

TOWNSHIP OF LOPATCONG
REORGANIZATION MEETING

January 6, 2014

The Reorganization Meeting of the Lopatcong Township Council was called to order at 6:45 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.

Sworn In – Maureen McCabe and Donna Schneider for three-year terms.

Present: Mayor Steinhardt, Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe and Councilwoman Schneider. Also present were Tax Collector Edinger, Attorney Campbell and Engineer Sterbenz.

Resolution No. 14-27 – Authorize Executive Session.

R 14-27

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 and Planners Report

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Motion to go back into Regular Session by Councilwoman Ciesla, seconded by Councilwoman McCabe. All in favor.

Council President and Department Assignments – Mayor Steinhardt designated Ms. Ciesla Council President and Council assignments are as follows:

Mayor Steinhardt – Administrative and Executive Personnel Departments, Public Safety, Planning Board where Councilwoman McCabe will serve as the Mayor’s designee, Ex-Officio to the other various departments.

Councilman Belcaro – Public Buildings and Grounds, Sewer Department, Planning Board and Negotiations Committee (two person committee), Animal Control and second to the Dept. of Public Works.

Councilwoman Ciesla – Council President, liaison to the Lopatcong Athletic Association, Recreation Commission, Economic Development Advisory Committee, Shared Services, Technology and second on Administrative and Executive.

Councilwoman McCabe – Municipal Insurance Fund Commissioner, Mayor’s liaison to Planning Board, Economic Development Advisory Committee, Shared Services, and Animal Control second.

Councilwoman Schneider – Dept. of Public Works liaison which includes Recycling, Clean Communities and Shade Tree, Board of Education and Negotiations Committee (two person committee).

Reorganization:

Resolution No. 14-01 – Annual Meeting Calendar.

R 14-01

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 2014

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 10th, 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 2014.

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 6, 2014 | July 2, 2014 |
| February 5, 2014 | August 6, 2014 |
| March 5, 2014 | September 3, 2014 |
| April 2, 2014 | October 1, 2014 |
| May 7, 2014 | November 5, 2014 |
| June 4, 2014 | December 3, 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 the Reorganization Meeting held on Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

Resolution No. 14-02 – Charge for individuals requesting annual meeting calendar.

R 14-02

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

Resolution No. 14-03 – Designation of Depositories. This Cash Management Plan is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits and investment of certain public funds of the Township of Lopatcong, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing accounts or otherwise invested in permitted investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the deposits and the permitted investments will be done to insure the safety, the liquidity, and the maximum investment return within such limits. The Plan is intended to insure that any deposit or permitted investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such deposits or permitted investments.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY ESTABLISHING A CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 as an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit establish a cash management plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey for the year 2014 the following shall serve as Cash Management Plan of the Township of Lopatcong.

The Chief Financial Officer is directed to use the Cash Management Plan as the guide in depositing and investing the Township of Lopatcong's funds.

The following FDIC and Government Unit Deposit Protection Act (GUDPS) approved banks are authorized depositories for deposit of funds.

Team Capital Bank and all other FDIC and GUDPA approved banks located in the State of New Jersey.

All warrants or checks for the disbursements of money shall be made by any three (3) of the following officials and facsimile signatures may be used:

Douglas J. Steinhardt, Mayor
Maureen McCabe, Councilwoman
Margaret B. Dilts, Clerk/Administrator
Mary E. Dobes, Chief Financial Officer

The Chief Financial Officer and the Clerk/Administrator are empowered to invest cash funds as bank balances will allow from time to time in order to realize revenue. The above stated officers are authorized to transfer funds for the purpose of paying bills, investing and payroll.

The following are authorized as suitable investments:

1. Interest bearing accounts in banks as authorized for deposit of local unit funds (GUDPA approved).
2. Certificates of deposit in GUDPA approved banking institutions.
3. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury, Notes and Bonds.
4. Government Money Market mutual funds that comply with N.J.S.A. 40A:5-1.5.1(e).
5. Any other obligations with maturities not exceeding 397 days as permitted by the State Division of Investments.
6. New Jersey Cash Management Fund.
7. Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15(e).

Each month the Chief Financial Officer shall prepare a report for the Clerk/Administrator that consists of the following:

1. A summary of all investments made or redeemed for the month.
2. A listing of any and all financial institutions holding local unit funds.
3. The class of type of securities purchased or funds deposited.
4. Income earned on deposits and investments.
5. A listing of accounts or deposits that do not earn interest.

This document shall constitute the Cash Management Policy of the Township of Lopatcong.

Any official involved with the selection of depositories or investments shall disclose any material business or personal relationship to the Local Finance Board.

Any official who, in the course of his or her duties, deposits or invest in accordance with this plan shall be relieved of any liability or loss.

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 14-04 – Designation of official newspapers.

R 14-04

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-05 – There was only one response from the RFP for Township attorney from our current counsel Michael Lavery of Courter, Kobert and Cohen for whom Ms. Campbell works.

Mayor Steinhardt - Questions or comments on Item 5?

