

TOWNSHIP OF LOPATCONG

COUNCIL MEETING

May 7, 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 CFO Dobes, Tax Collector Edinger, and Attorney Campbell.

Resolution No. 14-59 - was passed to hold an Executive Session. Attorney Campbell stated that Council discussed contractual, personnel and litigation matters. Motion to go out of Executive Session by Council President Ciesla, seconded by Councilwoman McCabe. All in favor.

Mayor Steinhardt – I do apologize, we had a long Executive Session tonight, we did not finish but indifference to all you folks that were waiting in the hallway, we are going to have to go back into Executive Session at the end of the meeting tonight, however, the items left remaining are mostly Council training and will not require any, there will be no action taken on any of those items once we finish and reopen at the end of the evening. So, that being said, did we do roll call? We did. Questions on agenda items only?

Old Business:

Minutes – Mayor Steinhardt asked for a motion to approve the minutes of March 11 and April 2 and 8, 2014. 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

Ordinance No. 2014-03 – Second reading and public hearing to Exceed the Municipal Budget Appropriation Limits and to Establish CAP Bank for Calendar Year 2014. Motion to hold a public hearing by Councilwoman McCabe, seconded by Council President Ciesla. No questions from the public. Motion to close the public hearing by Council President Ciesla, seconded by Councilwoman McCabe.

ORDINANCE NO. 2014-03

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, May 7, 2014 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2014

(N.J.S.A. 40A:4-45.14)

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey.

Margaret B. Dilts, CMC

Motion to close the public hearing by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

New Business:

2014 Municipal Budget – Mayor Steinhardt stated that at the last meeting there was some questions, we took the introduction off the agenda till this month to afford everybody and opportunity to try to get some additional questions answered, to explore further any questions they might have with either Nisivoccia or Ms. Dobes. I know a lot of that was done. I've seen the excel spreadsheet with a lot of comments down the sides and I thank Council for having done so. Dave, if you could perhaps, again we have some different folks in the audience that were not here last month, to give us another overview of where we stand and then, if there are individual Council questions, we'll go right down the dais and answer those and perhaps we can move forward with introduction. So please bear with us, this might take a little while for a bunch of reasons, not the least of which, I know we have other financial obligations that we need to take care of and we can't do that until the budget is introduced. Mr. Evans, please.

Auditor Mooney – Before we get into the budget, I just want to remind you that this is the state examination year. What the state examination year means is that the budget is sent down to Trenton after it is introduced for a very extensive review by the people in Trenton. They will look at every revenue; they will look at every expenditure. They focus on federal and state grant funds, they focus on debt service and they also take a look at calculations and percentages. So, once the budget is introduced, it will get a thorough once over from the people down in Trenton and we will not be able to take action until we get that back from Trenton. So, with that in mind, the budget that we looked at last month is the same as it is this month. It has not changed; it is the same document that was before you at the last meeting. A little over a month ago, the state came out with the average local taxes for the State of New Jersey for 2013. I just want to point out that the 2014 budget would be collecting on the average accessed home of \$230,000, \$6,253.00. Going back to the state average, for 2013, the state average was just under \$8,000, so \$7,988.00 is the state average. So you are well below what the state average is as far as where your budget is at.

Council President Ciesla – What was our average again?

Auditor Mooney – Your amount, your average accessed home at \$230,000, is \$6,253.00 for 2014. The county numbers haven't been released but we have county numbers for 2012. The county average was \$6,400 in 2012. So you are below that as well.

Council President Ciesla – That includes towns with no.

Auditor Mooney – That includes all towns throughout the county. You are one of the lowest within Warren County with a police force. Those other towns that are included, one has a pollution facility and a land fill, another has an energy facility in it, so those have very little local tax rates and that average is \$6400.00 exclusive of those towns. Last month we said that it was important to introduce because you may run into a problem with the state in a delay with them reviewing your budget. You still have the potential for them to delay your review until after your hearing on June 4th. We were at a budget meeting on Monday night and we got the okay from the state on Friday afternoon. So they are kind of up against it and cutting it close on introduction of budgets going forward. The impact that, that could have on you, if you do not introduce tonight, is that you will be in a situation where you will have negative impact with cash flows come to tax bills going out. The other reason why it is very important to introduce tonight, is, it is because we were supposed to go down to the Local Finance Board in April and we were on the agenda to speak to the Local Finance Board for the property settlements and at zero hours, literally 24 hours prior to us going down, we were asked to provide the state with a copy of the introduced budget. This was not a requirement in the applications, however, the director is able to request items and this is what he is starting to request. He wants introduced budgets to make sure that the budgets that are being introduced not have any fat or any kind of excess funds that you'd be able to use to payoff items, like the settlement. With all of that said, your introduced budget tonight is both below the Tax Expenditure CAP; you are about \$41,000 below that CAP and you are right on the Tax Levy CAP, you have no wiggle room there. What it means is there will be a .049% increase to the local tax rate. This increase, again on an average assessed home at \$230,000 would be a monthly increase of \$9.46 and, again, the total tax collection for 2014 on an average access home of \$230,000, is \$6,253.

Council President Ciesla – Essentially, it is about \$113.00.

Auditor Evans – (Inaudible).

Councilperson – (Inaudible).

Council President Ciesla- But we can get into next week's meeting?

Auditor Evans – (Inaudible). Hopefully, if you adopt the budget tonight, then Betty can get it down there tomorrow (inaudible). No guarantee. (Inaudible) if you don't introduce tonight there is zero change you will be getting (inaudible).

Mayor Steinhardt – Who has a question for Dave?

Councilman Belcaro – When you say we are one of the lowest in the county is it safe to say we are in the top five.

Auditor Evans – You are in the bottom five.

Councilman Belcaro – Bottom five. Okay.

Auditor Evans – If you look at your local tax, you are one of the lowest in Warren County and all together what (inaudible) well below state average.

Councilman Belcaro – Then coming in at almost \$1800.00 lower than the state average correct.

Auditor Evans – Average for 2013.

Councilman Belcaro – Right.

Auditor Evans – (Inaudible) I’ve said this before, you’ve done a wonderful job at keeping your tax rate so low, very aggressive, but it comes (inaudible) you have no money. So the tax is extremely low, local tax rate is extremely low, but you have no money.

