

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

February 5, 2014

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 Ciesla, Councilman Belcaro, Councilwoman McCabe and Councilwoman Schneider. Also present were Tax Collector Edinger, Attorney Lavery and Engineer Sterbenz.

Resolution No. 14-28 - was passed to hold an Executive Session to discuss contracts, potential litigation and attorney/client privilege matters. Motion to go out of Executive Session by Councilman Belcaro, seconded by Council President Ciesla. All in favor.

Sworn In: Adopt Resolution and Swear in Jonathon Eriksen as Sergeant provisionally in the Police Department pending the Civil Service List of Eligibles.

Mayor Steinhardt acknowledged the employees in the Department of Public Works and thanked them for their time and efforts for taking care of the streets in the most recent storms.

Public Comment: Martin Swim asked about Agenda Item No. 6 appointing Bruce Hall to the Economic Development Advisory Committee and the general selection process in getting more people involved. Council President Ciesla stated that if anyone wants to apply, we are still accepting applications. We still have open slots and we encourage anyone to apply.

Old Business:

Minutes December 30, 2013 and January 6, 2014 – Mayor Steinhardt asked for a motion to approve the minutes. Motion by Council President Ciesla, seconded by Councilman Belcaro. Mayor Steinhardt asked if there was any discussion.

Mayor Steinhardt – I want to read a statement I prepared. Last month a statement was read as it relates to some of the items reflected in those minutes. Last month we had a discussion over the appointment of certain of the Township professionals for the upcoming year. I am revisiting that discussion now, because Councilwoman Schneider’s comments and my response reflected in the minutes of last month’s meeting, of which we will be voting shortly. More specifically, at last month’s meeting, Councilwoman Schneider read what she represented was a prepared statement which she complained that our request for proposal process was flawed. She made a “motion to carry over all the play-to-play support professionals, an important term because it is going to come up again in a few minutes, support professional bids and appointments to all municipal boards and all of these resolutions from January’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 her and any other council person to fully research their contracts for the benefit of the taxpayers and herself”. She asserted that she made “made every effort to ask for copies and information regarding tonight’s meeting and was unsuccessful”. She characterized the process as unprofessional, void of transparency and improper. Her motion was not seconded by Councilwoman Ciesla and McCabe and Councilman Belcaro who were polled and each indicated that they had sufficient time to review the various proposals and in fact, came to the municipal building and did so. This Council employed in 2014 the same RFP process, excuse me, the same RFP review process, which has been employed for the 14 years that I’ve been here and for an unknown number of years prior to my tenure. All responses to proposals for professional appointments are made available to me and all council members, days in advance, here, in this

building. There are multiple copies so each of us makes notes in our respective packets. All any of us has to do is come here, sit down and review them. Councilwoman Schneider represented that she “made every effort to ask for copies” but what she didn’t do was make a significant effort to come in and review them. She blamed our processes on her failure to review the scant materials the rest of us reviewed. I believe her goal was not just to impugn our processes but to impugn us, our colleagues. First, as I pointed out last month and was challenged by Ms. Schneider for doing so, there were no contracts to review. There were only responses to requests for proposals and there were only five of them at that. That’s important for two reasons. First, it makes it sound like there was far more to review than there actually was. Contracts which can be longer and substantially more complicated are not part of what any of us was asked or required to review last meeting. They are, as I represented they would be, part of tonight’s agenda for us to review and adopt. Second, when I pointed out to Ms. Schneider that there were no contracts for us to review she became indignant claiming that she never used that word. Referring to her prepared statement Ms. Schneider said “I have a copy right here, so I didn’t say that. I’m not changing my words; this is what I wrote here. It has nothing to do with contracts”. The entire exchange, the word contracts, my explanation of her response are all reflected verbatim in the minutes before you. If there is some concern with the accuracy of that exchange, as most of you know our meetings are now recorded so that we can preserve what is said by whom and how. I watched the video the day after the January’s Reorganization Meeting. It is queued up to play here today, here, if necessary. Councilwoman Schneider’s contract comment is made at 13 minutes 48 seconds into the meeting, my response at 17:44, her denial at 18:31, my response to that at 18:38 and her continued denial at 18 minutes, 40 seconds. I accused Ms. Schneider of grandstanding then, and I will demonstrate, tonight, why. When this Council solicits for requests for proposals, when we review them, when we make motions, and cast votes, I want to believe that we do so with the Township’s best interests at heart. I know, I do, despite what our obvious fundamental differences in what many of us perceive to be in the Township’s best interests. These are the 2014 RFP responses. There were five; one for auditor, one for township attorney, and three for labor attorney. A year ago, in January 2013, three new council members faced the same task, under the same exact procedures to review this. This pile reflects the 2013 RFP responses and that pile reflects the 2014 responses. This is what Ms. Ciesla, Ms. McCabe and Mr. Belcaro reviewed as new council members, a little more than a year ago. This is what the same three council members reviewed this year where Ms. Schneider was elected to do but chose not to do. Not only did Councilwoman Ciesla and McCabe and Councilman Belcaro have nearly four times the material to review, but they came here, actually reviewed it and didn’t make excuses or pander to newspapers claiming that their task was insurmountable, or more specifically, that our process was unprofessional, void of transparency or improper. In short, they did their job. Last month Councilwoman Schneider said she wanted “residents to understand” what went on here. This month, I would like residents to understand what is going on here. This is a voice mail message that was left last year for one of the councilwomen sitting up here tonight. It was saved by that councilwoman and forwarded to me by that councilwoman out of concern for the way last month’s meeting evolved because she loves this Township as much as I do, and because when she makes a statement, a motion or a vote like me, she does it for the Township, not to play politics, on a political favor, align her fellow council members or seek maliciously to impugn them or their process for political gain. Marla Endick’s phone message was played at this point.

Voicemail Message – "Hey Lori its Marla, happy new year. Um I saw that Marty sent you a summary of some of the things we discussed with Maureen. There was one key thing that wasn't in there that's personally very important to me for you to be aware of and and forgive me if you already totally know this and I just need to say it um I know that you all are being expected to vote on the contracts for the support professionals for 2013 and um I just want you to be aware that if you feel that you do not have enough information to determine who the best person for the job is based on the packets that you received, I don't even when you got them, a couple days ago, um that perhaps that not enough discussion, no interviews conducted, etc., that you do have a right to abstain on voting on that or to suggest that it be tabled for now and not vote on the contracts until you all get together and get more information which is what most towns usually do, but I just needed to express that to you. Alright. So I look forward to seeing you sworn in tomorrow and uh if you have any questions, give me a call back, I'm up till all hours. Bye"

Councilwoman McCabe and Councilwoman Ciesla were encouraged to say publically they didn’t have enough time to review the RFP responses to abstain from the “support professionals”, and I will tell you, in the fifteen years I’ve been doing this, I’ve never heard the

appointed professionals referred to as support professionals until Ms. Schneider used that phrase last month that showed up again in Ms. Endick's voicemail message but to abstain from the support professional vote for the same reasons, simple make a motion to table them or one might say and I quote "carry over all the pay-to-play support professionals bids and appointments to all municipal boards and all of these resolutions so we can make sure there is ample time for her and any other council person to fully research their contracts for the benefit of the tax payers and herself". What you saw last month was an act. We were duped; all of us here at this dais, most of you sitting out there in the audience, and all of us living here in this Township. We were duped by the very same people who don't believe we are smart enough to think for ourselves, speak for ourselves or vote for ourselves. This binder, this binder is a binder of e-mails provided to me by the same Councilwoman who forwarded the voice message. They aren't Township e-mails but they are personal political e-mails, that from December 2012 prior, that represent a roadmap from manipulating members of the press, the public and this Council. One particular poignant sentence, they refer to all of you, as the less than bright general public which is why one can only surmise that you be bombarded with blogs, sound bites and home intrusions and us here peppered with politically motivated questions, motions, and votes. The minutes before you represent the town's business from the 2014 Reorganization Meeting. There are ten months left after tonight to advance the Township's interests, or your own, and I ask each of you sitting up here at the dais to ask yourselves why you are here. I spent fourteen years of my life putting this Township interests ahead of my own. I have a little less than eleven months left to go. It's going to be a fast moving 329 days and I for one, will not sit around and slow down, to wait for anyone, to pretend to do their job, to catch up. If you want to know where an e-mail is.

Councilwoman Schneider – I would like to say something.

Mayor Steinhardt – Fire away.

Councilwoman Schneider – Um, if you want to get, I, you know, it was my first night up here, um, when you were trying to correct me saying that there were not contracts to review, um, what my point was, was I wanted to at least look at the year prior's contracts and then take them and compare them to this year's bids. So I'm sorry if you misunderstood what I meant but that's what I was talking about. I wasn't talking about reviewing contracts. I was talking about reviewing the prior year's contracts. Um, as far as anything else, I mean, I wrote my own letter. I didn't have anyone help me write my letter. It was sitting up on my computer for days, me trying to figure out how to do this. Um, and in your statement, um, in the minutes you did say that the bids were made available to everyone on December 27th. They were not made available to me on December 27th. They were made available to me on January 2 and the next day was a snow day.