Councilwoman Schneider - I have a comment. I need to make a statement. The residents of Lopatcong should know I made every effort to ask for copies and information regarding tonight's meeting and was unsuccessful. This process is unprofessional, void of transparency and certainly not a proper way of doing business. I want the residents to understand that the bidders submitting bids for Pay to Play were required to make a copy for each council member in order for the bid to even be considered. I was denied the right to bring the copies home for review. There was a bid that looked attractive at quick glance, I had it, but being disqualified because the bidder only sent two copies. Why do we ask for eight if we don't distribute them to councilmembers. It is irresponsible to put this barrier up for me to get information and I want the minutes to reflect that I was denied this and have resulted in my request to make this motion. I would like to make a motion to carry over all the Pay to Play support professional bids and appointments to all municipal boards and all of these resolutions from tonight's agenda so we can make sure Lopatcong is getting the most qualified professionals for the fees being paid and there's ample time for me and any other council person to fully research their contracts for the benefit of the tax payers and myself. I hope that someone will second this motion. I have nothing against our current professionals but these are very important decisions to be made and receiving an agenda a few hours before a meeting and still not being presented bid copies is unconscionable. I'm making the motion.

Mayor Steinhardt – Anyone seconding it? Let's correct some inaccuracies in Ms. Schneider's statements. First of all she says that there were multiple bids for the Township attorney. That's erroneous folks. There was only one. There were multiple bids, there were three actually for the labor counsel's position and we'll get to that in a little bit. There was only one for the Township attorney that being the one submitted by Mr. Lavery's office. All the bids were made available to every council member when they came in and they were opened on the 27th and everyone was notified of their ability to come in and look at them. I came in on multiple occasions last week. I saw Ms. Ciesla here at one point, saw Mr. Belcaro at another time. I don't know when Ms. McCabe was in but I'm going to canvass the rest of Council and find out from them whether or not they had an opportunity to come in. Since I've gotten here, it was never anybody's practice to give copies out of the various bid documents. I've never been able to take them home when I've left and to the best of my knowledge, none of the other council members did either. It was always explained to me, and it was my understanding, that the bid documents often contained bond certificates and other things that shouldn't leave the building so we always just came in and looked at those documents here. I can tell you that there weren't a plethora of bids as Ms. Schneider suggested that it would be so overwhelming to look at. In fact, there were only four. There was one for the attorney; there were three for the labor attorney, so there was five because there was another one for the auditors submitted by Mr. Evans. There was no competing bid for his either. Contrary to Ms. Schneider's suggestion related to the labor attorney bids, there were three labor attorney bids. One was, just without getting into the merits of the rest of them, one was for \$180.00 an hour, and that was from Phil Norcross's law firm down in Camden County, and for the record, Phil Norcross is George Norcross's brother and from Phil Norcross's firm for \$180.00 an hour. The second was from a firm located in Clinton that was the one Ms. Schneider said was rejected for failing to provide the Employee Information Report, failure to provide an insurance certificate, for failure to provide a list of their professional affiliations and for failure to provide the number of licenses and professional degrees; that one was for \$140.00 an hour and the last one was from Courter, Kobert and Cohen from Richard Wenner for \$125.00 an hour. An attorney that works for the same law firm that we presently employ or have employed as the Township attorney. So Ms. Schneider's statement is inaccurate especially in so far as it pertains to Resolution No. 5. As for timing, well first of all, Ms. Schneider is inaccurate, incorrect in that she was singled out in the ability to bring things home. I don't believe any council member took anything home but I just want to find out if any other council member had the opportunity to come in and take a look. Ms. McCabe did you have sufficient time to come in to look at the bids and did you come in?

Councilwoman McCabe - I did and I did come in.

Mayor Steinhardt - Ms. Ciesla?

Councilwoman Ciesla – Yes. I was here several times throughout the last couple weeks.

Mayor Steinhardt - Mr. Belcaro?

Councilman Belcaro - I stop here at least a few times a week and I was here today.

Mayor Steinhardt - I saw Ms. Schneider when I came in last Thursday. Then I was in again and talked to Beth on Friday, the building was closed though. I was in again all day today making sure I went through everything. She also made reference to contracts not having the ability to review any contracts. I will represent to all of you out there; there are no contracts in the packet. Contracts come after the fact. Once an appointment is made, that person then submits a contract after the fact which we all review and decide whether we are going to execute it or not. So appointments would be made today and then you would find in February, that the prosecutor and the public defender, the Township attorney, etc., would submit their contracts that all of us would then have an opportunity to review and decide whether or not we are going to execute. So to suggest that she hasn't had a chance to look at contracts is accurate, but then again, none of the rest of us has had a chance to look at any contracts either. Did I miss something?

Ms. Schneider - Okay I'd like to respond to that. In my statement here I didn't mention anything about contracts nor did I mention anything about the labor contracts.

Mayor Steinhardt - You did.

Councilwoman Schneider - I have a copy right here so I didn't. I'm not, I'm not changing my words. This is what I wrote here and it has nothing to do with contracts, or any labor attorney's or how many bids were for each Pay to Play and I also, according to the one that you said was missing more than just copies, when I asked the question on Thursday, I was told they were only missing two copies. It didn't say anything about missing anything else in the packet.

Mayor Steinhardt - Everybody got the same spread sheet. It was the same stuff that you got too.

Councilwoman Schneider - I asked you right there and you told me that.

Clerk Dilts – There was more than one thing. I said the first thing they didn't submit was the number of correct copies.

Councilwoman Schneider - You said I'm not even considering that because I, there was not enough copies but you didn't elaborate, and say they were missing all the things that Mr. Steinhardt said.

Clerk Dilts - I gave you the analysis, I laid it right on the table and pointed it out to you.

Councilwoman Schneider - It was also inaccurate there were only three. There is a bid for each one of the professionals and I have never seen a bid before nor have I even had any chance to ask any questions. I was told on January 2nd to come in and look at the bids. I did not have the time that anyone else was given so.

