief of Police, DPW Supervisor as well as Emergency Squad representatives and the Fire Chief to address workman's compensation claims, training notices and video and on- line training availability. It was noted that the Clerk completed the "Best Practices Check List".

Councilwoman McCabe reported that the Planning Board held their reorganization meeting where in members were sworn in and professionals were appointed. Larkin Associates applied for a variance for three-bedrooms in 63 units at Delaware Crossings which was carried to the February meeting on the 27th.

South Warren Regional Police Commission scheduled two meetings per month to form a Joint Meeting between Lopatcong and Pohatcong Townships Police Departments. These meetings are held at 9:00 am in the Lopatcong Township Municipal Building. The Commission is in the gathering information stage.

Council President Camporine – Reported that the County will schedule a hazardous waste cleanup for the spring.

Mayor Steinhardt explained that the Township Fire Department and Emergency Squad have made some changes in their Standard Operating Procedures on required call-outs with regard to certain alarms. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.

NAYS: None

CFO Dobes – Reported that the Township saved over \$50,000 in electric due to the solar panels.

**Department Reports** - Mayor Steinhardt asked for a motion to approve all reports. Motion by Council President Camporine, seconded by Councilwoman Ciesla. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Payments of Bills** - Mayor Steinhardt asked for a motion to approve payment of bills. Motion by Council President Camporine, seconded by Councilwoman Ciesla. Roll call vote:

AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Audience Participation** - Council addressed numerous questions and comments from the public.

Mayor Steinhardt asked for a motion to adjourn the meeting. Motion by Council President Camporine seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Clerk/Administrator

Douglas J. Steinhardt  
Mayor