

TOWNSHIP OF LOPATCONG  
COUNCIL MEETING

June 5, 2013

The 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. 13-59 - was passed to hold an Executive Session to discuss contractual and personnel matters.

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

**Special Presentation:** Elmo Mengucci inducted into the “New Jersey League of Municipalities Elected Officials’ Hall of Fame”.

**Old Business:**

**Minutes** – Mayor Steinhardt asked for a motion to approve the minutes of May 1, 2013. 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

**Ordinance No. 13-06** – Second reading and public hearing to Amend, Revise and Supplement Chapter 59 Construction Code, Uniform; Permits Article III to establish Fees for Commercial Solar Systems. Motion by Council President Camporine, seconded by Councilwoman Ciesla to hold a public hearing. Comments from the public were addressed. Motion to close public hearing by Council President Camporine, seconded by Mayor Steinhardt.

ORDINANCE NO. 2013-06

SECOND NOTICE OF AN 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, June 5, 2013 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, 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 AMEND, REVISE AND SUPPLEMENT CHAPTER 59  
CONSTRUCTION CODE, UNIFORM; PERMITS ARTICLE III TO ESTABLISH FEES FOR  
COMMERCIAL SOLAR SYSTEMS

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 Councilwoman Ciesla, seconded by Council President Camporine. Roll call vote:  
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**New Business:**

**Resolution No. 13-60** – Renew Liquor Licenses for Centerpoint Ventures, LLC, The Brass Rail, Strykers Golf, LLC and Santram Liquors, Inc., for a term July 1, 2013 through June 30, 2014.

R 13-60

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF CERTAIN LIQUOR  
LICENSES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have received the following applications for liquor license renewal:

Santram Liquors, Inc., License No. 2115-44-001-003  
Strykers Golf, LLC., License No. 2115-33-003-007  
Brass Rail, Inc., License No. 2115-33-004-005  
Centerpoint Ventures Corporation, License No. 2115-33-002-0006

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the applications for renewal of the above named liquor license holders be approved pursuant to N.J.S.A. 33: 1-12-26 from July 1, 2013 to June 30, 2014.

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, June 5, 2013.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for motion to adopt this Resolution. 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

**Resolution No. 13-61** – Authorize redemption of Tax Sale Certificate No. 2011-002 and Premium on Block 32, Lot 4 in the amount of \$55,672.87.

R 13-61

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER ON BLOCK 32, LOT 4 IN THE AMOUNT OF \$55,672.87

**WHEREAS**, at the Lopatcong Township Municipal Tax Sale held on October 21, 2011, a lien was sold on Block 32 Lot 4, also known as 1208 Belvidere Road for 2010 delinquent taxes & sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2011-002 was sold to US Bank Cust/ Sass Muni VI DTR for a premium of \$23,000.00; and

**WHEREAS**, Magellan Title & Abstract LLC, title company for property owners, has satisfied the redemption amount on Certificate #2011-002 in the amount of \$32,672.87.

**NOW, THEREFORE, BE IT RESOLVED** on this 5th day of June, 2013 that the Chief Financial Officer be authorized to issue a check in the amount of \$55,672.87 for the redemption of Tax Sale Certificate #2011-003 and Premium to:

US BANK CUST/SASS MUNI VI DTR  
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, June 5, 2013.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for motion to adopt this Resolution. 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

Mayor Steinhardt asked for a motion to approve the follow Resolutions. 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. 13-62** – Authorizing refund of duplicate tax payment on Block 86, Lot 63 in the amount of \$3364.12 for tax year 2013.

R 13-62

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND DUPLICATE TAX PAYMENTS FOR TAX YEAR 2013 ON BLOCK 86, LOT 63 IN THE AMOUNT OF \$3364.12**

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 2013.

<u>Block &amp; Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 86 Lot 63	Wells Fargo Home Mortgage	\$3364.12

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township 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 is a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, June 5, 2013

Margaret B. Dilts, CMC

**Resolution No. 13-63** – Authorizing redemption of Tax Sale Certificate No. 2012-005 on Block 54, Lot 4 in the amount of \$1,207.74.

R 13-63

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER ON BLOCK 54, LOT 4 IN THE AMOUNT OF \$1,207.74

**WHEREAS**, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012 a lien was sold on Block 54 Lot 4, also known as 212 Stelko Avenue in Lopatcong Township, for 2011 delinquent sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2012-005 was sold to US Bank Cust/ Crestar Capital, LLC for a premium of \$200.00; and

**WHEREAS**, Corelogic Mortgage Company for property owners, has satisfied the redemption amount on Certificate #2012-005 in the amount of \$1,007.74.