Mayor Steinhardt - That's inaccurate too. You were here last week to look at (inaudible).

Councilwoman Schneider - Yeah on January 2nd Doug, on January 2nd I came in and then that was the day I was called by Beth to come in and look at them. There was no one here on Friday and today is not an opportunity for me to come. I don't think I should have to try and cram it in in a two-day period for someone who has never had to look at a bid before.

Mayor Steinhardt - Ms. Schneider if you are uncomfortable don't vote for it. I think the rest of the Council had all the same opportunities that you did and quite frankly, it sounds like the rest of Council spent quite a bit more time going through it and they seem to have found the worksheet that Ms. Dilts prepared outlining what was included and what wasn't. They went

through it. No one indicated to me or anyone else that you had questions outside of it. To me, quite frankly, what's happening is you are coming here today and grandstanding for the purpose of trying to, I don't know, drum up some sympathy for the fact that you didn't do your homework. As a practical matter, you had the same amount of time as any other Council member did to go through it and see what was there and to make sure you had the information you needed to cast a vote.

Councilwoman Schneider – So everyone was called on January 2nd? They didn't get a chance to look at them before that.

Clerk Dilts – Yes.

Councilwoman Schneider – So yeah and they have a year experience over me also and for me to be, first eyes, I had nowhere to even ask a question if I had a question to ask.

Mayor Steinhardt – For what it is worth, I was actually here Thursday when you were here and not that you necessarily have to come up and ask me, but you didn't ask me. Obviously you didn't ask Ms. Dilts either and that you saved it for tonight and like I said, there were multiple inaccuracies in your statement beginning with the fact that there were all these things that you didn't get to see, they were there and available for you as there were every other Council member and as we go through each one, and you feel that you haven't had time, then that's fine but I can tell, I will represent to the folks in town that it wasn't for a lack of information made available to you that wasn't made available to anybody else. Every other Council member, myself included, at the same time, had an opportunity, and took advantage of it in order to come in and make sure that they were prepared.

Councilwoman Schneider – I'm sorry you feel that way but I believe that there was not enough time to even look at any of this information and you know, being a first time person, I, at least a courtesy of giving me some time to even look at it. I don't see a reason why we can't take the bids home. There is nothing written that I can't take the bid home. I don't understand why I wasn't allowed to, given that courtesy.

Mayor Steinhardt – You made a motion asking for more time – it didn't get a second. Now is there a motion on Item Five for the Township attorney?

R 14-05

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 2014 at a retainer of \$2500.00.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq. and the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500.

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: Councilwoman Schneider

Resolution No. 14-06 – Mayor Steinhardt – appointing Village Medical Associates as Township physicians. Questions or comments?

Councilwoman Schneider – I have a question. Why do we have a Township physician, what do they do?

Mayor Steinhardt – Anytime we have a Township employee that's injured they are evaluated, need be, by a Township physician which provides continuity both from the Township's perspective and part of our comp. carrier, etc., is concerned that we have a local practice that does that for us.

R 14-06

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING PHYSICIANS FOR THE YEAR 2014

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 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 the Reorganization Meeting held on the Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-07 – The Township received a letter from the County Tax Administrator asking that each municipality pass a Resolution authorizing the Township Attorney to file and prosecute Complaints. This includes Complaints with the County Tax Board, State Tax Court including tax appeals, roll-back appeals, added and omitted assessments and correction of errors. The Assessor still makes the decisions and all major tax court settlements are brought before Township Council for approval, but this allows the Township attorney to sign all of the documents on behalf of the Township.

R 14-07

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 2014 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 6th day of January 2014, 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 2013 and defending or settling all 20013/14 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

Resolution No. 14-08 – Interest charged on delinquent taxes.

R 14-08

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 14-09 – Tax refunds or delinquencies for less than ten dollars.

R 14-09

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 14-10 – Robert’s Rules of Order.

Mayor Steinhardt – We have been a little lax over the last couple of years with enforcing those but will be doing that going forward. Robert’s Rules have been adopted by the Township each year, the outline by which, the framework by which, the meetings are conducted.

R 14-10

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 11th 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-11 – Reappoint Wayne Degan as the 911 Coordinator. Mayor Steinhardt - N.J.A.C 17:24-5.1 requires all municipalities to have a 911 Coordinator. This statute requires the coordinator to maintain a plan for 911 enhanced service throughout the municipality. The plan is already in place it just requires updating when a new development is built. Mr. Degan was appointed this position because he is also the assistant to the assessor so he is one of the first Township employees who becomes aware of a new development and he works with the assessor

to set new street numbers which need to be done in compliance with 911 and that information needs to be incorporated into our plan.

R 14-11

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 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 the Reorganization Meeting held on Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-12 – Reappoint Christopher Troxell as Municipal Prosecutor.

R 14-12

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 2014 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 14-13 – Appoint Scott Wilhelm, Municipal Public Defender.

R 14-13

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 2014 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-14 – Township Auditor. This position received one RFP.

R 14-14

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING NISIVOCCIA & COMPANY, LLP AS TOWNSHIP AUDITOR FOR THE YEAR 2014

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

NISIVOCCIA & COMPANY, LLP, of Randolph, New Jersey, are hereby appointed Township Auditor for the year 2014 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: Councilwoman Schneider (My comment still stands)

Resolution No. 14-15 – Reappoint Beth Dilts Qualified Purchasing Agent.