Clerk Dilts – The bids were opened on the 27th. We had a meeting on the 30th. I made everyone aware that I was going to put a report together and that you could come in on that Thursday and view it and you did come in on that Thursday.

Councilwoman Schneider – Because you called me and you wanted to say that they were ready and to come in to be reviewed.

Clerk Dilts - That was the first time anybody was able to see them, and then Friday, we had a snow day. I came in over the weekend but you had left a message on Phyllis's answering machine, not on mine and I would gladly have called you.

Councilwoman Schneider – Well I'm sorry, I didn't, I assumed that Phyllis would, I, I assumed somebody would be here or it would be Phyllis and I wasn't really sure of how the phone works. You were here; I didn't know you were here. I don't have keys, I don't know if anyone else has access to the building.

Clerk Dilts – You've left messages on my answering machine, in my office, in the past, so I was quite surprised that you didn't do that, and I could have called you.

Councilwoman Schneider – It's a misunderstanding, I guess, but I left it on Phyllis's. I assumed that one of you may have been in to have called me if you were in on that Friday and if you didn't get the message, that Phyllis got the message should, would of given it to you but apparently nobody was here on that Friday. The weekend I wouldn't assume anybody was here.

Um, you know, for one day to try and, and look through all of those things is unfair. I asked to take them home. I was told no. I don't know, you know, you said this process has been done this way since, for 14 years but that doesn't mean that, that works all the time and I would have liked the chance to take them home and review them and look at last years to make an educated decision.

Mayor Steinhardt – That's it?

Councilwoman Schneider – I have one more thing. I am not here to dupe anybody or to grandstand. I, I ran because I wanted to have, I wanted to know what was going on here, you know, I wanted to know, I wanted to have some transparency. Things just seemed too secretive and, you know, I didn't feel I was getting enough information in the public. So that's why I ran; to come in here and to gain more knowledge and learn about our town because, quite frankly, before any of this happened, I never attended a town council meeting. I became interested and that's why I am here.

Mayor Steinhardt – Thank you. Well in fact you did dupe everybody and I will say to you that it is no small irony that you used the same words in your prepared speech Ms. Schneider that Ms. Endick left on an e-mail a year and a month ago for Ms. McCabe and Ms. Ciesla. Quite frankly, at least they had the honor to come and do the work as opposed to sitting here and try to blame the failure to do the work on the rest of us. So that being said, anybody else have any other comments on the minutes.

Council President Ciesla – The minutes just on the RFP process from last year.

Mayor Steinhardt – You want to finish up the minutes?

Council President Ciesla – Yeah we can finish up the minutes.

Mayor Steinhardt – Anybody else on the minutes themselves? There was a motion and a second. Roll call vote?

Clerk Dilts – Councilwoman Schneider.

Councilwoman Schneider – Yes.

Clerk Dilts – Just on the Executive Session for December 30th. Is that correct, right?

Councilwoman Schneider – Yes.

Clerk Dilts – Councilman Belcaro.

Councilman Belcaro – Yes.

Clerk Dilts - Councilwoman McCabe.

Councilwoman McCabe – Yes.

Clerk Dilts - Council President Ciesla.

Council President Ciesla – Yes.

Clerk Dilts – Mayor Steinhardt.

Mayor Steinhardt – Yes.

New Business:

Resolution No. 14-29 – Aware a Non-Fair and Open Contract to John Draikiwicz of Gibbons, P.C. as Bond Counsel including the work related to the USDA Rt. 57 Pump Station.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH JOHN DRAIKIWICZ OF GIBBONS, P.C. AS BOND COUNSEL

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey has a need to acquire Bond Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-20.4 or 20.5 for matters involving public finance and other matters directed by the Council, including the USDA Loan for its Route 57 Pump Station Project; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Gibbons, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Gibbons has not made any reportable contributions to a political or candidate committee in the Township of Lopatcong in the previous one year, and that the contract will prohibit Gibbons, P.C., from making any reportable contributions through the term of the contract; and

WHEREAS, as per N.J.S.A. 40A:4-57, NJACS:34-5.1 Chief Financial Officer Betty Dobes does hereby certify funds are available and encumbered.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Lopatcong authorizes the Mayor to execute the contract with Gibbons, P.C. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Wednesday, February 5, 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

PIN Cancer Pool Pass Donation – Mayor Steinhardt asked for a motion to donate an individual pool pass to PIN Cancer for a raffle on behalf of the Lopatcong Wrestling Team at the 10th Annual Future Champions Wrestling Tournament. Motion by Councilwoman McCabe, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Bloomsbury School PTO Pool Pass Donation – Mayor Steinhardt asked for a motion to donate an individual pool pass to Bloomsbury School PTO 23rd Annual Tricky Tray. 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. 14-30 - NEA's Read Across America – Mayor Steinhardt asked for a motion to support NEA's Read Across America to recommit our community to engage in programs and activities to make America's children the best readers in the world.

R 14-30

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY IN SUPPORT OF NATIONAL EDUCATION ASSOCIATION
READ ACROSS AMERICA AND READ ACROSS AMERICA – NJ

WHEREAS, the citizens of the Township of Lopatcong stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future and their ability to compete in a global economy; and

WHEREAS, the Township of Lopatcong has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA'S Read Across America, a national celebration of readings, will be conducted on March 3, 2014, the day before what would have been the 110th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America – NJ is being conducted statewide by the New Jersey Education Association in partnership with the New Jersey League of Municipalities, the New Jersey Library Association and their local affiliates across the state to promote reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council calls on the citizens of the Township of Lopatcong to assure that every child is in a safe place together with a caring adult on March 3, 2014.

BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA'S Read Across America and Read Across America – NJ and recommits our community to engage in programs and activities to make America's children the best readers in the world.

CERTIFICATION

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Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-31 – Support of legislation to implement a Water Usage Tax under the Highlands Water and Protection Act.

R 14-31

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY URGING THE LEGISLATURE TO IMPLEMENT A WATER
USAGE TAX

WHEREAS, the Highland Water and Protection Act was passed by both houses of the New Jersey Legislature and signed into law on August 10, 2004 by Governor James McGreevy; and

WHEREAS, the Highlands Water and Protection Act designated areas to be in the “preservation” or “planning” areas; and

WHEREAS, the Act reads, “The Legislature finds and declares that the national Highlands Region is an area that extends from northwestern Connecticut across the lower Hudson River Valley and northern New Jersey into east Central Pennsylvania; that the national Highlands Region has been recognized as a landscape of special significance by the United States Forest Service; that the New Jersey portion of the national Highlands Region is nearly 800,000 acres, or about 1,250 miles, covering portions of 88 municipalities in seven counties; and

WHEREAS, the Act additionally reads, “The Legislature further finds and declares that the New Jersey Highlands is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the State’s population, including communities beyond the New Jersey Highlands, from only 13 percent of the State’s land area”; and

WHEREAS, the Township of Lopatcong, County of Warren is located in both the Preservation and Planning Areas; and

WHEREAS, the value and equity of the land has decreased dramatically for those property owners in the Township and Highlands Act region; and

WHEREAS, the Township also is restricted in bringing economic opportunity, jobs, and growth forcing existing taxpayers to pay higher amounts due to lack of growth and smart development; and

WHEREAS, areas located outside of the “Highlands area” are using highlands resources without paying or compensating those affected communities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren strongly urge the New Jersey State Senate and General Assembly to craft a bill which would charge those who use Highlands Area water to compensate those communities impacted by the Act.

AND BE IT FURTHER RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren will forward this resolution to every municipality located within the territory of the Highlands Water and Protection Act Region.

CERTIFICATION

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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, Councilwoman McCabe, Council President Ciesla and Mayor Steinhardt.

NAYS: Councilman Belcaro

Economic Development Advisory Committee – Appoint Bruce Hall to the Economic Advisory Committee.

Council President Ciesla – We encourage everyone to apply. We still have how many seats open?

Councilwoman McCabe – I think four.

Council President Ciesla – About four. We, with this one, we will have quorum. So we will schedule a meeting very soon.

Councilwoman Schneider – Was Bruce the only person that applied?

Council President Ciesla – We have nine positions and only received five applications. We need four more people.

Councilwoman Schneider – Okay

Council President Ciesla – The ordinance says not more than nine. Technically, if you argue it, we have quorum. We are still looking for four people to apply.

Councilwoman McCabe – They have to meet the standards of the ordinance.

Council President Ciesla – We do have to meet the standards of the ordinance but we do have a clause, if we feel it benefits Lopatcong, to have someone on. We are looking for real estate people and marketing people; those are the two positions most important that I would like to get in. But Bruce brings his Zoning and Planning Board experience which will be a huge help to us.