Council President Ciesla – I know last year, even though the tax rate went up quite a bit, our budget was actually lower than the year before. I know we cut out like \$500,000. So there is very little to cut and I know some, doing the math really quick, I think the majority of the increase, the tax increase is all for the benefit of the residents essentially. It’s for roads. Going over what the increase is for, is for the capital improvements that we need to do like fix our roads, Third Street we have a project, we have the other two roads that we are trying to fix; we have Reservoir Road and Plaza. Um, yeah. We need a new truck so we can plow again this winter.

Mayor Steinhardt – Let me explain to folks, Dave’s, um, you might not understand it; I would equate it to an ordinance. You introduce an ordinance for first reading and then we come back in a month and hold a public hearing to discuss the ordinance, we vet it, if you will. We get to the extent we can within the parameters of the law and then it can be adopted then. Can you explain to people the difference between introducing the budget today and the budget hearing that will follow so they understand what is happening tonight versus the point in time at which will have a more public involved, public colloquially, if you will on the budget itself?

Auditor Evans – What you are essentially doing, is giving preliminary approval (inaudible) This year during that 28 day period (inaudible) public hearing for at least the 28 days.

Mayor Steinhardt – To afford the public the opportunity to come and grab the document and go through it.

Auditor Evans – Read it and ask questions – it’s available in town hall and during that same 28-day period the state will be going over all your CAP calculations, revenue estimates (inaudible) ask questions; require additional documents (inaudible) so during that month (inaudible) there is a lot going on. After, (inaudible) no matter what happens, after 28 days, after you held the hearing (inaudible). If, in fact, the state has completed their review and given its blessing, we can then adopt. If not, we’ll have the hearing and then we will (inaudible) until next time (inaudible) and once they’ve given their blessing, we can amend the budget and adopt the document.

Mayor Steinhardt – I guess my point is, is that an individual who votes tonight to introduce the budget doesn’t obligate themselves to vote on the final budget after the budget hearing based on comments that the public may make or questions that they may have about a particular line item. However, if we don’t get the budget introduced tonight, we are going to tie our hands significantly, if not, result in potential assessments, unneeded assessments that we shouldn’t have to incur by not simply getting it out on the table.

Auditor Evans – (Inaudible).

Mayor Steinhardt – Any other specific questions of Mr. Evans insofar as the budget itself, the introduction is concerned? Anyone want to make a motion for introduction only?

Councilwoman McCabe – Introduce the budget, done.

Councilman Belcaro – Second

Mayor Steinhardt – Roll call

Clerk Dilts - Councilwoman Schneider – no, Councilman Belcaro – yes, Councilwoman McCabe – yes, Council President Ciesla – Not happy with it, but I understand that if we don't introduce it, we're looking at probably at \$100,000 worth of fines which would eat up any of the changes I had proposed, so yes, Mayor Steinhardt – yes.

Mayor Steinhardt – Okay moving on Item 2. Resolution to amend the Local Finance Board Application.

Auditor Evans - Since our last meeting, (inaudible) that we determined the best way to address it was to amend the initial application (inaudible). This Resolution formally approves the action that we took last month to amend in the application

Resolution No. 14-60 – Amend Application to Local Finance Board.

R 14-60

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A.40A:2-51 ET SEQ.

WHEREAS, THE TOWNSHIP OF LOPATCONG, NEW JERSEY (the "Township") desires to make application to the Local Finance Board for its approval of a proposed refunding bond ordinance authorizing the payment of amounts owed by the Township; now, therefore,

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, NEW JERSEY, as follows:

Section 1. The application to the Local Finance Board is hereby approved and the Township's Bond Counsel and Auditor, along with other representatives of the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Recorded Vote

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

NAYS: None

ABSTAIN: None

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 7, 2014.

Margaret B. Dilts, CMC

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

Ordinance 2014-04 – First reading of a Bond Ordinance (amended) to refund payment amounts to various property owners due to tax appeal settlements in the amount of \$1,085,000.

ORDINANCE NO. 2014-04

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$1,085,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,085,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Lopatcong, New Jersey (the “Township”) is hereby authorized to pay an aggregate amount not exceeding \$1,070,624.31 for amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth in a schedule on file with the Tax Collector (the “Schedule”), pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”).

Section 2. An aggregate amount not exceeding \$14,375.69 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$1,085,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the fifth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the debt provided in this bond ordinance by \$1,085,000. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the tax amounts owing as set forth on the Schedule prior to the date that Township incurs debt obligations under this bond ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond

Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of tax amounts owing as set forth on the Schedule is \$1,085,000.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

NOTICE

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township Council of the Township of Lopatcong, in the County of Warren, State of New Jersey, on May 7, 2014. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at the Township Council at the Municipal Building, 232 S. Third Street, in said Township on June 4, 2014 at 7:30 o'clock p.m. or shortly thereafter. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's Office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Refunding Bond Ordinance Providing For Payment Of Amounts Owing To Others For Taxes Levied In And By The Township Of Lopatcong, In The County Of Warren, New Jersey, Appropriating \$1,085,000 Therefor And Authorizing The Issuance Of \$1,085,000 Bonds Or Notes Of The Township For Financing The Cost Thereof.

Purpose(s): Payment of amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth on the Schedule on file with the Tax Collector.

Appropriation: \$1,085,000

Bonds/Notes Authorized: \$1,085,000

Grants (if any) Appropriated: None

Section 20 Costs: \$14,375.69

Useful Life: N/A

M. BETH DILTS
CLERK

This Notice is published pursuant to N.J.S.A. 40A:2-17

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

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

NAYS: None

Resolution No. 14-61 – Authorizing Addition of 1/12th of the 2013 Municipal Budget and Sewer Operating Budget to the 2014 Temporary Municipal Budget in the amount of \$489,235 and Temporary Sewer Operating Budget in the amount of \$131,181.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING AN ADDITION OF 1/12TH OF THE 2013
MUNICIPAL BUDGET AND SEWER OPERATING BUDGET TO THE 2014 TEMPORARY
MUNICIPAL BUDGET AND TEMPORARY SEWER OPERATING BUDGET

WHEREAS, as per New Jersey Local Budget Law, the Mayor and Council of the Township of Lopatcong may add 1/12th of the 2013 budget appropriations to the 2014 Temporary Municipal budget and Sewer Operating Budget; and