Mayor Steinhardt – Qualified Purchasing Agent or QPA law took effect in January 2011. This enables the Township to increase its bid threshold from \$17,500 to \$36,000. The amount under which the Township is not obligated to advertise and solicit bids; we can secure them on our own. You should understand that often times creating bid specs and sending them out for bid is a costly process. We either pay our attorney to do that or we pay our engineer to do that and this enables communities that employ a qualified purchasing agent or represented by a qualified purchasing agent to do so without having to go through that added process. The governing body can pass a resolution to designate an individual as the purchasing agent. That individual is fully assigned the authority, responsibility and accountability for purchasing activity in the contracting unit. The individual holds a qualified purchasing agent certificate which allows the Township to increase the bid threshold, as I said, to \$36,000 and both Beth and Betty Dobes, our CFO, deal with these responsibilities but Ms. Dilts hold the license and she is not paid anything in addition for this license. She does this as part of her Clerk’s position. Questions or comments on Item 15?

R 14-15

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: Councilwoman Schneider

Resolution No. 14-16 – Reappoint Beth Dilts as Public Agency Compliance Officer. Required by the New Jersey Dept. of Treasury which requires that all public agencies that contract for goods and services comply with the Division of Contract Compliance and the EEOC. Examples of some of the requirements that they hold a Business Registration Certificate with the State of New Jersey, Employment Information Registration Certificate and compliance with Affirmative Action requirements. Ms. Dilts performs this duty under her responsibilities as Township Clerk and Administrator.

Council President Ciesla asked if she does this for no compensation like she does the other one and if for instance, we didn't appoint her to either one of these duties, how would we deal with this.

Mayor Steinhardt – In the case of the first one, not have the ability to award contracts over \$17,500 unless we went out and contracted with somebody from another town that might have the certificate and the same thing with our Public Agency Compliance Officer. If we didn't have one we would be required by State Treasury to have somebody to do that. We can always share the service with somebody else but.

Councilwoman Ciesla – Would we have to pay?

Mayor Steinhardt – Yeah. We have somebody in the office. Any other discussion?

Councilwoman Schneider – I have a comment. Is there anyone else in the building that could be qualified or would be able to be qualified?

Mayor Steinhardt – I can assume anybody could be qualified, right? It's a matter of taking a test.

Council President Ciesla – Have to get qualified, right and they would have to be willing to do it for no cost or else, why bother.

Mayor Steinhardt – Answer your question? Anything else? Roll call please.

R 14-16

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 Margaret B. Dilts as Public Agency Compliance Officer as mandated by N.J.A.C. 17:27-3.2 by January 10th of each year; and

WHEREAS, Margaret B. 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 Margaret B. Dilts as the P.A.C.O. for the Township for the year 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 the Reorganization Meeting held on Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilwoman McCabe, seconded by Council President Ciesla. Roll call vote:

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

NAYS: Councilwoman Schneider

Resolution No. 14-17 – Recycling Coordinator. January 2008 the Recycling Enhancement Act became law which now requires that all counties designate a recycling coordinator and every municipality. Municipal master plans be revised to require provisions for recycling into residential, commercial and industrial developments, municipalities must submit tonnage grant reports every year and other provisions as required. The Act calls for recycling grants to be awarded to municipalities based on collection rate for recycling events and educations programs concerning recycling.

R 14-17

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF THE 2013 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 2013 recycling tonnage grant application to

the New Jersey Department of Environmental Protection and designate Brian Race 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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Resolution No. 14-18 - Computer services.

R 14-18

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING NISIVOCIA CONSULTING, LLC TO PROVIDE COMPUTER SERVICES FOR THE YEAR 2014

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: Councilwoman Schneider (My comment still stands)

Resolution No. 14-19 – Reappointing Richard Wenner of Courter, Kobert and Cohen.

Mayor Steinhardt - There were two other proposals submitted. I came in and looked at them at length on Thursday. I went through them again with Beth over the weekend and went through them again this morning. It took all of 15 minutes because there was three but as I indicated to you before there were, the prices ranges of the three proposals range from \$180.00 an hour to \$140.00 an hour to \$125.00 an hour. As I indicated the \$140.00 an hour proposal was deficient in a multitude of respects beyond simply the number of copies as I indicated. It lacked an Employee Information Report, insurance certificate, the professional affiliation designations and

the number of licensed professionals and degrees. Courter, Kobert and Cohen has served as labor counsel for the last several years. I think five or six years. I think even through the DPW issues that we had several years back and did an exceptional job for us steering our way through that when we had issues with a former DPW and the time issues we had related to that. Is there a motion?

Councilwoman Schneider – I have a question before you do that.

Mayor Steinhardt – Is there a motion first?

Council President Ciesla – Motion.

Mayor Steinhardt – Second?

Councilwoman McCabe – Second.

Mayor Steinhardt – Discussion? Fire away.

Councilwoman Schneider – Did you say you were here? Were you here over the weekend? Is the building open?

Mayor Steinhardt – I said talked to Beth over the weekend. So I was here on Thursday, spoke to Beth over the weekend and Beth when did I talk to you Saturday or Sunday. Beth, when did I talk to you Saturday or Sunday? Might have been both days.

Councilwoman Schneider – So you just went like off memory of what you looked at the contract to discuss it?

Mayor Steinhardt – Yes, I could have recited this by memory from the first time I came. Didn't take that long. I can remember the three salaries and, the fact, that there were four things missing. You might not have been able to get me to remember the four things that were missing but I knew that they were missing.