Mayor Steinhardt – Any other discussion? Is there a motion and a second? 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

Planning Board – Appoint Joe Pryor to the Planning Board. Joe served as the Township’s Sewer Engineer for as long as I can remember. Lucky for Joe he recently retired from JMT and asked if there was an opening on any of the Town’s boards and he would be interested in serving. Joe brings a wealth of knowledge to the Planning Board given his familiarity with the Township’s engineering operations and recommends him to you very highly. Is there a motion on Item No. 7? Motion by Councilman Belcaro, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 14-32 – Authorize transfer of Appropriations of the 2014 Lopatcong Township Municipal Budget Appropriation Reserve Budget during the First Three Months of the year as per N.J.S.A. 40A:4-59 in the amount of \$25,450,00.

R 14-32

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF APPROPRIATIONS OF THE 2014 LOPATCONG TOWNSHIP MUNICIPAL APPROPRIATION RESERVE BUDGET DURING THE FIRST THREE MONTHS OF THE YEAR AS PER N.J.S.A. 40A:4-59

WHEREAS, it has become necessary to expend an amount in excess of the respective items appropriated in the 2014 Lopatcong Township Municipal Appropriation Reserve Budget.

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

FROM:			TO:		
10522020A	Employee group Insurance	\$7,000.00	10522520A	Unemployment Insurance	\$7,000.00
10546020A	Gasoline	\$2,000.00	10529020A	Road Maintenance OE	\$18,350.00
10543020A	Electricity	\$4,500.00	10510520A	Human Resource	\$100.00

				Education	
10524020A	Police Dept. OE	\$3,500.00			
10516520A	Engineering Svcs OE	\$3,850.00			
10515520A	Legal Svcs OE	\$3,000.00			
10513020A	Financial Admin. OE	\$1,500.00			
10547220A	Social Security	\$100.00			
TOTAL FROM:		\$25,450.00	TOTAL TO:		\$25,450.00

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Margaret B. Dilts, CMC

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

NAYS: None

Rt. 57 Pump Station Project – Authorize Dulaine Contracting for work completed on the Rt. 57 Pump Station Project in the amount of \$30,472.20. Mayor Steinhardt - Based on Engineer Madden's recommendation, motion? Councilman Belcaro made a motion, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Ordinance No. 14-01 – First reading to abolish the Recreation Commission and in its place and stead, create a Recreation Committee.

Councilwoman Schneider – What is the difference between a commission and a committee?

Council President Ciesla – The commission in this case, what happened is there is a New Jersey Statute that actually covers recreation commissions, and if we kept it as a commission, we would have to follow those statutes. It would actually give the commission more power than we wish it could have. At this point in time, the committee is supposed to be more of an advisory committee. We will discuss, maybe we want to have a parade, and then we will come to Council to see if we can have a parade and what we can do. Can we fund raise? There is a slew of statues for the commission and we don't want to keep it as a commission because we would have to abide by those laws and this way we can keep it advisory and have Council keep control of the committee and like I said, it is advisory, everything we plan on doing will be brought back to Council.

Mayor Steinhardt – Inaudible.

Councilwoman Schneider – I noticed the wording is different between the two. The new one under committee says enhancements to any town owned property for recreational activities. Is that

Council President Ciesla – We did put the word non-binding in there and that is because there is a push to see if maybe we could perhaps extend the bike path that was originally proposed, if we could, you know, again, we would come before the Council to do anything. We could create better visual walking paths. I know a huge concern is that there is not a safe way for children to ride their bikes or walk to the pool at this point, so even just as far as the committee coming in and saying we would like to advise that we appoint this road as like the access to the park. Not that they have to take that but we would say this is the preferred method. I know Victor had suggested having a boulevard on Red School Lane to enhance the town so that people would go outside and enjoy it more, little things like that.

Councilwoman Schneider – Is there, do they have a budget at all?

Council President Ciesla – We have no money.

Councilwoman Schneider – There's no money.

Council President Ciesla – No. We would have to come here if we were going to ask for money.

Councilwoman Schneider – Okay.

ORDINANCE 2014-01

AN ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, ABOLISHING THE RECREATION COMMISSION, AND IN ITS PLACE AND STEAD, CREATING A RECREATION COMMITTEE

WHEREAS, the Township Council is desirous of abolishing the Recreation Commission which has not been active for several years;

WHEREAS, the Township Council wishes to form a Recreation Committee to focus on the recreational needs of all of the citizens of the Township of Lopatcong;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Lopatcong, County of Warren, State of New Jersey, as follows:

Section 1

The title of Chapter 53 of the Township Code is amended to read as follows:
"Recreation Committee"

Chapter 53

The existing Chapter 53 of the Township Code is repealed in its entirety, and the following new Chapter 53 is adopted in its place and stead as follows:

§ 53-1 Committee created; title; membership; term; vacancies;

- A. Pursuant to the authority vested in the Council of the Township of Lopatcong, there is hereby established a Recreation Committee to be known as the "Recreation Committee of the Township of Lopatcong," which shall consist of seven members appointed by the Mayor, one of whom shall be a member of the municipal governing body and all of whom shall be residents of the township. The members of said Committee shall serve without compensation except as hereinafter provided.
- B. The Mayor shall designate one of the members to serve as Chairman and presiding officer of the Committee. The terms of office of the first Committee members shall be for one, two or three years, to be designated by the Mayor in making his appointment, so that the terms of approximately 1/3 of the members will expire each year, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors. The Township Council may remove any member of the Committee for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel.

- C. A vacancy on the Committee occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

§ 53-2 Powers and Activities

The Recreation Committee shall have the ability to make recommendations to the governing body as to community events, including but not limited to Lopatcong Community Day and other community recreation events as well as enhancements to any town owned property for recreational activities. These recommendations may consist of fundraising, operations, crowd control, costs and other activities related to the management of Lopatcong Community Day or other community recreational events or projects.

§ 53-3 Records and Annual Report

The Recreation Committee shall keep records of its meetings and activities and shall make an annual report to the Township Council.

§ 53-4 Appropriation of funds; Employees

- A. The Council of the Township of Lopatcong may appropriate funds for the expenses incurred by the Recreation Committee.
- B. The Committee may appoint such clerks and other employees as it may from time to time require and as shall be within the limits of funds appropriated to it.

Section 3

The previously established Recreation Commission of the Township of Lopatcong is hereby deemed eliminated and dissolved, and all offices and membership in same which have been created are hereby revoked and dissolved. Any authority or power any person, or persons, had or was otherwise authorized by the existence of the Recreation Commission is hereby revoked.

Section 4

This ordinance shall take effect immediately after passage.

Section 5

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on February 5, 2014 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on March 5, 2014, at 7:30 PM, or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third St, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Ordinance on first reading. Council President Ciesla made a motion, seconded by Councilwoman McCabe. Roll call:

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

NAYS: None

Consent Agenda:

Mayor Steinhardt – Items one through eight to approve multiple professional service contracts. There is a resolution authorizing the redemption of three Tax Sale Certificates and to authorize a refund of an overpayment in the amount of \$79.57. Is there a motion on items one through eight?

Council President Ciesla – Motion.

Mayor Steinhardt – Second.

Councilman Belcaro – Discussion? Roll call please.

Clerk Dilts – Councilwoman Schneider.

Councilwoman Schneider – I have some no's on some of those. No to one, no to number two, yes to number three, no to number four, yes to number five, six, seven, eight.

Clerk Dilts – Councilman Belcaro.

Councilman Belcaro – Yes.

Clerk Dilts – Councilwoman McCabe.

Councilwoman McCabe – Yes.

Clerk Dilts – Council President Ciesla.

Council President Ciesla – Yes.

Clerk Dilts – Mayor Steinhardt.

Mayor Steinhardt – Yes.

Nisivoccia Consulting, LLC – Service contract Computer.

Courter, Kobert & Cohen – Service contract for Township Attorney and Labor Attorney.

Winegar, Wilhelm, Glynn & Roemersma – Service contract for Municipal Public Defender.

Nisivoccia and Company, LLP – Service contract Auditor.

Resolution No. 14-33 – Authorize redemption of Tax Sale Certificate No. 2012-036 and Premium on Block 132, Lot 9 in the amount of \$882.02.

R 14-33

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 132, LOT 9 IN THE AMOUNT OF \$882.02

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 132, Lot 9, also known as 18 Kyle Drive for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-036 was sold to US Bank Cust for BV001 Trust for a Premium of \$400.00; and

WHEREAS, Closing Partners, LLC, title company for property owners, has satisfied the redemption amount on Certificate No. 2013-036 in the amount of \$482.02.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of February that the Chief Financial Officer be authorized to issue a check in the amount of \$882.02 for the redemption of Tax Sale Certificate No. 2013-036 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, February 5, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-34 – Authorize redemption of Tax Sale Certificate No. 2012-044 and premium on Block 140, Lot 10 in the amount of \$2,291.88.

R 14-34

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 140, LOT 10 IN THE AMOUNT OF \$2,291.88.

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 140, Lot 10 also known as 48 Haze Way for 2011 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-044 was sold to US Bank Cust for Pro Capital I, LLC for a Premium of \$300.00; and

WHEREAS, Corelogic, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-044 in the amount of \$1,991.88.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of February that the Chief Financial Officer be authorized to issue a check in the amount of \$2,291.88 for the redemption of Tax Sale Certificate No. 2012-044 and Premium to:

US BANK CUST FOR PRO CAPITAL I, 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, February 5, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-35 – Authorize redemption of Tax Sale Certificate No. 2013-005 on Block 23, Lot 4 in the amount of \$1089.87.