WHEREAS, said 1/12th of the 2013 budget appropriations of the 2014 Temporary Municipal Budget is \$489,235 and 1/12th of the 2014 Temporary Sewer Budget is \$131,181 as shown on Schedule A attached.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong that the Chief Financial Officer is hereby authorized to add to the 2014 Temporary Municipal Budget, 1/12th of the 2013 budget appropriations in the amount of \$489,235 and to add to the 2014 Temporary Sewer Operating Budget, 1/12th of the 2013 budget appropriations in the amount of \$131,181.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 7, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Schedule A:

<u>Appropriations for Municipal Operating Budget</u>		\$489,235.00
Account No.	Appropriation	Amount
10510120	Postage	-\$1,000.0
10510220	Computer	-\$2,500.00
10510320	Code Book Update	-\$4,500.00
10511010	Mayor and Council S&W	-\$1,000.00
10512010	Municipal Admin. S&W	-\$17,500.00
10512020	Municipal Admin. Other Expense	-\$2,000.00
10513010	Financial Admin. S&W	-\$10,000.00
10513020	Financial Admin. Other Expense	-\$1,000.00
10513520	Audit Services	-\$14,000.00
10514510	Revenue Admin. S&W	-\$2,700.00
10514520	Revenue Admin. Other Expense	-\$1,000.00
10515010	Tax Assessment S&W	-\$15,000.00

10515020	Tax Assessment Other Expense	-\$30,000.00
10515520	Legal Services Other Expense	-\$20,000.00
10516520	Engineering Services Other Expense	-\$15,000.00
10518010	Planning Board S&W	-\$1,000.00
10518220	Planner	-\$10,000.00
10518510	Zoning Board of Adjustment S&W	-\$2,000.00
10519620	Building Sub Code Inspector Other Expense	-\$1,000.00
10519810	Uniform Fire Safety Act – Fire Inspector	-\$10,000.00
10520010	Zoning Officer S&W	-\$779.63
10520110	Rent Leveling Board S&W	-\$329.60
10521020	Liability Insurance	-\$30,000.00
10521520	Workers Comp. Insurance	-\$37,900.00
10522520	Employee Group Ins.	-\$44,385.00
10524010	Police Dept. S&W	-\$50,539.36
10525210	Emergency Mgmt. S&W	-\$250.00
10526420	Fire Companies	-\$1,458.28
10527510	Prosecutor’s Office – Lopatcong S&W	-\$1,500.00
10529010	Road Maintenance S&W	-\$25,000.00
10529020	Road Maintenance OE	-\$25,000.00
10531020	Bldgs. and Grds. OE	-\$5,000.00
10537120	Parks and Playgrounds OE	-\$11,665.90
10544020	Telephone	-\$2,038.37
10544620	Gas (natural/propane)	-\$5,000.00
10544820	Fire Hydrant	-\$30,841.28
10544920	Water	-\$1,000.00
10546020	Gasoline	-\$20,000.00
10546620	Interlocal Municipal Court Services	-\$186.89
10547220	Social Security	-\$4,160.69
	<u>Appropriation for Sewer Operating Budget</u>	<u>\$131,181.00</u>
Account No.	Appropriation	Amount
7650120	Sewer Operating OE	-\$131,181.00

Resolution No. 14-62 – Accept 2013 Green Communities Grant in the amount of \$3,000 and authorize Mayor to execute Grant Agreement.

R 14-62

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY A GRANT AGREEMENT BETWEEN LOPATCONG TOWNSHIP AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT IDENTIFIER: FS14-105
GOVERNING BODY RESOLUTION

The Governing Body of the Township of Lopatcong desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000 to fund the following project:

2013 Green Communities Grant
Community Forestry Management Plan

Therefore, the Governing Body resolves that Douglas J. Steinhardt or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

The authorizes Lopatcong Township Shade Tree Commission and hereby agrees to match \$3,000 of the total project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable federal, state and municipal laws, rules and regulations in its performance pursuant to the agreement.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 7, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

Resolution No. 14-63– Approve 2013 and 2014 Grants in the amount of \$30,000 each from the Division of Criminal Justice regarding the “Safe and Secure Communities Program”.

R 14-63

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY DIV. OF
CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Township of Lopatcong wishes to apply for funding for a project under the Safe and Secure Communities Program; and

WHEREAS, the Lopatcong Township Mayor and Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Lopatcong for the purpose described in the application.

THEREFORE, BE IT RESOLVED by the Township of Lopatcong that

1. As a matter of public policy Mayor and Council wishes to participate to the fullest to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Div. of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which will be duly and regularly introduced and finally adopted at the meeting of the Township of Lopatcong to be held on the 7th day of May, 2014 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution will be observed; and that I am duly authorized to execute this certification.

Margaret B. Dilts, CMC

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

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

NAYS: None

Muscular Dystrophy Fundraiser – Resident Victoria Gural requests use of Park fields for fundraiser event for Muscular Dystrophy.

Victoria Gural -

Town Council Meeting May 7, 2014

Hello my name is Victoria Gural, I am a junior at Phillipsburg High School, and I am seeking approval to have a Community Kickball Tournament Fundraiser in honor of Ian Schneider in his fight against Duchenne Muscular Dystrophy. Ian is our friend and neighbor who is a 6th Grade student at Lopatcong Middle School. The funds raised at this event will be donated to Parent Project Muscular Dystrophy.

- The event is sponsored by Community Prevention Resources of Warren County.
- Insurance and Indemnification requirements will be covered by Community Prevention Resources of Warren County.
- Concessions will be donated by various local businesses. We are working with Carol Schwor of the Board of Health and will have all vendors complete the necessary paperwork to meet the requirements.
- Music/Announcing will be done by Matt McAnally, insurance covered by CPRWC.
- A Safety Committee with first aid supplies will be available.
- Adult Chaperones will be present to keep children behaved and in the correct area.
- A Garbage/Recycling committee will ensure clean-up and proper disposal of garbage to the dumpsters.
- LAA's Mr. Ken Lutz and Mr. Don Martin confirmed field availability for this date and are in support of the event. We will seek official approval by the LAA to use the fields at their May 20, 2014 meeting.
- A cleanup committee will make sure the field area is left in same condition as it was found.
- I am seeking your approval and I hope you support me in this event.