Councilwoman Schneider – Okay I just didn't know if you were in here discussing it, if the building was open or anything on the weekend.

Mayor Steinhardt – Best of my knowledge, it wasn't. But I take that back, the building was probably open all weekend because of the Police Department. I wasn't.

Council President Ciesla – I did some additional research as well at home.

R 14-19

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING 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:

WHEREAS, Richard Wenner of Courter, Kobert and Cohen is appointed as Labor Counsel for the year 2014.

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: Councilwoman Schneider.

Resolution No. 14-20 –Approve all appointments to all expired and vacated municipal boards.

R 14-20

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’s
(Maureen McCabe – Mayor’s designee)

Class II – Wayne Degan

Class III – Lou Belcaro

Alternate No. 1 – John Kosar

Alternate No. 2 – Tom Fischbach (Lisa Nash unexpired term – 2015)

Athletic Association

Bill McAuliffe

Zoning Board of Adjustment

Andy Horun

Robert Larsen

Richard Bittone

Rent Leveling Board

Kathy Devos

Frank Toltl

Shade Tree Commission

Virginia Rutledge

EDAC

Gregg Murray

Jim Palitto

Kathy Devos

Tom Fischbach

Maureen McCabe

(Mayor’s designee)

Environment Commission

Kevin Jankowski

Frank Brockerhoff

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: Councilwoman Schneider

Resolution No. 14-21 – Approve temporary Municipal and Sewer Utility Budget.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING TEMPORARY MUNICIPAL AND SEWER
UTILITY BUDGET FOR YEAR 2014

WHEREAS, NEST 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2014 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, 2014; and

WHEREAS, 26.25% of the total appropriations in the 2013 Municipal and Sewer Utility Budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2014 Temporary Municipal Budget is the sum of \$1,541,089.36 and in said 2014 Temporary Sewer Utility Budget is the sum of \$413,220.45.

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.

2014 Lopatcong Temporary Municipal Operating Budget

REVENUE - 104000 Amount to be Raised by Taxation \$1,541,089.36

| EXPENDITURES | | |
|--------------|---------------------------------------------|-------------|
| 10510120 | Postage | \$2,500.00 |
| 10510220 | Computer Services | \$5,000.00 |
| 1051320 | Code Book Update | \$500.00 |
| 10510520 | Human Resources Education | \$1,000.00 |
| 10511010 | Mayor and Council Salary | \$5,500.00 |
| 10512010 | Municipal Administration Salary | \$75,000.00 |
| 10512020 | Municipal Administration Other Expense | \$7,000.00 |
| 10513010 | Financial Admin. Salary | \$20,000.00 |
| 10513020 | Financial Admin. Other Expense | \$1,000.00 |
| 10513520 | Audit Services | \$15,000.00 |
| 10514510 | Revenue Admin. Salary | \$8,500.00 |
| 10514520 | Revenue Admin. Other Expense | \$2,000.00 |
| 10515010 | Tax Assessment Salary | \$25,000.00 |
| 10515320 | Tax Assessor Miscellaneous Expense | \$17,000.00 |
| | | |
| 10515520 | Legal Services Other Expense | \$21,000.00 |
| 10516520 | Engineering Services Other Expense | \$15,000.00 |
| 10518010 | Planning Board Salary | \$5,000.00 |
| 10518220 | Planner | \$500.00 |
| 10518320 | Planning Board Misc. Other Expense | \$3,000.00 |
| 10518510 | Zoning Board of Adjustment Salary | \$2,000.00 |
| 10518520 | Zoning Board of Adjustment Other Expense | \$1,000.00 |
| | | |

| | | |
|-----------|-----------------------------------------|----------------|
| 10519610 | Building Sub Code Inspector Salary | \$15,000.00 |
| 10519620 | Bdlg. Sub Code Other Expense | \$1,500.00 |
| 10519810 | Fire Inspector Salary | \$9,500.00 |
| 10520320 | Shade Tree Commission Other Expense | \$500.00 |
| 10521020 | Liability Insurance | \$40,000.00 |
| 10521520 | Workers Compensation Ins. | \$27,000.00 |
| 10520010 | Zoning Officer Salary | \$2,650.00 |
| 10520110 | Rent Leveling Board Salary | \$1,150.00 |
| 10522020 | Employee Group Insurance | \$160,000.00 |
| 10522520 | Unemployment Insurance | \$2,500.00 |
| 10524010 | Police Department salary | \$536,189.36 |
| 10524020 | Police Department Other Expense | \$55,000.00 |
| 10525210 | Emergency Management Salary | \$1,000.00 |
| | | |
| 10526020 | First Aid Organization Other Expense | \$5,500.00 |
| 10526420 | Fire Companies Other Expense | \$7,000.00 |
| | | |
| 10527510 | Prosecutor's Office Lopatcong Salary | \$5,500.00 |
| 10529010 | Road Maintenance Salary | \$100,000.00 |
| 10529020 | Road Maintenance Other Expense | \$50,000.00 |
| 10531010 | Building and Grounds Salary | \$5,000.00 |
| 10531020 | Building and Grounds Other Expense | \$7,000.00 |
| 10537110 | Parks and Playground Salary | 16,000.00 |
| 10537120 | Parks and Playground Other Expense | \$20,000.00 |
| | | |
| 105375095 | Garbage & Trash Removal | \$2,100.00 |
| 10543020 | Electricity | \$25,000.00 |
| 10543520 | Street Lighting | \$5,000.00 |
| 10544020 | Telephone(Exclude equip acq) | \$15,000.00 |
| 10544620 | Gas(Natural or Propane) | \$10,000.00 |
| 105448520 | Fire Hydrant Service | \$40,000.00 |
| 10544920 | Water | \$4,000.00 |
| 10546020 | Gasoline | \$30,000.00 |
| 10534010 | Animal Control Serv. Salary | \$1,000.00 |
| 10547220 | Social Security | \$60,000.00 |
| 10649010 | Municipal Court Salary | \$8,500.00 |
| | | |
| | \$1,541,089.36 | \$1,541,089.36 |