R 14-35

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT FROM DEDUCT METER CREDIT ON SEWER 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 the property of owners listed below in the designated amounts representing overpayment on sewer payments as follows for the tax year 2013.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 110, Lot 19	Carlos & Lia Correa 82 Puddingstone Way Phillipsburg, NJ 08865	\$79.57

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 2014 sewer taxes due.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Wednesday, February 5, 2014.

Margaret B. Dilts, CMC

Council Reports:

Council President Ciesla – The LAA. Bill McAuliffe is our new Football Director. We have an opening for Soccer Director so the Volunteer Form is out on the website if anyone is interested. Jim Palitto is here if you have any questions, you can ask him about what he does. We are looking to create some new fundraisers, so as we have information on those, I will bring them back to you.

From technology, Rachel has been doing a lot of research on different on-line payments services that we can look into. We found one that we liked and we will present everything to Council and I think we will end up going with that as it will be a huge help for us. I want to issue a survey about communication preferences; e-mail, mail, etc.

On the Recreation Committee, we had first reading to change the ordinance from commission to committee which will lessen the power that the committee has and makes it purely advisory. We have a great amount of ideas coming out. So far we are still; I think we have one seat still open. We do have the LAA and the PTA that's coming and right now we are determining Lopatcong's day and I will get back to you on that.

For the DPW, I know they have been up since 1:00 am. I thank you for being here and doing all that you can do. Thank you for knocking over my garbage cans but that's okay. I know it is very tough. I was out there shoveling and it is not easy. I would like, I know there is a lot of concerns and questions, I know I was getting them when Victor was in the interim and I know Donna has been taking them now. I kind of would like, I don't know if Donna or Lou wants to do this to just get a little brief, I think if people kind of understand what is going on, like people are like, "oh they didn't salt yet"? But you know, Brian, when you can and cannot salt and I don't know, but if we can write up a little blurb and put it on Council Corner so then people can understand a little. I mean, I don't know if it will stop the questions, but everybody is a little aggravated with the snow at this point.

As far as, the only thing, I wanted to say something about, one of the things I think we need to do, and I mentioned last month, is communication, and we, as a Council, regardless of how we personally feel about each other, need to communicate. Last year, coming in, new, in light of all the hostility that was in this town, before my first meeting, I had put myself out there, met with Beth, met with Katrina, met with Doug and met with Victor before my first meeting so that I had a full understanding of what was going on. We didn't have any training classes and I made sure this year we did have one to help us out and again, now Maureen, Lou and I have one year under our belt that is absolutely nothing, there is so much to know about everything in this town. We have to be the leaders we were elected to be for the residents of Lopatcong. So if it means that I had to go and meet with the Mayor before I was actually sworn in, and I have to tell you, I was a nervous wreck the week before and the week afterwards. That's what we have to do. It is a job, this is a business. It is a business that 22 million dollars passes through the majority of which we do not get to keep. It gets passed onto the school and to the County but it is a huge, a huge

business we do on a shoe-string budget. Everybody pitches in wherever they can. The wealth of knowledge that's in this building is amazing and it's there to be tapped upon. All I just ask is that if Council doesn't understand something, and has a question, that we take the initiative and we agree to act. We need to be proactive. We cannot rely on other people to maybe come to us or to be reactive. We only meet once a month so we should have all of our issues worked out before we get here so we can keep moving forward. There is not a lot of time, unless everybody wants to meet more, I have no problem with that. So that's all I'm asking as Council President is that we be proactive and we keep everything moving. We have a lot on our plate and a lot we have to deal with so, and we need to do the very best we can for the residents of this town.

Councilwoman McCabe – We had a Planning Board Meeting about a week ago. We did our reappointments, our swearing in and appointment of our professionals. The main issue at the meeting was the Phillipsburg Mall. They came before the Board to finalize their subdivision. They want to spin off those four plots, pad sites that are on the outer, Panera, Chick-fil-A, Sonic, which is out of business now but is rumored to become a Starbucks, and Friendly's and the only one that really concerns us is Friendly's. Friendly's is the one that is actually in Lopatcong. So we agreed and authorized that, that they would be four stand-alone pad sites. I think that's going to be pretty transparent already cause I think Friendly's is paying their taxes directly to Lopatcong so that is not going to be an issue.

Next is our EDAC. As you heard tonight, we just approved Bruce Hall, so now we have five members. We now can have a meeting because we have a quorum. So we will be scheduling that before our next Council meeting. Also, I would like to thank the DPW guys for all your hard work. We know it's not easy. So I do appreciate it- just wanted to pass that along.

Lastly, I have a statement that I would like to read tonight. Recently, I was speaking with a resident of Lopatcong regarding an issue that he and his family needed assistance with. During the course of this conversation, the person stated to me that after I had placed my campaign sign on his lawn last October, a woman came to his front door and harassed, intimidated, and bullied him because of the sign and his choice of who he wanted to show support for for Town Council. The resident told the woman that he had given me permission to place the sign on his front lawn because he supported me. He stated to the woman that he was new in town to which he was told that if wasn't aware of all the issues, that he shouldn't put up the sign. I have a problem with this behavior. The behavior went on all through my campaign last fall. Some people who had a sign of mine on their lawn were subject to harassment, intimidation, and bullying tactics. I know this, because I received many complaints from various residents. This behavior must stop. No one has the right to harass, intimidate or bully anyone else due to their political choices. This particular situation especially bothered me because this resident had just recently moved to Lopatcong for a better life. I had told this resident that Lopatcong's a beautiful town and it's a lovely place to live and raise a family. I felt terrible that this resident of Lopatcong was subject to such harassment, intimidation, and bullying behavior by another resident in the very town that I said was a lovely place to live. It still is by the way. I was ashamed and embarrassed that this resident was subject to these tactics. Do we all need to be reminded that this is a free country. That men and women fought and died so we as Americans can exercise our freedoms. We have the right to free speech. We do not have the right to harass, intimidate and bully other residents because of their choices or beliefs or who they are supporting in an election. With that said I would just like to request assistance from my fellow members of Town Council, the Mayor, the Attorney and possibly addressing this issue on an ongoing basis. Maybe we can update an ordinance, or maybe we can put some kind of rules in place or set something up that would deter these tactics from going on in the future. Lopatcong residents don't need to be harassed, intimidated or bullied for any reason, but especially not in order to obtain votes. That's all.

Councilwoman Schneider - Department of Public Works. Brian, I just want to thank you and the guys for fielding my phone calls and going out to the residents who called for certain things, um for you know, for the, their snow removal and other issues. So I thank you very much and of, for explaining a lot to me about the salt, and you know, your route and everything like that. So, um, I do appreciate it and thank you guys for all the hard work you've been doing. Um, Recycling and Clean Communities Committees; I wasn't sure what to do with these because there was no direction so I called Mr. Camporine and I asked him because he is the Warren County Recycling Coordinator. I had a lengthy conversation with him and he is actually holding a conference at Warren Tech on April 3rd that I will be attending and when the guys are a little bit free over with Brian, with superintendent, I'm going to go down there and see how the recycling works down

there with their coordinator and get to know their jobs a little better. Shade Tree Commission is on my list. I believe right now there is \$500 in the Shade Tree. Yes, okay. I do, I would like to see some trees planted where some of the new homes were built and the developer just kind of leveled all the nice mature trees. I drove around some other communities and I just love to see the big mature trees and such on properties. So I would like to ask Paul if he could assist me in looking for places that I could possibly find grants to pay for some trees and, you know, have them and, you know, have some trees planted. I don't know where to begin to look for grants so maybe you can assist me.

Engineer Sterbenz – I could give you some suggestions, yes.

Councilwoman Schneider – Okay thank you. I do feel they are a very important asset to our community so that's for Shade Tree. Um Board of Education; I attended the January 7th board meeting. Bill Taggart is the President of the Board of Ed. Lee Rozycki is Vice President; William Bauer is Board Secretary through June 30th of 2014. I introduced myself as the new liaison and told anyone there that if they needed any questions answered or any concerns to please contact me.

I don't have any other statements tonight to read but I would like to say that I am here for the people that elected me and I meant what I said when I campaigned and I am here to do what I said when I campaigned. So if anyone has any questions regarding where I stand or any of the issues that were discussed tonight, you are free to call me, free to contact me, and I'd be happy to tell you, and that's all I have to say. Thank you.

