

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

September 12, 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 Lavery and Engineer Sterbenz.

Resolution No. 13-90 - was passed to hold an Executive Session to discuss Sewer Rate dispute litigation, Warren County Chamber of Commerce waiver from the Highlands Act and new Telephone Policy.

Public Comment: Public asked questions on agenda items.

Old Business:

Minutes – Mayor Steinhardt asked for a motion to approve the minutes of August 7, 2013. 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

New Business:

Ordinance No. 2013-10 – First reading of a Capital Ordinance for the replacement of a roof on Strykers Road Firehouse in the amount of \$7500.00.

ORDINANCE NO. 2013-10

AN ORDINANCE PROVIDING FUNDING FOR THE REPLACEMENT OF A ROOF ON STRYKERS ROAD FIRE HOUSE NO. 2 FOR THE TOWNSHIP OF LOPATCONG AND APPROPRIATING \$7,500.00 FOR SUCH PURPOSE

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY AS FOLLOWS:

Section 1. The Township of Lopatcong, in the County of Warren, New Jersey, authorizes funding the replacement of the roof at Strykers Road Fire House No. 2 to be funded from the source specified in Section 2 of the Ordinance.

Section 2. The amount of \$7,500.00 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund within the General Capital Fund in the amount of \$7,500.00.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Township determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Township of Lopatcong may lawfully make as a general improvement.

Section 4. All Ordinances or parts of Ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication by law.

NOTICE OF PENIDNG ORDINANCE

The Ordinance, the title of which is published herewith, was introduced and passed upon first reading at a meeting of the Township Council of the Township of Lopatcong, in the County of Warren, New Jersey, held on September 12, 2013. It will be further considered for final passage after public hearing thereon, at a meeting of said Township Council to be held in the Municipal Building, 232 South Third Street in said Township on October 2, 2013 at 7:30 o'clock p.m. and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in the Municipal Building of said Township to the members of the general public who shall request the same. The purpose of said Ordinance is to make an appropriation in the amount of \$7,500.00 for replacement on roof at the Strykers Road Fire House No. 2.

Margaret B. Dilts, CMC
Clerk/Administrator

Mayor Steinhardt asked for a motion to adopt this Ordinance. Motion by Councilman Belcaro, seconded by Councilwoman Ciesla. Roll call vote:
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, Council President Camporine and Mayor Steinhardt.
NAYS: None

LMR Cleanout and Disposal: Award Cleanup to LMR Cleanout and Disposal, lowest quote received. 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

Busy Bees Restoration Bond – On recommendation of Engineer Sterbenz, Mayor Steinhardt asked for a motion to release this Restoration Bond. Motion by Council President Camporine, seconded by Councilwoman Ciesla. Roll call vote:
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, and Council President Camporine.
NAYS: None
ABSTAIN: Mayor Steinhardt

Planning Board Appointment – Mayor Steinhardt asked for a motion to appoint John Kosar to the Planning Board as Alternate No. 2. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe, and Council President Camporine.
NAYS: None
ABSTAIN: Mayor Steinhardt

Recreation Commission Appointment – Mayor Steinhardt asked for a motion to appoint Tammy Pita to the Recreation Commission. 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

State Agriculture Development Committee – A request from the State Agriculture Development Committee for Mayor Steinhardt to sign the application for farmland preservation for Block 94, Lot 22 and Block 97, Lot 1 in Lopatcong Township. Motion on Engineer Sterbenz

recommendation for Mayor Steinhardt to sign the application 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

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

Resolution No. 13-91 – Authorizing redemption of Tax Sale Certificate No. 2013-012 in the amount of \$407.87 on Block 68.01, Lot 2.

R 13-91

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2013-012 ON BLOCK 68.01, LOT 2

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 68.01, Lot 2 also known as 875 US Hwy 22 for 2012 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2013-012 was sold to John LaFlamme for 0% interest; and

WHEREAS, Core Logic Tax Real Estate, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2013-012 in the amount of \$407.87.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September 2013, that the Chief Financial Officer is authorized to issue a check in the amount of \$407.87 for the redemption of Tax Sale Certificate No. 2013-012 to:

John LaFlamme
9 Lisa Court
Oxford, NJ 07863

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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-92 – Authorize redemption of Tax Sale Certificate No. 2013-013 and Premium in the amount of \$2,520.29 on Block 70, Lot 4.