**SEWER
2014 Lopatcong Temporary Sewer Utility Budget**

Revenue – 764220 Sewer Service Charges

\$413,220.645

Expenditures

1. The Township of Lopatcong hereby appoints Randy May its local Risk Management Consultant.
2. The Township of Lopatcong and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2014 in the form attached hereto.

TOWNSHIP OF LOPATCONG

ATTEST:

Lori Ciesla
Council President

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Councilman Belcaro made the motion, seconded by Council President Ciesla. Roll call vote:

Councilwoman Schneider – Before we do that, how, I'm not sure how to, so if we would like to appoint Budd do we say no to this? Okay.

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

NAYS: Councilwoman Schneider, Councilwoman McCabe

Statewide Risk Management Consultant's Agreement – Authorize execution of Risk Management Consultant's Agreement as required by municipal insurer. Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Council President Ciesla, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Resolution No. 14-23 – Appoint Fund Commissioner and Alternate Fund Commissioner.

R 14-23

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING FUND COMMISSIONER FOR 2014

WHEREAS, the Township of Lopatcong (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (Hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the governing body of that Maureen McCabe, is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that Beth Dilts is hereby appointed as the alternate fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Roll call vote:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor Steinhardt.
NAYS: None

New Business: (Consent Agenda)

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

Resolution No. 14-24 – Authorizing redemption of Tax Sale Certificate No. 2013-32 and Premium on Block 116.14, Lot 11 C0043 in the amount of \$805.63.

R 14-24

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 116.14, LOT 11 C0043 IN THE AMOUNT OF \$805.63

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 116.14, Lot 11 C0043 also known as 43 Limerick Lane for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-032 was sold to US Bank Cust for BV001 Trust for a Premium of \$500.00; and

WHEREAS, Corelogic, Mortgage company for property owners, has satisfied the redemption amount on Tax Sale Certificate No. 2013-032 in the amount of \$305.63.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of January that the Chief Financial Officer be authorized to issue a check in the amount of \$805.63 for the redemption of Tax Sale Certificate No. 2013-032 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 the Reorganization Meeting held on Monday, January 6, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-25 – Authorizing redemption of Tax Sale Certificate No. 2013-033 and Premium on Block 119, Lot 4 in the amount of \$20,067.71.

R 14-24

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 119, LOT 4, IN THE AMOUNT OF \$20,067.71

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 119, Lot 4, also known as 29 Peddlers Lane for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-033 was sold to US Bank cust for BV001 Trust for a Premium of \$10,100.00; and

WHEREAS, Citi Mortgage, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2013-033 in the amount of \$9,967.71.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of January that the Chief Financial Officer be authorized to issue a check in the amount of \$20,067.71 for the redemption of Tax Sale Certificate No. 2013-033 and Premium to:

US Bank Cust for BV001 Trust
50 S. 16th Street, Suite 1950
Philadelphia, PA 19102-2513

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 Monday, January 6, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-26 – Authorizing redemption of Tax Sale Certificate No. 2013-043 and Premium on Block 139, Lot 52 in the amount of \$2,446.06.

R 14-26

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 139, LOT 52 IN THE AMOUNT OF \$2,446.06

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 139, Lot 52 also known as 22 Jade Lane for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-043 was sold to Stuart Lasher for a Premium of \$1,200.00; and

NOW, THEREFORE, BE IT RESOLVED on this 6th day of January that the Chief Financial Officer be authorized to issue a check in the amount of \$2,446.06 for the redemption of Tax Sale Certificate No. 2013-043 and Premium to:

Stuart Laser
P.O. 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 the Reorganization Meeting held on Monday, January 6, 2014.

Margaret B. Dilts, CMC

Council Reports:

Councilwoman Schneider – No report.

Councilman Belcaro – Thanked Brian Weeks and the DPW employees for their hard work. They have been working long hours with snow removal. The contractor for the Pump Station Project has been given the green light to start. They have 180 days to complete the project given no weather or other issues that may arise that would delay the completion. They are doing a lot of behind the scenes preparation and we should see the equipment arrive on the scene soon.

Councilwoman McCabe – I don't have a report and would like to say thank you to everyone again. I like to say thank you to all who voted for me. Thank you for your continued support. I plan to work hard to help to keep Lopatcong a great place to live. Thank you to all those who supported me during the campaign season. Many people helped out in many different ways and all that support was greatly appreciated and really helped me get through long campaigning days. Thank you to my Campaign Manager, Dave Lance. Dave had some great campaign ideas and he kept us on our toes campaigning and he did all the necessary bookkeeping which is no easy task. Special thank you to my running mate, Tom Fischbach. Thanks to Tom for we had a great network support and we had more campaign funds for more advertising and Tom and I were able to meet many residents in the different corners in this community. Lopatcong is made up of some very hard working people that really, really care about this community and we are all very fortunate to live in such a nice town and I plan to work hard to help keep it that way. Most of all thank you to my family for their support and patience during campaign season. I was missing for some of the weekends and there were many late dinners and some dinners were missed all together but I'll get working on it. I look forward to working with the Mayor and with Town Council to continue to keep Lopatcong a vibrant community.