Councilman Belcaro – I have a couple of reports and one is the sewer. I just want to keep you guys, folks up to date. We have Dan Madden here who is our Sewer Engineer and he has given me a report. So for the ones who are unaware of the sewer project, I'll just read a small paragraph here. The Township of Lopatcong awarded this contract to the contractor Dulaine Contracting, Inc., in the amount of \$1,578,777.10. The Pre-Construction Meeting was held on November 25th. A Notice to Proceed was issued on December 19th with 240 days scheduled to complete the project with the anticipation completion date of, is slated for the 16th of August, 2014. The contractor prepared to mobilize, clear and stake out. However, as you have all noticed, the snow storms have hampered this effect but they will commence shortly and Dulaine is expected to begin setting the wet well chambers then proceed to install piping in the easements. The contractor, Dulaine, is continually submitting shop drawings for review by JMT. JMT is the Town Sewer Engineer. To date JMT has received 51 shop drawings from Dulaine. JMT has reviewed 33 and returned them either approved or approved as noted or asked for revised drawings. JMT continues to review drawings on an ongoing basis. As soon as the snow clears up, I assume they will be there breaking ground, at least clearing the site.

A quick note on the plowing. I know that I've heard some complaints myself; some of the neighbors, specifically after they have shoveled their walkways and their driveways, and this is before the roads are plowed, and, you know Brian, and the crew, plow the main roads first. The other ones become secondary. So when people shovel ahead of time and then when the plow comes down the road, everything gets pushed back in the driveway. There is no option to that. You have to shovel it back out. I do it and all of the other neighbors even though some people might get frustrated, it is what it is. So I ask for patience. I know we have some disgruntled citizens in town that curse at our drivers. They waive at them with their uh unattractive middle finger and that is inappropriate. Those guys are working hard and are doing what they are doing, what they have to do. So give them some slack people all right. So pass that info to your neighbors.

Now just get back to the past year that I've been here, I'll tell you what, I have to share my experience of being here. I know the employees work hard. I know that everyone here, the Township is first and foremost to serve this community. I have not had any hints or seen or heard anything that what the perception in the public might be. As far as what I read on the blog sites, that's negativity and that's divisive. I'm one of truth. I don't like BS and I have not seen that here. So the perception, I, I would ask that the blogs that happen on the Express or anywhere else, on Facebook, is really uncalled for. It is ones perception of what they view, of, uh, maybe us up here and sometimes it is offensive. I just wish that anyone who has any real issues they would come and speak with us one on one. That is divisive. Just because you may not like someone, doesn't mean you have the right to slander them or to talk negative. You know there

are people I don't like but, you know what, I don't go down that path. People are people and we need to get along and we up here, I know that we make decisions that affect all of us and the decisions we make, we are accountable to that. Decisions we make, we make on what we have before us, the information we gather from the Mayor, from Beth, from our CFO, our professionals and we base the decisions from facts, what's in our heart and what's in the best interest for this town and that's what I have experienced and that's what I'm going to continue doing and I believe everyone here has the same, the same motive to do that. So in this new year, I hope that some things can change and be more positive and hopefully you get better reports. Thank you.

Mayor Steinhardt – I have just one item. In the course of the discussions in Phillipsburg over the adjustment of the sewer rates, Mr. Pryor and I spent significant time; more Joe than me pouring through the old sewer agreements and the sewer agreements for the surrounding municipalities. Lopatcong's Intermunicipal Sewerage Agreement dates back to December 1998, two years prior to my coming to the Township, and it reflects language that says that it is acknowledged and agreed by both Lopatcong and Phillipsburg that NJSA 40A:26A-10 requires rates shall be uniform and equitable the same types, classes of use and service between senders and receivers. We, being the senders, and Phillipsburg Sewer Utility, being the receiver. We've spent a great deal of time back and forth discussing what the significance of that language was as it relates to Lopatcong Township in light of the fact that Lopatcong Township is billed by the Phillipsburg Sewer Utility at a rate of .0058, and the residents in Phillipsburg are billed .0037. Our understanding then that we did not believe that there was parody or equity between the senders and receivers, between Phillipsburg and Lopatcong and when we dug further, we found that that language does not exist, at least not that we could find, in the Intermunicipal sewerage agreements in the surrounding municipalities. Language that is unique to Lopatcong's Sewerage Agreement with Phillipsburg. So based on that, we began having discussions with the Town of Phillipsburg and, in fact, last year, we retained counsel to assist us. The law firm of Inglesino, Pearlman, Wyciskala and Taylor in Morristown. We had some meetings with the Town of Phillipsburg to discuss with them, Mayor Wyant, their sewer engineer, their attorney at the time, Mr. Witt, who I believe is no longer their attorney on this topic as a result of this meeting where we expressed to them that we thought we were being overcharged at approximately \$200,000.00 per year, and we afforded Phillipsburg the opportunity to get back to us after sending them a letter in November, November 15, 2013 to be exact offering them 30 days to get back to us for what they proposed to do about it. It's all silent, across the border, if you will, but I feel, if we feel we have an obligation to explore further that exists in our agreement, that does not exist in the agreements of the surrounding municipalities and to enforce to the extent that we are legally, reasonably, able to enforce, the language that requires equity and parody between Phillipsburg and Lopatcong and what they charge as a sewer rate there and here. So that being said, Mr. Inglesino has drafted a complaint, filed by Lopatcong against the Town of Phillipsburg to enforce our Intermunicipal Sewerage Agreement and I would ask Council's approval tonight so it can be filed tomorrow. Councilman Belcaro made a motion, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Mayor Steinhardt – Yes. I believe Ms. McCabe was hoping to have some additional discussion on your statement that you made, correct?

Councilwoman McCabe – If you want to discuss, sure or we can just do it for an ongoing, I know it is an election year so happy, happy, some ideas for, you know, I want the residents to know, to be aware of their rights, they are the owners of the properties, they have the right to either have a sign on their lawn or not. There is a sign on their lawn that they didn't give permission to, they have the right to take it down, and it's their property. I want everyone to be aware of that and I want, there's a lot of people that aren't familiar with the rules. They don't know what to do so, possibly, maybe, we'll do some informational statements on our website. Maybe we can set up.

Mayor Steinhardt – I can represent to you Ms. McCabe after you mentioned it to me that I called Mr. Lavery and asked him to have one of his associates in his office take a look at it. You have to be mindful obviously of every citizen's right to express themselves and, you know, when it comes to regulating people's speech. What's harassing conduct, what's bullying conduct and

what isn't and, you know, and you start talking legislating against certain acts or restricting certain activities. I'll ask Mr. Lavery to take a look at it before we start venturing down roads that are uncharted territory. Roads that we shouldn't necessarily wander down. They were closed. We spoke, you and I spoke two days ago, they were closed today due to the weather so, hopefully, Ms. Campbell or any of her partners have an opportunity to look at it but you may want to, if you're okay with it, you have an opportunity to kind of brief us a little bit

Councilwoman McCabe – Sure.

Mayor Steinhardt – Whether you are using notes (inaudible) so that we don't (inaudible) trouble where we (inaudible).

Councilwoman McCabe – Right, sure.

Council President Ciesla – At the very least, I mean because it extended in my neighborhood. My daughter was approached at the high school about the campaigning which I do not think was appropriate for a 15/16 year old to have to deal with that.

Mayor Steinhardt - I just think it would be in our best interest to make sure that we understand what we can legally do, make statements or take actions that we shouldn't. Is that okay? Fair enough? All right, so Ms. Edinger.

Tax Collector Edinger - Refund on Block 86.07 Lot 1 in the amount \$1,158.40, um second one is a redemption on Block 130, Lot 4 in the amount of \$2,309.92 and the third one a redemption on Block 87, Lot 1.39 in the amount of \$6,453.53.

Mayor Steinhardt – On Ms. Edinger's recommendation motion. Motion by Councilwoman McCabe, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Mayor Steinhardt – Mr. Sterbenz.

Engineer Sterbenz – I have nothing Mr. Mayor.

Resolution No. 14-36 – Authorize refund of tax overpayment on Block 86.07, Lot 1 in the amount of \$1158.40.

R 14-36

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND TAX OVERPAYMENT FOR
YEAR 2014

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the property owners listed below in the designated amounts representing tax overpayments for the tax year 2014.

<u>Block and Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
86.07 1	Wells Fargo Home Mortgage	\$1,158.40

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments to the 2014 taxes due.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Wednesday, February 5, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-37 – Authorizing redemption of Tax Sale Certificate No. 2013-035 on Block 130, Lot 4 in the amount of \$2,309.92.

R 14-37

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 130, LOT 4 IN THE AMOUNT OF \$2309.92

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 130, Lot 4 also known as 43 Kyle Drive for 2012 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-035 was sold to US Bank Cust for Pro Cap II, LLC for a Premium of \$1,000.00; and

WHEREAS, Ocwen Financial Corporation has satisfied the redemption amount on Certificate No. 2013-035 in the amount of \$1,309.92.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of February, 2014, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,309.92 for the redemption of Tax Sale Certificate No. 2013-035 and Premium 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, February 5, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-38 – Authorizing redemption of Tax Sale Certificate No. 2012-017 on Block 87, Lot 1.39.