Mayor Steinhardt – Thank you young lady very much and young man, although you didn't say much. I think it is admirable and commendable what you are trying to do and I'm quite sure, I know you had a lot of boxes to check off on the checklist to make sure that this goes, gets to June 1st without a hitch and we appreciate all the effort you've done to do that and so those of you in the audience who aren't aware, it was a lot more complicated than simply running around and trying to find some friends to come out and support the event. She had to do this like any other adult would and any other large scale exercise by making sure, and she ran through the laundry list for you that she was able to come up with a Certificate of Insurance, make sure she dealt with the County Board of Health to the extent food will be served there, dealt with the appropriate Township Committees to make sure there were no scheduling conflicts and, it's a lot to handle for an adult, so to have a couple teams do it, is to their credit. First of all, I think you deserve a round of applause from all of us for the work that you did. I guess my question just would be of Ms. Dilts because I remember seeing the list of things; have we dotted our "I's" and crossed our "T's", everybody's good?

Clerk Dilts – Yes, we are working through it.

Council President Ciesla – Yeah, just as a backup plan, I know we have a lot of games to make up. I don't know when the baseball season is actually going to end. Do you have a backup plan should the fields not be useable even not to play kickball but even the grass, we do have periods of heavy rain, the fields are usually a bit of a disaster.

Victoria Gural – If they are in that bad a condition, we plan on playing rain or shine.

Council President Ciesla – Okay.

Victoria Gural – If they are in bad condition, we can push it back

Council President Ciesla – Okay, because the only thing is, is that the DPW would make that call and if you couldn't use those fields, would you, is there another part of the park that they could use.

Victoria Gural – If they don't want us to use the fields, we could

Council President Ciesla – That's the only thing that we have. They go on a daily basis – they look to see are the fields, cause otherwise, it's not just for the fields but because of injury, you can be injured as well.

Mayor Steinhardt – You guys will give it run right before to make sure we are good Brian? And you are seeing LAA on the 20th, so you should be good with them, right? Anybody else, any questions, comments, concerns?

Councilwoman McCabe – I like the idea, it's wonderful, that's great – I'm happy .. we have a bit of a conflict up here. Obviously, this involves the entire Town Council and we are trying to put an agreement in place right now about renting fields to outside parties. We don't have that agreement in place to make things more convenient for this issue. I'm not sure I am comfortable with Town Council casting, allowing free use of the fields in order to directly benefit a member of Town Council.

Victoria Gural – He directly is not being benefited. It's the organization to fund (inaudible). I understand where you are coming from.

Councilwoman McCabe – Right. It's just kind of a concern of the appearance of impropriety. I understand that we're also asked to write up a legal contract regarding this which we don't have in place and now we're spending money for something that we again might be a conflict.

Mayor Steinhardt – Katrina is not going to bill anybody.

Councilwoman McCabe – I know we have contracts in place for the pool and pavilion rental. Can rent the pool and the grass next to it. (Inaudible).

Mr. Gural – (Inaudible).

Councilwoman McCabe – I think it's a nominal fee.

Mr. Gural – (Inaudible).

Councilwoman McCabe – (Inaudible) It is just the concern of free use of the fields directly benefiting a councilmember (inaudible) or indirectly. I mean, obviously, there's a question.

Victoria Gural – (Inaudible).

Councilwoman McCabe – That the point is we don't have a contract in place (inaudible).

Mayor Steinhardt – Let's try not to lose sight of the underlying purpose here. I know we donate memberships to the tricky trays, we donate things and, you know, I realize we're trying to do things going forward to deal with, with. Part of, I think where they're coming from, is getting inundated with like out of town people coming in and doing things and causing damaged to the fields and we're trying to figure out a way to get our hands on that (inaudible). Let's try and keep our eye on the bigger picture, which is a couple kids have come in and put their sweat and work in putting together a project that is, at the end of the day, the dollars are being directly donated to

Victoria Gural – The project.

Mayor Steinhardt – And you know, the single thing that the Township should be worried about, quite frankly, is just making sure there is an insurance thing in place if somebody breaks their ankle or have a heart attack or whatever the case may be and they don't complain if the grass wasn't cut right, no offense Brian, so that being said, I'm going to make a motion that we go ahead and approve this thing and, let these guys run with their project provided that they dot whatever "I's" or "T's" they have left to cross with Ms. Dilts and, you know.

Council President Ciesla – I just have one more question, are there going to be any tents?

Mayor Steinhardt – Can I get a second first then we'll have some more discussion. Anybody want to make a second?

Councilman Belcaro – Second.

Mayor Steinhardt – Any more discussion, go ahead, fire away.

Council President Ciesla – Are there going to be any tents?

Victoria Gural – We were planning on having tents put up, but if that's a liability or an issue we don't have to.

Council President Ciesla – It's not we would just check on where they go just in case baseball season does get extended or softball season, we got to make sure there's no holes so (inaudible).

Victoria Gural – We can tell you exactly where tents are going to be.

Mayor Steinhardt – Anybody else have anything?

Councilman Belcaro – Thank you for spearheading this.

Victoria Gural – Thank you for listening.

Mayor Steinhardt – Roll call please. Ms. Schneider will probably abstain.

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

NAYS: None

ABSTAIN: Councilwoman Schneider – As the Mayor just stated I am abstaining from voting because although this is not directly affecting or benefiting my family, it's benefiting a cause that

unfortunately my son has a disease. So yes, I am abstaining from this vote and I will have no say in any of the goings on here.

Resolution No. 14-64 – Refund of Tax Sale Certificate No. 2012-046 and Premium in the amount of \$11,027.41

R 14-64

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 141, LOT 6 IN THE AMOUNT OF \$11,027.41

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 141, Lot 6 also known as 15 Grant Way for 2011 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-046 was sold to Virgo Municipal Finance Fund LP for a Premium of \$3,100.00; and

WHEREAS, Lereta Tax Service, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2012-046 in the amount of \$7,927.41.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of May 2014 that the Chief Financial Officer be authorized to issue a check in the amount of \$11,027.41 for the redemption of Tax Sale Certificate No. 2012-046 and Premium to:

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 7, 2014.

Margaret B. Dilts, CMC

Resolution No. 14-65 – Redemption of Tax Sale Certificate No. 2012-001 in the amount of \$1,066.39 on Block 14, Lot 1.