**NOW, THEREFORE, BE IT RESOLVED** on this 5th day of June, 2013 that the Chief Financial Officer be authorized to issue a check in the amount of \$1,207.74 for the redemption of Tax Sale Certificate #2012-005 and Premium 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 is a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, June 5, 2013

Margaret B. Dilts, CMC

**Resolution No. 13-64** – Authorize redemption of Tax Sale Certificate No. 2012-029 on Block 104, Lot 20 in the amount of \$452.89.

R13-64

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
ON BLOCK 104, LOT 20 IN THE AMOUNT OF \$452.89

**WHEREAS**, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012 a lien was sold on Block 104 Lot 20 also known as 32 Ethan Place for 2011 delinquent sewer taxes; and

**WHEREAS**, this lien known as Tax Sale Certificate No. 2012-029 was sold to Virgo Municipal Finance Fund LP for 0% interest; and

**WHEREAS**, Residential Credit Solutions/Corelogic mortgage company for property owners has satisfied the redemption amount on Certificate No.2012-029 in the amount of \$452.89.

**NOW, THEREFORE, BE IT RESOLVED** on this 5th day of June 2012 that the Chief Financial Officer is authorized to issue a check in the amount of \$452.89 for the redemption of Tax sale Certificate No. 2012-029 to:

Virgo Municipal Finance Fund LP  
PO 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, June 5, 2013

Margaret B. Dilts, CMC

**Resolution No. 13-65** – Authorizing redemption of Tax Sale Certificate No. 2012-025 on Block 99, Lot 175 C0682 in the amount of \$720.54.

R13-65

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO.2012-025 ON BLOCK 99, LOT 175 C0682

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012 a lien was sold on Block 104 Lot 20 also known as 32 Ethan Place for 2011 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2012-025 was sold to Stuart Lasher for 0% interest; and

WHEREAS, Corelogic Tax Services, LLC, mortgage company for property owners has satisfied the redemption amount on Certificate No.2012-025 in the amount of \$720.54.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of June 2012 that the Chief Financial Officer is authorized to issue a check in the amount of \$720.54 for the redemption of Tax sale Certificate No. 2012-025 to:

Stuart Lasher  
PO Box 83  
Milltown, NJ 08850-0083

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, June 5, 2013

Margaret B. Dilts, CMC

**Resolution No. 13-66** – Approve Chapter 159 to insert Clean Communities Grant in the amount of \$17,550.49 into the 2013 Budget.

R 13-66

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF INSERTION OF ITEMS OF REVENUE AND APPROPRIATIONS INTO THE 2013 BUDGET NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOVLED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of the following item of revenue into the 2013 Municipal Budget from:

NJ Solid Waste Administration 2013 Clean Communities Grant in the amount of \$17,550.49.

BE IT FURTHER RESOLVED that the like sum is hereby appropriated into the 2013 Municipal Budget under:

NJ Solid Waste Administration 2013 Clean Communities Grant in the amount of \$17,550.49.

#### 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, June 5, 2013

Margaret B. Dilts, CMC

Mayor Steinhardt asked for motion to adopt this Resolution. 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

**Sycamore Landing Developer's Agreement** – Approve Developer's Agreement for Sycamore Landing and Deed of Dedication. 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

#### **Council Reports:**

Councilman Belcaro – The Township received approval from USDA to advertise the construction project for the Baltimore Street Pump Station. Also Sewer Engineer Joe Pryor and he toured the Phillipsburg Sewer Plant.

Councilman Belcaro informed the public that Jim Onembo, Zoning Officer for Franklin Township submitted his resume to be considered the inspector for The Brass Rail. Motion by Councilwoman McCabe, seconded by Council President Camporine to approve the hire of Mr. Onembo to do the required inspections and report back to Council. Roll call vote:

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

NAYS: None

ABSTAIN: Mayor Steinhardt

Councilwoman Ciesla – Informed the public that Mr. Ken Lutz was interested in the position of President for the LAA. Councilwoman Ciesla asked Council to appoint Mr. Lutz to the position. Motion by Councilwoman Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Councilwoman Ciesla provided up-to-date information on the 150<sup>th</sup> Birthday Celebration.