R 14-38

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2012-017 ON BLOCK 87, LOT 1.39

WHEREAS, at the Lopatcong Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 87, Lot 1.39 also known as 81 Belview Road for 2010 delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2012-017 was struck off to the Township of Lopatcong; and

WHEREAS, Gusna Rutledge, property owner, has satisfied the redemption amount on Certificate No. 2012-017 in the amount of \$6,453.53.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of February 2014 that the Township Clerk and the Mayor of the Township of Lopatcong sign Tax Sale Certificate No. 2012-017 for cancellation.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Wednesday, February 5, 2014.

Margaret B. Dilts, CMC

Department Reports:

Mayor Steinhardt – Motion to approve Department Reports. Councilwoman McCabe made a motion to approve, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Payment of Bills:

Mayor Steinhardt – Pay bills. Motion by Councilman Belcaro, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Audience Participation:

Yvonne Reitemeyer – I live on Browning Court which is a cal-de-sac and we have a fire hydrant down at the end and you guys are great to leave that open. My only concern is the storm drain (inaudible) so it makes it real slick coming out of my driveway. Any suggestion on how we can, there's one like right literally at the edge of my driveway.

Response – (Inaudible)

Brian Weeks – I just want to let Joe Bichler know, and the whole crew, but Joe worked with me real well. What happens is I maintain this side of the town and Joe maintains the outskirts of the town and we all came together well. So thank you very much to the crew.

Martin Swim – Byron Drive – I would like to express my agreement with what has been said up here by people about the campaigning efforts. I, I have, do, I have noted that as a candidate, I have less legal protection under the law but in, in the realm of bullying, I personally know that a former member of the Town Council distributed what otherwise be a libelous flyer and she named me and another candidate on them. That kind of behavior really is not helpful. It was a semi-literate effort to slam myself and Ms. Schneider and wasn't appreciated. I also know there is slanderous behavior, door to door slander against me personally and in any other legal environment I think it actually (inaudible) it was just (inaudible) bullying. I do believe the former member of Town Council maybe serving on committees, I'd be more than willing to discuss it with any one of you and show you the flyer that was distributed if that would help things or if you could think of any other ideas, I'm all for it.

Mayor Steinhardt – Anyone else tonight? Questions, comments?

Marla Endick – 10 Byron Drive – I'm nervous up here because I know when I'm done speaking that you all always have the last word. So I'm going to speak from the heart and Mayor Steinhardt, first of all, to you, is I have heard you use the word grandstanding at least a half dozen times in the past year, and I have to say, that of all the people, you take grandstanding to a new art form. I know it is part of your profession, and it probably works wonders in a court room but here, up on the dais, I find you use it very often to redirect, deflect, and shift focus away from the real issues. So I would like to be perfectly, succinctly clear about a few things. Number one: at last month's meeting, what I heard, sitting in the audience, was Ms. Schneider say, as a new council member I do not feel that a day or two is enough time for me to review all the information and make an educated decision about who we are going to hire for the next year for hundreds and thousands of dollars. Personally, I don't believe that that was a ridiculous comment for her to make. For you then to turn to your fellow council members and then say to them, remember this is her opinion, do you feel you had enough time, do you feel you had

enough time, do you feel you had enough time is, is totally irrelevant. If Ms. McCabe who said she had an opportunity the day of the meeting, she came in and looked at the information and felt those few hours were enough time for her to make a decision, that is wonderful for Ms. McCabe, but if Ms. Schneider says she doesn't have enough time, I would hope that her fellow council members, welcoming her in, would say to her, maybe I have a point. So for her the process is flawed. That's her definition of a flawed process. When she asks the clerk to make photo copies of that information, knowing that the clerk has requested eight copies. Why eight copies would be requested if they weren't intended to be handed out to the council members to be able to bring home and review, is beyond me. Again, I don't think that is a ridiculous request. I want to address the, the salacious voicemail that you played, that Lori had saved for a year, and for those of you who did not have an opportunity to clearly hear what was said in that voicemail, let me explain exactly how that went. For those of you who don't know, I was the campaign manager for Ms. McCabe, Ms. Ciesla, and Mr. Swim in the 2013 election. We worked very hard, all of us, with a strong team of supporters. We gave of hours, thousands of dollars and our time and devotion to those three candidates who were very happy to get the support. Things went along swimmingly. They knew what the platform was; they ran on a platform which they supported. Then the time came for the vote to take place for the re-org. meeting last year, Ms. McCabe, Ms. Ciesla, and Mr. Swim had a special meeting, and leading up to that, there had been discussion that maybe there would be new contracts. All the voicemail said to Ms. Ciesla was, it did not say you were expected to vote in any way. It said just want to make sure you know you have a right to abstain or carry over or vote no. I'm sure what it said; just want to make sure you understand you have a right. How that is considered a damning message is beyond me. When people run people for office, when constituents vote people into office, I think there is an understanding that the people in office are usually supporting what the constituents want. There was never a demand, a threat or anything of that nature so how that is considered some sort of salacious voicemail, I, I, am a little confused and Lori, I know you like to save emails. I have many, many emails back and forth between you and I all in one hundred percent agreement of everything thanking each other, a friend, even right up to right after that meeting. I cannot explain, I will not try to explain what happened after that point

Council President Ciesla – I will.

Marla Endick – Things fell apart. I understand that, but this kind of thing, everybody can point to things that were said that they didn't like that Mr. Swim is right; we can point fingers who did what during campaigning. I know people went door to door suggesting that Mr. Swim beat his wife and candidates were with that person when it happened. I mean, so I think, we can all agree that there is better ways to do things. But again, the facts remain, Ms. Schneider made a statement saying she didn't feel she had enough time and then to come in here today, and as a retaliation for her saying she thinks the process was flawed, to have this entire show put on, um, is really, to me, the definition of grandstanding and I know now you will have the opportunity to have the last word. I had to say that, that is how I feel. Thank you.

Mayor Steinhardt – First let me thank you for explaining to everybody what, they heard, and I understand that you don't think folks in town are smart enough to figure it out for themselves. Your email says that. It's there for everybody to look at when we're done, but quite frankly, I think they are smart enough to figure out for themselves. My comments weren't in retaliation to anything but to set the record straight and the record, quite frankly, is this. There is no salaciousness. The voicemail message is what the voicemail message is. You can call it whatever you want. I'm simply playing a message for folks so they can understand that, what took place a month ago, is the same kind of thing, with the same exact language – wait two days isn't enough, let's talk about support professionals, the same thing you told, suggested to Ms. McCabe and Ms. Ciesla they could do, and I didn't suggest that you said that they should, I'm just telling you that, you, suggested that, you suggested that you could. It is the same exact statement that Ms. Schneider read to everyone last month, and suggested that it was under some veil of not being able to do, a veil of lack of transparency or impropriety or

Council President Ciesla – Unconscionable.

Mayor Steinhardt – or yeah unconscionable. In any event, unprofessional. In any event, the fact of the matter is, it was none of those things. What it was, was you guys trying to make the rest of us look bad and suggest that there wasn't enough time to review things, when in fact, everybody had the same amount of time, we all had plenty of time, we all came in, and looked at the drafts,

and the reason why there is extra drafts, is so each of us, I know, I come in and make notes on my drafts when I go through them, so I write in the margins and figure out what they are, and when I go through my packet, I know exactly what notes I made. My packet is mine. Ms. Ciesla's would be hers, and Ms. McCabe's would be hers. There's multiple packages available for each one of us, but the fact of the matter is, Ms. Schneider came here last month like Ms. Ciesla and Ms. McCabe were encouraged to do a year ago, and tried to make us look like we don't do things in a transparent way, that we just pick our own people and stick them in whenever we want to and that there is no debate, and quite frankly, no competition when the fact of the matter is, that was completely untrue. Ms. Schneider came up here, she had the same opportunity. She choose not to do it and what she did, was just, quite frankly, regurgitate what you suggested what Ms. Ciesla and Ms. McCabe do, but at least they were independent enough not to. Maybe that's why they've broken from you guys, from a year ago. Maybe they've chosen to think for themselves. Maybe they've chosen to come here and put the Town's best interests first, instead of your best interests, and in doing so, they seemed to have garnered the ire of you, and the handful of folks from your group, but the fact of the matter is, that your voicemail speaks, for itself. I think that everyone in this room is plenty intelligent enough to figure out exactly what happened, uh, you know, I sat down and went through it, it didn't take me long to figure out what happened and uh, you know, I hope moving forward that people will put the Township's best interest first, and not those of five or so people.

Councilwoman McCabe – Yeah I'd like to respond. It is well known. I did run with RLL back in 2012. However, we did part ways. I am no longer with them, and there is a reason. The reason was because they wanted to control and tell me what to do, what to say, as is happening now and I said listen, I got elected into the position by the residents of the Township. I'm not going to let four or five people tell me what to do, and what's in their interest. Our job, up here, is to represent, to the best of our abilities, for the best interests of as many residents as possible. All residents; you can't make everyone happy all the time, we know that, but I am not, and will not; cater to someone's rules, and someone's whims. Um, one of the things that you wanted to do is have meetings prior to our Town Council meetings. You wanted to have meetings before them; you wanted to have meetings after them. You wanted detailed information from me. At one point, I think you even wanted some Executive information. Well, you know what, I have some ethics. I'm not doing it; not interested, and that's why we parted ways. So, therefore, Marla, um, Marla, um, you can make all the statements you like, but, um, I disagree with a lot of your, um, perceptions of this town. Uh, you tend to have some vindictive behavior towards people, and are spreading half-truths. So, I disagree with that and, uh, that and, uh, that is why I'm no longer with RLL. Uh, again, I'm here to represent the best interests, and be as truthful, and, as transparent, as possible, and that's it.