R 14-65

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 14, LOT 1 IN THE AMOUNT OF \$1,066.39

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 8, 2012, a lien was sold on Block 14, Lot 1 also known as 27 Delaware Street for 2011 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2012-001 was sold to Arthur Frustaci for 0% interest; and

WHEREAS, Dovenmuehle Mortgage Company for property owners has satisfied the redemption amount on Certificate No. 2012-001 in the amount of \$1,066.39.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of May 2014, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,066.39 for the redemption of Tax Sale Certificate No. 2012-001 to:

Arthur Frustaci
1178 Fifth Avenue
Alpha, NJ 08865

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 7, 2014.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt these Resolutions. 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

Council Reports:

Councilwoman Schneider – Okay. The Board of Education held a meeting regarding their budget and what they are proposing is approving a kindergarten expansion question on the November ballot. They want to provide full-time kindergarten for all of our residents. In turn, that would mean hiring extra, three new teachers, eight part-time aides, supplies, text books and employee benefits as well as transportation. Um, if this were to, if people, the Board of E d approved it to be allowed to be on the ballot, they're not, they haven't approved it actually being on the ballot. If this were to take place and it was voted yes, your school tax rate will raise approximately 5.9% and that will never go down, that will be a permanent raise in your tax, in your school tax, in your tax levy.

Um, Dept. of Public Works, with the Easter Hunt, we did give out some trees and we had pretty good success, but we had so many trees and the kids were running around like crazy and it was a little hard for parents to stop and, actually, see what kind of trees we had and, um, I was giving some people tutorials on the trees; on what is a fast growing tree versus what's a slow growing tree, um, but we did give away a lot of trees and the trees that we did not give away, a good part of that is, we gave them to "Relay for Life" and what they're doing with those trees, is all of the cancer survivors that they will present at the opening of the Relay, they're giving each one of those cancer survivors a seedling which will represent life and some good things that they'll have to say about that. Um, and still after that gentleman took the trees, there were still yet more trees, um, and Brian and his guys had found a gentleman that was willing to take anything that was left over. So, the good thing is, no trees were wasted, they all went to good homes and, um, I hope that anyone who did pick up trees, actually did plant them.

And, also, on a serious note, um, we talked to the DPW guys about a contract, they're interested in having an employment contract with the town and, um, upon discussion here, we decided to, well I'd like to make a motion to actually grant their contract to them. It will be a contract of three years and, if anyone has any questions on that, I'd be happy to answer, um, but I'd like to make a motion to actually accept and adopt the contract. Second the motion by Councilwoman McCabe.

Mayor Steinhardt – Any further discussion? Just by way of historical background, we had had, they had been teamstered before, unionized years ago. The current group, after we lost the last one, has been operating for that time without an agreement. They have not come to us and asked to unionize, but they did ask for an employment agreement and that is the agreement that our negotiations committee and the rest of the Council's been dealing with, with them. So that's it, in a nut shell. Any other comments? Roll call.

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

NAYS: None

Councilwoman Schneider – That's it on my Council Reports. I also just want you to know that, um, my no in approving the introduction of the budget, I do have my reasons why if anyone's interested, feel free to contact me and I'd be happy to give you my explanations on why I said no to the budget tonight. That's it.

Councilman Belcaro – Just a quick report on the Sewer Project. It's, some of you guys may have drove down 57 and you see that the project has started, equipment is there. All the supplies that have been needed to do the project are there, so it's commenced. After speaking to Dan Madden, our Sewer Engineer, and is here with us tonight, has come up with a recommendation and there is a grinder in there that is called a Monster Grinder. I guess it's, um, gets its name because what it does is, it chops up anything that comes through it practically. We don't have one of those at the Stonehenge. That's a different pump station, but this one here has one and it's currently, was installed in 2006. So it's reached its life span where it's going to need a full service. His recommendation is to, um, you know, we're getting a new pump station and it would be wise to put a new Monster Grinder in with this and he also suggested that with the old one we can retrofit it in Stonehenge after it's been serviced. So, I'm going with his recommendation on doing something like this, I think it's smart. We have all new equipment down there and put a new grinder in there that will give us another 6 to 8 years of lifespan and not have to worry about it. The cost of this is approximately \$50,000 in which we can work this in with the loan and also part of the USDA grant which 23% of it would be grant money again over a 40 year loan that comes out to approximately \$150 over 40 years. So that's something, after long discussions with him, it's a recommendation. I'd like to look at it, you pay now or you pay later. You know, if we continue using the current one, and if something were to happen, you know, you have to get everybody back in there, pull it out and do the work and it could be costly. So, without, you know, creating future problems, which at the end of the life span, I think it's wise, it's prudent to put in new, with new and, hopefully, we can retrofit the other one or have it as a backup for future use. We're looking into that. So, having said that, I'd like to make a motion tonight that we go ahead and approve this contract to purchase one with Dulaine in the amount of \$50,000 and that does not include with the 23% discount which will be part of the loan and the grant money.

Council President Ciesla – Will it help with any of the problems that we've had in the last couple weeks?

Councilman Belcaro – We'll this is just for the new pump station.

Council President Ciesla – Oh, this is for the new, all right.

Councilman Belcaro – That's all it's for. Any other questions anybody?

Councilwoman McCabe – What's the life span on this?

Engineer Madden – (Inaudible).

Councilman Belcaro – Every 6 to 8 years, what it does is it needs to be refurbished depending on the use of it. The current one there has been there since 2006, so it's reached, possibly, its lifespan where it needs to be refurbished. Now, meaning refurbished, doesn't mean the whole thing has to be refurbished. Okay. So it could be overhauled, you know, replace some parts, whatever is broken, whatever is worn out, you know, in order to have continued operation.

(Inaudible)

Mayor Steinhardt – (Inaudible)

CFO Dobes – Loan is \$2,150,000 and we got a grant for \$800,000.

Mayor Steinhardt – It's being rolled into that. There's monies in there. There's a cushion within the money that we were given (inaudible).

Councilman Belcaro – So it's the entire loan. It will be worked into that.

Mayor Steinhardt – Any other questions?

Orchewfski – Highland Way – Yeah, you asking for \$50,000 and you said that is not including 23%.

Councilwoman Belcaro – It would be minus 23%. \$50,000 doesn't include the minus 23% which we would get through grant money. So, actually, what it's going to cost us is about \$35,000.

Orchewfski – Why not asking for \$35,000?

Councilman Belcaro – It's going to have to be worked in. You have to approve this and then the loans; the grant gets worked into that.