Council President Ciesla – First I'd like to thank everyone for their support in my nomination for Council President. I hope I can do as good a job as Victor. It's been a long year, we've learned a lot. I don't think I slept since 2011. It's been very enjoyable, I came into this like I come into everything, with an open mind and I need to figure out things for myself, and maybe that causes me a little extra work, but at least I know that I've done the work that I need to do to make my own decisions, and everybody here within the building, and on Council, new and old, has been very accommodating and open, and I look forward to working with everybody again. One of the things I'd like to see in the new year, with the new Council, and was mentioned in their oaths, the Constitution and we should be focusing on this. There are four others I'd like to see us do; communication which I consider to be the key to every single relationship you have. Communication not only with the residents but also with each other. Collaboration is defined as the art of working with someone to produce or create something. Collaboration not division brings ideas to completion. Again, although we may not agree on everything, to collaborate, we can create. Cooperation is necessary to achieve positive and necessary results. Antagonism and hostility only serve to slow progress. On that note, you don't necessarily have to agree on everything, and as you can see, we haven't all agreed and that's okay. From a dispute, we can achieve compromise which is the fourth thing. That's to settle a dispute by mutual consent. Sometimes you can't get everything you want. You have to compromise here and there, and a successful team will do that in the eyes of a dispute or a disagreement. A dispute is defined as a disagreement or argument and the one thing I don't want to see here, amongst us, is conflict. Conflict is defined as a struggle for power, a difference that prevents agreement and also as a fight, a battle or a war. It also is represented as an antagonistic debate which I don't think benefits any of the residents. So again, I'd like us to focus on communication, collaboration, cooperation and compromise.

Going forward, I would like to thank Brian and the DPW very much for everything they have done over last few days. It is very tricky maneuvering with these storms between the snow and the ice; these guys have done a great job. We've been trying to post updates as we can. Brian is out there in the field and in Victor's absence, I was fielding some of the comments through Facebook and I do delete them after I review them. I made sure that I talked to Brian and I got those answers for those people. Going forward, Donna is the first liaison, so all of her information is on the website. I'll even make notes of her contact information on Facebook.

Under Parks and Recreation, we will be looking to buy the brackets for the baseball and softball teams on the basis that the LAA will be granting us back the proceeds from their events that will

pay us back. If we buy the brackets we can start hosting the All Star Game, the Championship Game and we can start hosting tournaments and adult leagues. I will make a motion for that.

Mayor Steinhardt – We are buying the brackets and the LAA is going to borrow them.

Council President Ciesla – Right, yes. We are going to make a motion that under Parks and Recreation, Council will purchase the brackets which should cost no more than \$1200.00. The LAA will borrow them from us for their tournaments.

Mayor Steinhardt – Second?

Councilwoman McCabe – Second.

Mayor Steinhardt – Discussion? Roll call.

Councilwoman Schneider - I'm sorry, I just want to ask a question Lori. So before we say yes to this, we don't know yet if we are paying for one, or four or.

Mayor Steinhardt – Up to \$1200.00.

Council President Ciesla – Most they are asking for is \$1200.00.

Councilwoman Schneider – The most they are asking for is \$1200.00, okay, yes.

Councilman Belcaro – Yes.

Councilwoman McCabe – Yes.

Council President Ciesla – Yes.

Mayor Steinhardt – Yes.

Council President Ciesla – I have one more thing. Due to, as you know the Ingersoll Rand property is in the process of being purchased and going through our records back in 2007, we had designated JSM as the Redeveloper for the I-R site. However, JSM did not purchase the property from 2007 until the present date. In order to make sure we clear the table completely I'm asking for a motion to rescind their designation as redeveloper for the I-R site and Engineer Sterbenz will go into more detail under his report.

Mayor Steinhardt – Paul, just because it is more than just the fact that they had not purchased it, they never executed a developer's agreement like they were supposed to. Paul, if you could give a little more history.

Engineer Sterbenz – In October 2007, the Township named JSM of Phillipsburg, LLC the Master Redeveloper for the Lopatcong portion of the Ingersoll Rand tract but immediately after they raised questions about the redevelopment plan and the ordinance that was prepared for that site. We had asked them for clarification as to what was troubling them about the plan and the ordinance and never received a response. We have been asking after that for further clarification and we never got a response and consequently, there was never a developer's agreement consummated between JSM and the Township for this parcel and here we are now almost six and a half years later. So the action the Township wants to take at this point, since nothing has happened, after we named them as the redeveloper, we want to rescind two actions that took place on October 3rd of 2007. One, we want to rescind the action of naming JSM of Phillipsburg, LLC as the Master Redeveloper for the Lopatcong portion of the Ingersoll Rand tract and we also want to rescind the action of the Council agreeing to consummate a developer's agreement with JSM of Phillipsburg, LLC.

Council President Ciesla – I want to make a motion to rescind those two items.

Mayor Steinhardt – Motion. Is there a second?

Councilman Belcaro – Second.

Mayor Steinhardt – Roll call.

Councilwoman McCabe – So we did not sign anything, we won't be, as a town, held liable for rescinding this?

Attorney Campbell – They never executed the redeveloper's agreement.

Councilwoman McCabe – We are comfortable in rescinding this cause there is nothing.