Council President Ciesla – The reason, in the statement that was issued last month by Ms. Schneider, she felt it was not a transparent process, which is what the Mayor was trying to clear up. What we, what I was trying to say, in my statement, was, is, that it wasn't, the job didn't start the day I was sworn in, it, basically, started the day that we were elected and I had to, like you say, what's the word, I can't even think of it, the atmosphere was not good, but regardless of that, I went out of my way to make sure that I talked to everybody before I came here, to know what was going on, and that was what was discussed. That did not happen this year. That is the thing that I am most frustrated with. If there was an issue with what was going on, and not being clear enough, those things need to be discussed before the meeting, not at the meeting. Like it needs to be discussed before. If you have a problem, if any of us has a problem, we don't understand what's going on, we have to reach out to each other or else the only people who are going to suffer are the residents and the fact of the matter is, is that Maureen, and I, and Lou, it was our first year last year. At any point in time, Donna could have come up to us, and talked us, and then great, we would have done it. We made sure she had a training class, we didn't have one; like I said, we had like, you know, to go around and talk to everybody. Just trying to make things easier for everybody. That's all we're trying to do and that's all I'm trying to say is like let's, if you don't feel that, if there's questions or you don't understand or you don't feel anything is transparent, we need to talk about it beforehand. That's what we are all here for; we are all here to work together. Of course, you know, we can only talk to two people, only two council people can talk at a time but besides that we all have to help each other. I, anybody who knows me, know I always think for myself, that's not a problem, but we are leaders, we have to initiate, we can't sit back and wait for people to do things for us. I mean, I just didn't talk to the people here either. I actually have friends that I grew up with, friends that I work with who hold positions of office in other towns and I talked to them. I did my homework, that's the only thing,

I can say and I have no problems if people don't have their homework but to suggest that the process is not transparent is something we need to address so that the residents don't think that we are doing something wrong. I mean, I would hope that they wouldn't. I mean anybody who knows us, knows that we aren't like that but, you know, I think personally there has been more transparency this year than ever before and not because they were trying to hide anything last year, it's just that maybe they didn't understand what people were looking for or weren't using all the avenues they could possibly use. I mean everything we have out there, I think people know more than they've ever known and that's my goal to continue to do that and I don't know what else to say. That's it.

Mayor Steinhardt – Anybody else, questions or comments tonight?

Olschewski – Highlands Way – I want to make sure people are clear what Donna dared to do was trying to extend the period we need or should have to find the best professionals for the town.

Mayor Steinhardt – We need? We?

Olschewski – Yes we. We the people in the town.

Mayor Steinhardt – Inaudible.

Olschewski – What we have here are people who come to a meeting and say they have one day to review the contracts. We are running the town by a council person who said she had one day. All we wanted to do is, was to see if we could get better offers, better professionals. Just as the Phillipsburg School Board just did. They have reviewed all the professionals. The problem is that the mayor cannot keep all his friends in like he would like to. The way you treated Donna over the last two days is everything but mayoral. I'm not sure how you are in your normal profession but that is not mayoral and it's, quite frankly, disgusting. And you two, you know,

Council President Ciesla – What, what Peter, what?

Councilwoman McCabe – Don't point your finger at you two. You are overreacting to everything and there's no truth.

Mayor Steinhardt – Let's get to the public first. Mr. Bittone's coming up.

Rich Bittone – 36 Meadowview – I'm one of the less intelligent members of the public. I just give my views on what I think, what I see, and what I see, is that the past three years, we've been bullied and misled by Irresponsible Lopatcong Leadership. They tried to come here and consistently undermine the Responsible Lopatcong Leadership for the last 15, 12, 14, 15 years. As a business owner and a resident of the town for more than 15 years, um, I've been to many meetings prior to three years ago and I'm a member of a board that I sit on and I see that this leadership, Irresponsible Lopatcong Leadership, your bullying of other businesses and residents; to boycotting businesses if they don't vote or post literature that promotes their agenda, other business owners who don't want to speak up for fear of retaliation. I'm here to speak on their behalf. Multiple businesses in this town, I raise three children in this town. I applaud the Mayor and the Council and the past Council for all they've done for the town and what I see, is that Ms. Ciesla and Ms. McCabe were elected to the Board through the Irresponsible Lopatcong Leadership and that they have since decided to think for themselves and do what they were elected to do and sworn to do. That is to listen to the facts and vote based upon the facts, not upon somebody else's opinion of what transparency is. I see now that Ms. Schneider has been elected and it looks like they finally have someone here who will buck the system. I applaud Ms. Ciesla and Ms. McCabe and implore Ms. Schneider that she better think and vote on the issues and the validity of the issue, not what somebody else feels is that you owe them as a payback.

Ernie Gallant – 245 Aurora Street – Um, I just wanted to say it is not really unusual that you can't take contract documents and things like that home with you. I serve on the school board and it irritated me at first too cause it is a lot easier for me to take home and look at something in my living room but I guess there's a reason for it, for confidentiality and everything and we have to do the same thing. We have to go in and we have read the documents and mark them up and

even our notes, you know, have to stay in the school, everything has to stay in the board secretary's office so.

Mayor Steinhardt – Mr. Kosar.

John Kosar – Mayor, Council, everybody else, I didn't plan on talking tonight but after being down here for a while, it was good, for a minute I thought it was good to be here but, um, you know, I'm sitting back there and, um, having a little hard time tonight because I've been in this town for thirteen years, bought my house for \$242,000.00, it's worth about \$250,000 today. I pay \$8500.00 in taxes and about \$1200.00 in sewer. People get paid all over the place. I don't know how you get paid to be here tonight. Seems like a major boondoggle, a big waste of time with people fighting over signs. Mr. Sterbenz who is a great friend of mine is getting paid to be sitting right here and I'm very upset that part of my \$8500.00 is paying for this. So we need to get it together.

Mayor Steinhardt – Anybody else tonight, questions, comments?

Carlos Correa – 82 Puddingstone Way – I just want to know like a decision has to be made over how the town's going to pay back the taxes back to the, for the Phillipsburg Mall. Whether, what, what are the options that the town has so far? Get advice from the CFO, is that public information or?

Mayor Steinhardt – I don't think we have come up with a definitive as to how yet. Obviously we have to deal with the mall; we can give them credits, we can bond to pay them back (inaudible). Those are pretty much the avenues that are available to us. We only started to look at preliminary numbers with Ms. Dobes, she did not come in today (inaudible).

Carlos Correa – Besides the money that we owe them, going forward, how much money are we going lose because of the reassessment?

Mayor Steinhardt – The reassessment or because of the mall?

Carlos Correa – Yeah the mall. How much going forward like in 2014, the amount that would be lost on the revenue?

Mayor Steinhardt – (Inaudible)

Council President Ciesla – We have to get the numbers because we got a pretty good, a pretty good deal.

Carlos Correa – Looks to me like we have a tax issue that is a big problem.

Mayor Steinhardt – A revenue issue.

Carlos Correa – Yeah a revenue issue. What I'm saying, my thinking is I get a little upset, all the back and forth here; you said, she said, is really amounts to, you know, you know, to spend the time and effort to go back and forth, you said, she said, is just kind of like for you to start the meeting with your statement, you're just inviting to continue with this type of, this type of, it's your record but it's, I mean we have it on tape and we could put the tape up.

Mayor Steinhardt – We do too.

Carlos Correa – Yeah but I'm just saying, it's just, you said, he said and it just doesn't seem to me it's fair to continue this kind of arguments. It's just, it just like to me its poison. We going to drown if we continue fighting like this saying you said, he said.

Mayor Steinhardt – Well when someone, if someone suggested we didn't engage in a fair and open process someone is going to respond to that, in this particular instance, we could go on about the town's business, you very well better go on about the town's business, but if we're going to do that, and suggest that people are doing it for the wrong reasons, which is what happened last month, then rest assured it's going to be corrected and that's what I did (inaudible).

Carlos Correa – Yep okay.

Councilman Belcaro – I just want to make a comment to uh the P'burg Mall how it's, the reassessment there and how we lost tax revenue. That is why we approved to sell off those lots. This way the money that's generated from that, those four properties will be reinvested into the mall because the mall is in dire need of a facelift, exterior and interior. So, you know, that's a dated look from the 80's. It needs to be redone, new construction and I think only then, I believe only then maybe new merchants will be attracted to that. When new merchants come into the mall, people come and when that happens, the value of the property goes up and, in turn, it's a rateable for Lopatcong Township. So that's the plan behind that.