Councilwoman Ciesla also informed the public that the Township is now on Facebook and Twitter. After discussion and legal review of the Social Media Policy, a motion was made by Councilwoman Ciesla, seconded by Councilman Belcaro to approve this Policy and place it on the website. Roll call vote:

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

NAYS: None

Councilwoman Ciesla reported that in January, Council President Camporine asked Council to set up a sub-committee to look into the salaries of the Township employees. Councilwoman Ciesla and Council President Camporine have been doing research and working on the Employee Salary Report. At this time, she informed the public that although the report is not finished yet she indicated that there are four employees in the Township that are legislative tenured appointments; the Municipal Clerk, the Chief Financial Officer, the Tax Assessor and the Tax Collector. They cannot be removed from their office except for good cause after a fair and impartial hearing. Their salaries cannot be diminished in anyway during their appointed terms. If there is additional compensation given to any employee of the Township, they would be required by law to receive the same. All other employees are Civil Service. There is an Ordinance in place that provides salary ranges for the job titles of each employee. She did note that there are numerous employees who hold additional job titles and receive no compensation. That number is currently being assessed and an update will be provided in the future.

Councilwoman McCabe – Reported that the Planning Board approved a resolution for the Sycamore Landing Development. Planner George Ritter discussed the Highlands Master Plan and noted that there would be a public hearing on the reexamination of the Master Plan and Highlands Element at the June 26<sup>th</sup> meeting.

South Warren Regional Police Commission met with the collective bargaining committee to start the process of negotiating the non-economic portion of the contract. The Committee is looking to hire an independent merger and acquisition firm to look at the budget numbers and determine if in fact there will be a savings if the towns merge the police departments.

Councilwoman McCabe attended the Dare Graduation program and congratulated Officer Travis Smith for a job well done.

Additionally Councilwoman McCabe asked that a parking ordinance be put in place to prevent parking on Greystone and Briarstone Avenues during certain hours The Brass Rail is in operation. Motion by Councilwoman McCabe, seconded by Council President Camporine. Roll call vote:

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

NAYS: None

ABSTAIN: Mayor Steinhardt

Council President Camporine – Noted that there has been questions and criticism regarding the salaries of employees and felt that new council people should review and see if there is justification for their rates of pay and noted Councilwoman Ciesla has checked this out and it is very justified.

Movies at the Pool will begin on Tuesday, July 9<sup>th</sup> at 8:00 pm. Bill and Lynda Taggart volunteer every year to run the program.

Our Animal Control Officers Betty and Gary Wysocki were with the Township for many years and have sadly passed on. Council President Camporine asked Council to approve he and the Administrator go through the process of hiring a replacement. Motion by Mayor Steinhardt, seconded by Councilwoman Ciesla. Roll call vote:

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

NAYS: None

Mayor Steinhardt – Reported that Fire House No. 2's lease agreement with the Township stipulates that the Township is responsible for structural repairs, changes and additions but regular maintenance is to be provided by the fire company. The Sandy Storm damaged the roof and Neil Pisciotto of the fire company sent the Township a letter that if we provided the materials for the replacement of the roof, the fire company would pay for the labor. The estimate

of the materials is approximately \$10,000. Mayor Steinhardt asked for a motion to approve first reading of a Capital Ordinance in the amount of \$10,000 for this purpose. 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

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

Mayor Steinhardt asked for a motion to adopt a Resolution to go into Executive Session to discuss Tax Appeals. Motion by Mayor Steinhardt, seconded by Councilwoman Ciesla. All in favor.

**Resolution No. 13-67** – Executive Session Resolution.

R 13-67

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND THE  
STATE OF NEW JERSEY AUTHORIZING AN EXECUTIVE SESSION

WHEREAS, there are presently pending matters to be considered in Executive Session concerning possible matters listed:

Tax Appeal

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and the State of New Jersey that the Council is authorized to hold an Executive Session.

BE IT FURTHER RESOLVED that the Council of the Township of Lopatcong will make said matters public within approximately 30 days of said meeting or until such a time as confidentiality of the matters is no longer required.

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, June 5, 2013.

Margaret B. Dilts, CMC

Council came back into regular session at 9:25 pm. Attorney Campbell noted that the Council discussed litigation regarding Larken tax appeals.

Mayor Steinhardt asked for a motion to adjourn the meeting. Motion by Councilman Belcaro, seconded by Councilwoman Ciesla. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Clerk/Administrator

Douglas J. Steinhardt  
Mayor