Engineer Sterbenz – Both the loan and grant programs are reimbursable. What's going to happen is, after the work gets done, and it gets certified, the Township shall ask for reimbursement on it and they'll get that money back later on but they have to pay the contractor right now.

Mayor Steinhardt – Any other questions or comments from Council? All right. With a motion and second, roll call.

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

Council President Ciesla – Can I just ask a question. Do you have an update on what happened the other evening? I mean, I don't know, if you want to

Councilman Belcaro – Storm last week.

Council President Ciesla – Yeah.

Councilman Belcaro – Okay. Yes. During the heavy rains last week, the sewers were filled up. A colossal amount of water pouring into the sewer system, and there were some residents down on Belvidere Road, around the Brass Rail area, that the sewer had backed up. The sewer was spilling out of the manhole covers, and one of the problems that we have in town is that a lot of homes that their sump pumps; are tied into the sewer lines. It's adding all this extra water into

the sewer lines, and what happened is, that because of the diameter of the pipes on Belvidere Road could not handle that amount of water, so it started backing up through the manhole covers and backed into some of the resident's homes. The Fire Dept. was called in, you know, we went door to door in the lower lying homes to find out if they had issues, but we came down to about three or four homes that had backed up sewerage. You know, I went into the Sewer Meeting in P'burg, and that is a concern here, because there is so much water coming in. Normally, P'burg handles about 2 ½ million gallons of waste every day from sending districts including P'burg. During the last rain storm, last week, they were dealing with close to 7 million gallons coming in. That's a lot of stuff, a lot of water, a lot of waste and, mainly, it was because of the rain and it's seeping into maybe our old sewer lines, it's seeping into again with older homes with sump pumps tied in the sewer lines which I think we have to look into that because, you know, they're charging us for all this rain water that's getting into our sewer lines. All of us here are paying additional for all this water that they have to clean and manage. So, it's something we'll have to look into and how we are going to address this in the future. Going forward, as far as people tying their sump pumps into the sewer lines, we have that issue and, who knows, what else, but we have to investigate. It's a lot of water.

Brian Weeks – (Inaudible).

Attorney Campbell – (Inaudible).

Councilman Belcaro – All that does is increase our sewer waste at a cost that gets passed on to all of us. So, if anybody that's here and that's doing it, or you know someone, you need to disconnect it and find a different route for it. We need to start something like that. Anybody else? Thank you.

Councilwoman McCabe – I did meet with the Brakeley Gardens Tenant Association (inaudible) I'm also continuing to work with the Rent Leveling Board to address the rent issues over there. Some of the issues have been resolved; it's a work in progress. Some other issues we are still working on, so it is being addressed and we are trying to help out our senior citizens, in our town, in order to accommodate them; we understand that (inaudible) we are moving in the right direction.

Now, the second issue up is, we did a Rice Notice, was sent out to an employee. The employee is a part-time employee in this municipality (inaudible). He received the Rice Notice which gives him notice that we would like to talk to him about his job. He then has the option to either talk about it in private, in executive or he opted to discuss it in public. So, the reason for the notice, there's a couple things. Wayne holds two positions in this Township. First position is as a Zoning Officer. In this position, he is in a part-time position, and it's salaried, it's a two hour work week at approximately \$9,000 plus. So a couple issues on that, it is when the two hours, it seems, now again, Wayne opted to discuss this in public, so just so you know, it was agreed. He, the work schedule, was changed temporarily by Wayne, to be on Monday's. It seems that there was some holidays at the beginning of this year so, therefore, he did not come in on those days, however, according to his agreement and, correct me if I'm wrong, you need to make up those hours. So, we would have a situation here of he got paid for hours he potentially was not here. According to the books and, I don't know if everything's been looked at, but there is one situation where you need to come in and make up for the two hours for pay that you already received. We also like to get back from that temporary Monday. We need you to get back onto your regular day. I think it was Tuesday's and, just to remind you, if you can't, for some reason, we need you to make up those two hours within a two week time period, that's within the pay period, you need to come in and make up those hours. We don't want to be accused of paying someone who didn't come to work the hours. Um, the second issue there is, we have a Telephone Policy and this applies to all the employees. The Telephone Policy is for the benefit really of the residents. We have residents that call and sometimes they say I've called, I've come

in, no one's there, no one's helping me, what are you doing. Our Telephone Policy is in place to cover that. If you are not here, you are out to lunch, and this goes to all the employees, you need to forward your phone to the front desk in the clerk's office so that a message can be taken and then we know that we have to get back to such and such a resident on such and such an issue. If that is not in place, then, we are getting residents complaining, you know, like you have a person who's hired to do a position, they're not here and I'm not getting a response. So, please adhere to the Phone Policy and I think this is your second notice on that issue, so please in the future, adhere to that policy. Your second position here, is as a, is a part-time position and you're currently assisting our tax assessor. You are working 14 hours a week, making \$20,000 plus in that position and according to tonight, we just passed on an ordinance authorizing some tax appeal settlements, settlements to the tune of over a million dollars, so it's our position that the work there has, has come back to normal or back to a place where we need you in another location. You are our only part-time employee and we, according to our budget, do not have a budget to hire anyone else. So, your title as a Keyboard Clerk, we need to switch your duties into the tax collector's office. There is a great need for help in that office, we need you to help out Rachel. She says the need there is mornings 9 to 1, in the mornings and, possibly, three days a week. So, the duties would be being changed from the tax assessor to the tax collector. Again, you are a resource in our town, you know, you are in our budget, we're paying a significant salary and we'd like to use our resources where we best need them rather than, you know, where the need isn't so great in as (inaudible). The other issue would be to change the duties, change the hours and, again, if you are not into the hours, on that position, you are an hourly paid, you are clocking in and getting paid for what you work. I think that is all the issues I had to cover on that. All right, so I guess from this point, do we have to make a motion to change his duties and the hours?

Tax Assessor Kathy Degan – (Inaudible).

Councilwoman McCabe – Well, I didn't Rice you now, um, Kathy so, I can't talk about you or your job because I didn't Rice you. I Riced, um, Wayne was Riced, not you.

Tax Assessor Kathy Degan – (Inaudible).

Councilwoman McCabe - Well then, I need to Rice you, I can't talk to you in public.

Wayne Degan – (Inaudible).

Councilwoman McCabe – Maybe you need to come up, we can't hear you back there. On zoning, you are salary from what I understand.