Carlos Correa - I feel I need to mention to Maureen on her comment you made. When she got elected on December in 2012, we were there waiting for the results and Maureen you said to me personally, I can't wait to get up onto that dais and say no to everything that Mr. Steinhardt would vote for. On January 2nd that was your own statement.

Councilwoman McCabe – Fortunately I saw the light.

Carlos Correa – Huh?

Councilwoman McCabe – Fortunately I've learned there's some laws that have to be adhered to. Can't just vote willy-nilly.

Carlos Correa – That is what you told me directly.

Councilwoman McCabe – That is what I told you directly when I knew little or nothing.

Carlos Correa – And you're telling me that between the time that you were elected November 5th and the time that you came December 1st, because you came to the dais on December 1st, that you learned everything that you know now. Thank you.

Mayor Steinhardt – Anybody else.

Gena James – Strykers Road – I know Mr. Sterbenz you said, last we agreed, you put papers in front of the Council about the sidewalk issue on Strykers Road and you asked them to take a look at it. I know Mr. Steinhardt that I talked to you and I also spoke to Mr. Sterbenz afterwards as you directed me to go to him about concerns about how I don't feel like that's really going to address how I feel, that's really going to address the safety issue of the kids in general getting back and forth to school safely. I actually feel like it's going to add more pedestrians to the opposite side where there are no crossing guards, um, to safely cross Strykers Road. So I just want to bring that to Council's, um, you know, I appreciate you guys, you know, kind of helping out here and trying to find a safe way to get my kids to school as an alternative so I don't have to use my own gas each time cause I know they're getting there safely (inaudible) but again I really don't think this is the best issue. I'm more than willing to try and work with you guys a little bit more to come up with a possibly issue, but I just wanted to make that concern, you know, to Council that I really don't think it is a safe choice right now (inaudible).

Mayor Steinhardt – Thank you very much. Anybody else to the podium? All right, we'll have the last couple comments from Council and we're going to adjourn so who wants to go first?

Council President Ciesla – There's been for the last year, since we've been on, Maureen and I, a lot of talk about the RFP's from last year and the RFP's from this year. Again, if Beth will help me out here, I do believe we post at least the beginning of December, if not in November requesting RFP's.

Clerk Dilts – Thirty days ahead.

Council President Ciesla – They have thirty days to decide if they want to send in an RFP and to get it right.

Clerk Dilts – The law requires ten, we do thirty days ahead.

Council President Ciesla – It's only required to give them ten days. We do give them longer. Um last year, everybody but one RFP was disqualified because they could not follow the instructions and I fully agree with disqualifying incomplete applications because the first test is to see how you follow directions and instructions and to show your attention to detail. If you don't complete your application in full, uh, that shows no attention to details. So, I completely agree they should be pushed aside and then everybody, regardless of whether they were complete or not, we only had one that actually gave a rate and they didn't give us everything that we needed and the rate was much higher than we had, um, then you have to sit there and look and you have to say, like if, how much work and additional costs are going to come into play if you make the change, you know, how much is it going to cost if you make the change, and how much is it going to cost the taxpayers, will it lead to a tax increase with little or no benefit to the taxpayer. What is the ROI on, when making this change and again, you know, if you are talking increasing a rate, between like \$125 an hour to \$140/150 dollars an hour, and there is no reason to do it, then that's the way I looked at it. We, Beth puts together a very comprehensive list of everything that they put in, you know, she makes a nice spread sheet, puts everything together and we look everything over, and again, you know, I don't know, I just, you know, I have, I had a job where I get called at 2:00 am and have to research a problem, code it, fix it, put it in, test it and do all this and, you know, it would have to be done before I go to bed so I don't know if that's just the way I am, I don't, it wasn't all that difficult, but I don't feel we were, and anyway I can guarantee, and I'll speak for you too, we made our own decisions on these and I wasn't going to vote no just for the sake of voting no because I didn't think it made any sense for the taxpayers of Lopatcong.

Councilwoman Schneider – I don't know where to start here. I just want to say that, um, I take a little bit of offense to people thinking that I am here because I owe someone or a group of anyone. I'm here to do my own thinking and to make my own decisions. No one tells me what to do and I do not listen to anyone but myself. Um, as far as the bids go, you know, we asked for eight copies, once the bids are in, they are no longer confidential; the bidding process has been closed. There cannot be any alterations nor can there be any more bids brought in. At that point, there is no reason why they cannot be taken home. There's no law, there's no regulations saying you cannot. Um, for me to ask for them, and be denied, there's really not a reason, especially when we asked for one to make eight copies. To make notes on a copy here and leave it here, really doesn't seem to serve a purpose. Um, you know, I wanted to look through them and you know, everyone has their own way of deciding what should and what shouldn't be pushed aside. Um, I believe if a bid is close, or if a bid comes a little under and maybe they are missing a copy or something like that, you know, there are things that should be considered and that can be overlooked. Um, you know I don't, I don't think keeping someone here, I don't think keeping an auditor for 10 years or 15 years is good business. This is a business; this is a business that needs to be run the way a business should be run. I don't think, um, attorneys should be here for that long. It's no offense to anyone who's up here. It's not; it's just that it is bad business. There should be a turnover and you know, there are times that it maybe a little bit more, but it makes sense, you need a fresh eye, you need a different approach and that's what I believe. If someone else disagrees, that's their opinion, this is my opinion and I don't think my opinion is incorrect because it is my opinion. I am here to do my job, I'm not here to play games, I am not here to undermine anyone. I'm here for the residents. I did not run for RLL. I ran for every person in this town and if you don't believe that, I'm sorry that you don't but this is why I'm here and I am here to do my job and to do it the best I know how to do it. So I thank you for listening.

Councilman Belcaro – I have one more comment. Just back to the RFP. We reviewed them and if they come in with the instructions they are supposed to follow and the low bid. Now professionals have been following that. Her comment that, what Councilwoman said, that they are here for ten years, they should not be here any longer than that. I disagree with that, and I will tell you why. We invested a lot finances in our professionals. They know this town backwards and forwards and from left to right. Now, are we going to bring in, and yet there prices have been staying stable without any raise, as far as I know. Now, are we going to just turn over just for the sake of turning over? Now, we are going to pay someone to learn our Township on billable hours. Is that the route we want to go? How would you feel, you are an employee, you work for me for ten years. I invested ten years into you. You got training, you know my business and I come to you in ten years, you know, you've been here too long. I'm going to bring somebody fresh in here. I got plenty of money that I'm going to invest in them. It really makes no sense. As long as the professionals are doing their job, unless they really screw

up big time, and their prices have been right, they've been stable, we have to go with the low bid and that is our professionals and that is my assessment of that.

Mayor Steinhardt – So a couple quick things. The comment that Ms. Schneider made about regulations, about taking bids home, apparently the school board didn't get that memo either because, as you heard Mr. Gallant say, they do the same thing and there is reasons for it and it's that because in those bid documents there are often privileged or other information that should not make it out into the public beyond that which might be their bid number and those types of things. That's why we prepare the summary sheets, beyond that, there is other information that is in the bid documents that one could consider either privileged or classified and that's why they remain in the building. School board does it the exact same way for the very same reasons that was expressed to you fifteen minutes ago. Um, in regard to hiring professionals, I agree with Mr. Belcaro. Um, Ms. Schneider, not with you. I hadn't changed my doctor in thirty years because he knows my body. I haven't changed my lawyer in twenty years, and I think it would be foolish to do that too, nor have I changed my accountant because he knows my business practices and I think it makes sense for my accountant to understand what I do, so that if I have a problem, I wouldn't have to hire someone else to figure out what he did three or four years ago. The same with my legal matters. When I became Mayor here, fifteen years ago, the attorney at the time had been the former Democratic Party chairman. I was a Republican. I was pressured by the Republican Party chairman and other republican powers to be to replace the town attorney simply because he was a Democrat. He had been here for almost eighteen years and it seemed to me that would be about the most foolish thing that I could do to replace somebody simply for politics sake. So I kept that attorney here and it turned out to be one of the best things I did because he knew more about what went on in this town and the longest serving member of any individual sitting at this dais and I learned much from him, as I'm quite sure, he did from me from the time that he spent here with me. So, I respectfully disagree with you, I think that it makes no business sense to simply make changes. Lastly, and I will say this, this is to you Carlos, if we are accused of not doing our job or doing it honestly or ethically, someone is going to respond. I responded tonight, last month we were accused of not being honorable and ethical in the way that we handled the bid process and my final comment on the issue of grandstanding of which the dictionary defines as to conduct oneself or perform showily or ostentatiously in an attempt to impress upon others. I'm not here to impress anybody. I ain't running again, I don't need to get anybody's votes or do anything other than set the record straight. Ms. Schneider, apparently, has to impress you guys. You saw what happened to Ms. McCabe and Ms. Ciesla when they don't try to impress you guys. I'm not here to impress anybody. I'm going to say what's on my mind, I'm going to do my job and I'm going to show up day after day and do the exact same thing for the next 329 days. On that note, motion to adjourn. Motion by Councilman Belcaro, seconded by Councilwoman McCabe. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Douglas J. Steinhardt
Mayor