R 13-92

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 70, LOT 4 IN THE AMOUNT OF \$2,520.29

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 70, Lot 4, also known as 214 South Fourth Street for 2012 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2013-013 was sold to US Bank Cust/Pro Cap II, LLC for a Premium of \$600.00; and

WHEREAS, Allan P & Carolyn Dalrymple, property owners, has satisfied the redemption amount on Certificate No. 2013-013 in the amount of \$1,920.29.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September 2013 that the Chief Financial Officer be authorized to issue a check in the amount of \$2,520.29 for the redemption of Tax Sale Certificate No. 2013-013 and Premium to:

US BANK CUST FOR PRO CAPITAL II, LLC
50 S. 16th 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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-93 – Authorizing redemption of Tax Sale Certificate No. 2013-004 and Premium in the amount of \$825.90 on Block 17, Lot 16.

R 13-93

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 17, LOT 16 IN THE AMOUNT OF \$825.90

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 17, Lot 16 also known as 313 Park Avenue for 2012 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2013-004 was sold to US Bank Cust/BV001 Trust for a Premium of \$200.00; and

WHEREAS, Capital One N.A., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2013-004 in the amount of \$625.90.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September that the Chief Financial Officer be authorized to issue a check in the amount of \$825.90 for the redemption of Tax Sale Certificate No. 2013-004 and Premium to:

US BANK CUST for BV001 Trust
50 S. 16th 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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-94 – Authorizing redemption of Tax Sale Certificate No. 2013-018 and Premium in the amount of \$801.75 on Block 99, Lot 186 C0808.

R 13-94

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 99, LOT 186 C0808

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 99, Lot 186 C0808 also known as 808 Honeybrook Circle for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-018 was sold to US Bank Cust/BV001 Trust for a Premium of \$500.00; and

WHEREAS, Cenlar Federal Savings Bank, mortgage company for property owners has satisfied the redemption amount on Certificate No. 2013-018 in the amount of \$301.75.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September that the Chief Financial Officer be authorized to issue a check in the amount of \$801.75 for the redemption of Tax Sale Certificate No. 2013-018 and Premium to:

US BANK CUST for BV001 Trust
50 S. 16th 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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-95 – Authorize redemption of Tax Sale Certificate No. 2013-019 and Premium in the amount of \$801.72 on Block 99, Lot 266 C1230.

R 13-95

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 99, LOT 266 C1230 IN THE AMOUNT OF \$801.72

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 99, Lot 266 C1230 also known as 1230 Fairview Circle for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-019 was sold to US Bank Cust/BV001 Trust for a premium of \$500.00; and

WHEREAS, Capital One N.A., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2013-019 in the amount of \$301.72.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September that the Chief Financial Officer be authorized to issue a check in the amount of \$801.72 for the redemption of Tax Sale Certificate No. 2013-019 and Premium to:

US BANK CUST for BV001 Trust
50 S. 16th 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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-96 – Authorize interest applied in error to balance going forward on sewer account on Block 41, Lot 7 in the amount of \$14.70.

R 13-96

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INTERET CHARGED IN ERROR TO SEWER ACCOUNT TO BE APPLIED TO BALANCE GOING FORWARD ON BLOCK 41, LOT 7 IN THE AMOUNT OF \$14.70

WHEREAS, the Council of the Township of Lopatcong, County of Warren and State of New Jersey was informed by the Sewer Collector that an error occurred in the sewer account for a property known as Block 41, Lot 7; and

WHEREAS, this property owner was charged interest in the amount of \$14.70 in error.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize the Sewer Collector to remove the interest charged in the amount of \$14.70 on Block 41, Lot 7 and applies to balance going forward.

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, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-97 – Authorize refund of tax overpayment on Block 139, Lot 64 in the amount of \$2,200.00.