Attorney Campbell – Part of their obligation was to enter a developer's agreement with us and in six and a half years, they haven't and in fact, almost immediately they asked for changes to the plan.

Councilwoman McCabe – They've had sufficient time and they have not provided any (inaudible).

Councilwoman Schneider – Are we allowed to discuss what the future plans could be with the new person that could be interested?

Mayor Steinhardt – I suppose you can but the problem is this could be anything because I think we even talked about it last meeting that there is no secret, the Express covered it shortly after the December meeting that another developer had come in and was talking to Ingersoll Rand. They came in with three plans but they could come in with five other ones. The three plans that they came in with was exactly what had been proposed previously which was a retail, like lifestyle center with a park, a grocery store and retail and that had its pros and cons. The cons being that the fact that there is a bunch of vacant retail space further down the road. They came in talking about a distribution center; combination distribution and office space center which would be consistent with the trucking distribution that you see over in Lehigh Valley and then ancillary office space related or not and the third, they were talking about was more of an outlet kind of center. I had in my mind something like the Saucon Valley kind of deal but again they had similar concerns. The Sands has an outlet center, and you have the one at Flemington which I guess is slowly declining but there are other outlet centers in the region.

Councilwoman Schneider – So if the trucking one, I'm just concerned about the amount of trucks and that kind of stuff, would that be taken into consideration?

Mayor Steinhardt – That would go before the Planning Board.

Councilwoman Schneider – Okay, okay, okay. Right yeah. I was just concerned with their kind of bagging the retail, the trucking thing was a little bit of a concern if that's the route they were going to go.

Mayor Steinhardt – Any other questions? There is a motion, is there a second?

Councilwoman McCabe – Second.

Mayor Steinhardt – Roll call.

Councilwoman Schneider – Yes.

Councilman Belcaro – Yes.

Councilwoman McCabe – Yes.

Council President Ciesla – Yes.

Mayor Steinhardt – Abstain. Back in 2007, I had no relationship with JSM and even though we are voting to not favor JSM but to the contrary since then, one of the principles of JSM is Mr. Perrucci's partner at the apartment complex and even though we are voting kind of against them, I still want to be careful and not be perceived as taking an action that might compromise the

Township should they sue us and say that I possessed information that can be used against them. So, I'm going to abstain in deference to hopefully be in the Township's better interest.

Mayor Steinhardt – No report.

Council President Ciesla – Question for Engineer Sterbenz on Reservoir Road about something they are looking to do but at this time the funds are not available. Do you know if anything is still on the table?

Engineer Sterbenz – We have a bid document. The Township previously installed storm water improvements on Reservoir Road, the lower portion. It was always the goal of the Township to extend them further to the north because it is a roadway that receives a lot of runoff from surrounding properties. The roadway is almost like a channel. It is right next to a stream and you have a hill right next to it and so there is a tremendous amount of water that is channeled down to that roadway. So we have a bid document, but we did not award a contract previously because we did not have adequate funds. The Township Council could budget for this this year. Actually the cost of the project is not above \$36,000.00. Assuming the quotes are comparable, we would be able to seek three quotes. That is the advantage of the QPA to be able to do that and not have to go out for formal bids.

Council President Ciesla – Would we be able to at least look at the road as it is now? The concern is that the condition has actually gotten worse. I don't know if you or Brian can go out there and look at it.

Engineer Sterbenz – Most certainly.

Council President Ciesla – If you want, I will come out with you.

Engineer Sterbenz – I will call you tomorrow and set up the appointment.

Department Reports – Mayor Steinhardt asked for a motion to approve. Motion by Councilwoman McCabe, seconded by Council President Ciesla. Roll call vote:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla.
NAYS: None

Payment of Bills - Mayor Steinhardt asked for a motion to pay bills. Motion to pay bills by Council President Ciesla, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla.
NAYS: None

Audience Participation –

Attorney Campbell – Before we start public comment, we adopted Robert's Rules of Order so Council just asked me to go over the rules. Robert's Rules of Order includes a level of decorum and a process for public comment. Everyone in the audience that has a public comment should approach the podium, state their name, their address and we ask that no one speak out from the audience at any time and that Council will answer readily your questions but don't expect a dialogue between Council as that is not what it should be. In the past, Council has gotten lax and this is a new year and a good time to re-implement Robert's Rules of Order.

Marla Endick – 10 Byron Drive – Um, I would just like to state for the record. I made the request before, I believe for the last three Town Council Meetings, December 4th, the 30th and tonight, the agenda was not posted until a few hours prior to the meeting and I would just respectfully request if there is any way that that agenda could be posted more than a couple days before the meetings so the community can know what's being discussed at the Town Council Meetings, I think we would all benefit greatly. Thank you.

Mayor Steinhardt – Anyone else tonight questions or comments?

Louis Cartabona – 1119 Fifth Ave. – I just want to publically congratulate the candidates who won; Councilwoman Schneider and Councilwoman McCabe. I want to say that I really appreciate how the Mayor has filled in some of the background on the resolutions. I've been to multiple reorganization meetings and it is very nice to hear some back ground reasons so the public can understand. One of them that came up, and I didn't quite hear the reference, was for the 911 Coordinator. Mayor Steinhardt can you repeat the reference for that?

Mayor Steinhardt – NJAC 17:24-5.1.

Mayor Steinhardt – Anybody else questions or comments? Motion to adjourn. Councilman Belcaro, seconded by Council President Ciesla. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Douglas J. Steinhardt
Mayor