Wayne Degan - zoning I'm a salaried employee so when a holiday rolls around I don't have to work those two hours. Read the handbook.

Councilwoman McCabe – Okay, but you temporarily switched your hours.

Wane Degan – Yeah, I did that for personal reasons.

Councilwoman McCabe – For personal reasons (inaudible)

Wayne Degan – I don't think that working Tuesday night is in concrete anywhere.

Councilwoman McCabe – Again, you did it temporarily, so we need you to go back to where we can (inaudible).

Wayne Degan – When I can do that, I'll do that. I'm still here the two hours am I not on Monday nights?

Councilwoman McCabe – It's my understanding you weren't on one of the nights.

Wayne Degan – That was a holiday.

Councilwoman McCabe – Correct.

Wayne Degan – Was the building open on the holiday? No. Who's going to come in on a holiday?

Councilwoman McCabe – Nobody, which means you have to come in.

Wayne Degan – If you read the handbook it doesn't say that.

Councilwoman McCabe – Well, it is my understanding that you are a part-time employee and you.

Wayne Degan – Part-time salaried employee. Did you see that part in there? Nowhere?

Councilwoman McCabe – Yes I see.

Wayne Degan – Did you read the handbook?

Councilwoman McCabe – I'm reading it right now.

Wayne Degan – Then read it out loud.

Councilwoman McCabe – You're part-time, you're less than 20 hours per week and let's see. Part-time employees must be regularly scheduled to work at least 20 hours per week. You are not even 20 hours per week.

Wayne Degan – We're talking part-time salaried employees. Not talking about part-time.

Councilwoman McCabe – Okay eligible part-time employees shall be paid for a holiday only if you work the day before and the day after the holiday. That wouldn't be the situation either.

Wayne Degan – Right. I'm not scheduled to work Fridays.

Councilwoman McCabe – Well, then I guess.

Wayne Degan – And I used to work Friday's when I was attached to the COAH operation, I was working Fridays.

Councilwoman McCabe – Okay.

Wayne Degan – Now, I don't work Fridays.

Councilwoman McCabe – Now, you're working Mondays.

Wayne Degan – Yes. Monday evenings, two hours. If it takes more, it takes more. Four or five years ago, when I was there four or five hours a night, I didn't get paid any extra time.

Councilwoman McCabe – Because you are salaried and that's

Wayne Degan – Right. I work Monday and Wednesday's 9 to 5. Seven hour, eight hours, I think its seven hours. I work two hours Monday nights from 5:30 to 7:30.

Council President Ciesla – When do you work zoning?

Wayne Degan – Monday nights and then I work Wednesday 7 more hours. Friday's I'm off and I want to be off Friday's that is the way my schedule is.

Council President Ciesla – Monday and Wednesday is as a clerk.

Wayne Degan – I'm assisting the assessor.

Council President Ciesla – And right now Monday night is zoning.

Wayne Degan – Monday night is zoning correct. I can change it to a Tuesday night but right now I can't do that. I changed it for a personal reason.

Councilwoman McCabe – When will you be able to go back to the, I mean Tuesday night seems to be the night that this building is open with Council Hours, there is tax collector hours – seems to be the convenient night for people to come in.

Wayne Degan – I haven't had any complaints about coming in on Monday nights. I can change it, but I can't do it right now.

Councilwoman McCabe - All right. What about the, um, the Telephone Policy?

Wayne Degan – My phone hasn't transferred in weeks.

Councilwoman McCabe – But you have to set it up to transfer.

Wayne Degan - I did, it doesn't transfer.

Councilwoman McCabe – Okay, well some needs to take a look at this.

Wayne Deegan – It transferred once. Now I got a question, somebody calls and I'm not there, who is going to answer the question?

Councilwoman McCabe – We transfer the phone to the clerk's office.

Wayne Degan – Yeah right, but you didn't answer my question.

Councilwoman McCabe – What's your question?

Wayne Degan – Somebody calls with a zoning question, is the Clerk going to answer that?

Councilwoman McCabe – The clerk is not going to answer the question, the clerk's going to take the message.

Wayne Degan – What, don't we have voice mail 24/7 here, isn't that's what that's for?

Mayor Steinhardt – Mr. Degan the reason we did it and, I don't know if you were here when we discussed it, Kathy was, but, um, we were having problems with messages and residents that

were calling and saying they left messages and people weren't returning their calls and then the employees are coming in and saying that I'm returning their calls, the residents are wrong and, you know what, the easiest way to solve that problem is when someone's not there, we're forwarding the calls to Phyllis's office, she'll physically take the message and, now, we can track who's returning people's calls and who isn't, had it in place for some time. You have to forward the phone each time. You can't do it once and, you know, then it is in place forever. Once you come in and, put it back to you, no different than my office, once you come in and, now you're getting the calls again, when you leave, you just got to forward them again.

Wayne Degan – I don't have a problem with forwarding calls. My question is if somebody asks, they can't answer the question, what's the use.

Councilwoman McCabe – It's not the matter of answering the questions.

Wayne Degan – I've never not returned a phone call, 20 years I've been here, never once.

Mayor Steinhardt – We're not in the practice of singling out, that say they do return everybody's calls, to pick on the ones that people say they don't, the policy that we put in place is to make sure that every employees phones are forwarded to the office and that was, they get a person and they don't get a voice mail and, if you are only in there a couple hours a week, they are not waiting a week for someone to get back to them or if it is an issue, that maybe wasn't a zoning issue in the first place, they called by mistake and got the zoning office and, what they really meant to do is call the tax collector's office, but hit the wrong extension, she can forwarded it to the right place and that person doesn't have to wait a week either. So just forward the phone calls to the clerk's office, that's an easy one. I haven't chimed in, in much of this.

Wayne Degan – I don't have a problem with that.

Council President Ciesla – Also, it's not just, it's not just, it's also to protect you because you have people saying they're leaving messages, we don't know if they are, this way there is a record.

Mayor Steinhardt – If you are not there, no one is answering your question anyway because it is being left on voice mail so, um, you know, that's a distinction without a difference.

Wayne Degan – Well I do take messages off, I used to all the time.

Mayor Steinhardt – You said though, if they ask a question and you are not there to answer who, you know, they're not getting advice anyway because it goes on an answering machine, there is no one answering it.

Wayne Degan – But if it is not on my voicemail, I can't call up during the week and find that out.

Mayor Steinhardt – Well you can send those.