R 13-97

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT OF TAX PAYMENTS 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 property owners listed below in the designated amounts of representing overpayment of tax payments as follows for the tax year 2013.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 139, Lot 64	Adam A. Bekhiet	\$2,200.00

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 to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 12, 2013.

Margaret B. Dilts, CMC

Resolution No. 13-98 – Authorize redemption of Tax Sale Certificate No. 2013-003 on Block 14, Lot 8 in the amount of \$670.07.

R 13-98

RESOLUTON OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2013-003 ON BLOCK 14, LOT 8

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 14, Lot 8 also known as 2 Chestnut Alley for 2012 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2013-003 was sold to US Bank Cust for Pro Cap II, LLC for 18% interest; and

WHEREAS, Ocwen Mortgage Co., mortgage company for property owners has satisfied the redemption amount on Certificate No. 2013-003 in the amount of \$670.07.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of September 2013 that the Chief Financial Officer is authorized to issue a check in the amount of \$670.07 for the redemption of Tax Sale Certificate No. 2013-003 to:

US Bank Cust for Pro Cap II, LLC
50 S. 16th 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, September 12, 2013.

Margaret B. Dilts, CMC

Announcements: Cleanup is scheduled for October 5th from 7:00 am to 12:00 noon at Fire House No. 2 on Strykers Road and the Municipal Pool parking lot.

Council Reports:

Councilman Belcaro – Reported that there will be a pre-construction meeting for the Rt. 57 Pump Station Project after the USDA approves the documents submitted.

Councilwoman Ciesla – Reported that the LAA Treasurer position is vacant and one application has been received so far. The LAA President Kenny Lutz is in place and his contact information is on the website.

Councilwoman Ciesla thanked all involved with the 150th Birthday celebration including committee members, and everyone who marched in the parade. The three-day event was a great success. She also mentioned that invitations will be sent out to various organizations and the art/writing contest winners to come to the October Council Meeting for special recognition.

Councilwoman McCabe – The South Warren Regional Police Commission met last week. We are in touch with Civil Service to set up another meeting over the next few weeks to discuss their findings. The Commission is still in the fact finding stage of the process and meeting times will be changed in the future.

The Planning Board passed a resolution approving Final Plat Maps for 189 Strykers Road. Filing at the County will be at their expense.

Lastly, the Industrial Commission is dismantled and an ordinance for an Economic Development Advisory Commission will be introduced at the next meeting. Volunteers interested in the numerous positions can find the Volunteer Form on the website.

Council President Camporine – Thanked everyone involved with the Anniversary event. Movies at the Pool was again very successful and thanked both Bill and Linda Taggart. The County Shred Event is scheduled for September 28 from 8:00 am to 12:00 noon and Household Hazardous Waste on September 29 from 8:00 am to 12:00 noon.

Mayor Steinhardt directed the Administrator to send a letter to the Tax Assessor to attend the next Council meeting scheduled for October 2nd to answer questions the tax payers have on their assessments.

Also, the Phillipsburg Sewer attorney has been talking about adjusting its rates and during the course of a meeting with their representatives questions were raised about the charges. Their special counsel has not made any progress up to this point. Mayor Steinhardt asked Council to approve our legal counsel take the next steps. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Attorney Mike Lavery advised that Franklin Township's offer to settle a court dispute came in at \$21,547.50 more than the original figure of \$13,000.00. Franklin Township would like to pay this amount in whole in February, 2014. Motion by Council President Camporine to accept, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Telephone Policy – A new Telephone Policy will be put in place that will require all employees to forward their calls to Phyllis when not in their office which includes anytime they leave their desks. People calling in will have a better chance of reaching a person who can take a message and number to have their calls returned. Motion by Council President Camporine, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Engineer Sterbenz reported an application for South Second Street was submitted to the DOT. Also an ordinance for a four-way stop will be forthcoming at the next meeting.

Department Reports: Motion by Council President Camporine, seconded by Councilwoman McCabe to approve all reports. Roll call vote:

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

NAYS: None

Payment of Bills: Motion by Council President Camporine, seconded by Councilwoman Ciesla to approve all reports. . Roll call vote:

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

NAYS: None

Audience Participation: Questions and comments were addressed by 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