Wayne Degan – Fair enough.

Council President Ciesla – So this way if somebody comes, like to us on the side, and says oh I called him 10 times and we go ask and say maybe 3. This way we have a record for both sides.

Councilwoman McCabe – Getting back to your holiday pay. You are not entitled to holiday pay. It says here you must be at least working 20 hours per week to be eligible for paid holidays.

Wayne Degan - Are you looking at a salaried employee or just the part-time because there's two unless it was changed from the last time I looked at it.

Attorney Campbell – (Inaudible).

Wayne Degan – You know, I hate to say, but I used to get that too when I worked here and I was always part-time; for 20 twenty years I worked here part-time and I always got vacation and sick, the last seven years, I got nothing.

Councilwoman McCabe – (inaudible)

Wayne Degan – Yes, I did. It was prorated by Civil Service.

Attorney Campbell – (inaudible).

Wayne Degan – Why would you want to take it away from somebody – you had it for twenty years.

Council President Ciesla – (Inaudible.)

Wayne Degan – I'm a tax payer too - I pay my own wages.

Councilwoman McCabe – Okay well.

Wayne Degan – Well what?

Councilwoman McCabe – Okay, well, second issue, is you were zoning and to clarify whether you are to be paid for holidays according to this you're not. So we'll look it up and get back to you on that one.

Wayne Degan – Whatever.

Councilwoman McCabe – Memorial Day is Monday, so when are you going to switch back your Monday's.

Wayne Degan – Not until July, probably.

Councilwoman McCabe – How convenient.

Wayne Degan – Yeah, it's very convenient isn't it.

Councilwoman McCabe – Did you get a written okay on that. Did you, was that authorized.

Wayne Degan – It's either that, or I'll work Saturday afternoons. Whatever you want me to do. But I won't work Saturday.

Councilwoman McCabe – I don't want you to work Saturday.

Wayne Degan – All right. I don't understand what the problem is. As long as I'm here two nights a week, two night's week, two hours, what's the big deal? It's a Monday night or Wednesday night, what's the difference?

Councilwoman McCabe – The deal is that you need to be here and the question is maybe you're not here and if it's a holiday, you're not making up the two hours that you are getting paid with

taxpayer money. Again, I don't think you are entitled to that holiday pay. So as for your duties, as a clerk/typist position again, we need the help in the tax collector's office.

Wayne Degan – I have no problem helping in the tax office but I will not work Friday's.

Councilwoman McCabe – Okay (inaudible)

Wayne Degan – Good. I got a question. Can I split the time?

Councilwoman McCabe – What about Tuesday, Wednesday, Thursday's 9 to 1?

Wayne Degan – I work other places Tuesdays and Thursdays.

Councilwoman McCabe – What are your hours in the other place?

Wayne Degan – 9 to 5.

Tax Collector Edinger – (Inaudible) How about Wayne and I speak and come up with the hours.

Councilwoman McCabe – How about we do that?

Wayne Degan – That's a better idea.

Tax Collector Edinger – Wayne knows the block and lots, he knows a little bit more than somebody (inaudible).

Wayne Degan – I can work with anybody.

Tax Collector Edinger – (Inaudible) and, if I would have known that, I would have been a little bit more flexible with him.

Councilwoman McCabe – Again, the reason is (inaudible).

Wayne Degan – I'm not asking for a pay raise.

Councilwoman McCabe – It's a good thing. I haven't asked for a pay raise since I've been here.

Tax Collector Edinger – I wasn't aware that you were looking at Wayne.

Councilwoman McCabe – (Inaudible)

Council President Ciesla – And I don't know if Kathy has needs to and then we'll need to talk to her.

Tax Collector Edinger – And, I have no problem working with Kathy as well.

Wayne Degan – Actually, we've been working together a long time.

Council President Ciesla – This way, officially, we can move and help you out and you can get past some of the hurdles that you need to get through in the next few months. You can get over all that paperwork.

Councilwoman McCabe – (Inaudible) we want to get to the online; we want to get our taxes on line, our sewer on line and that's a big project (inaudible). I had 9 to 1 which is 4 hours times 3 days, that's 12 hours.

Council President Ciesla – I thought we were going to put the other 2 hours with Kathy. But, I mean, you guys have to work that out.

Wayne Degan – We'll work out the hours, that's not a problem.

Council President Ciesla – He's going to be a little bit quicker because he's already familiar with everything.

Councilwoman McCabe – We need to get those hours straightened out because now he can't be here Tuesday.

Wayne Degan – I can't be here Tuesday and I can't be here Thursday's.

Councilwoman McCabe – You can't be here Tuesday's?

Wayne Degan – I can't be here Tuesday and I can't be here Thursday's, during the day.

Council President Ciesla – Okay.

Councilwoman McCabe – And, you don't want to work Fridays?

Council President Ciesla – No.

Wayne Degan – I enjoy my Friday. I'm getting to be old, I can't work Friday's like I used to.

Council President Ciesla – Yeah, let them figure it out. If we can still do it Monday and Wednesday, yeah so.

Councilwoman McCabe – All right then, I think we got everything I had to cover. What I discussed earlier, did I get everything.

Wayne Degan – Thank you.

Councilwoman McCabe – All right, thank you Wayne.

Mayor Steinhardt – All right, anything else Ms. McCabe? Ms. Ciesla?

Council President Ciesla – All right let's see.

Kathy Degan – (Inaudible) resigning.

Mayor Steinhardt – Hold on Kathy, we are right in the middle of something. Hold on, Ms. Ciesla was talking.

Councilwoman Schneider – We don't need comments like that please.

Council President Ciesla – Do I get to go?

Mayor Steinhardt – All right, go ahead Ms. Ciesla.

Council President Ciesla – Okay, let me start. I want to start on a happy note here. I just want to give a big thank you to our Fire Department, Mayor Steinhardt, Councilman Lou Belcaro and Brian Weeks from the DPW and anybody else that came out with him for what Lou had talked about the other night, it was a lot, a lot of water that came up, I mean, Lou glossed over it a little. I mean, it was coming up into their house, all over the place and these guys were out there for hours and I know they all did it on their own time, they drove around to check on other hot spot areas and they did it, some of them, who could have put in for overtime, didn't, and I just want to give a big thank you because that's the type of people that we have in town that are willing to give up their time to help other people try to get their homes back in order and try to and, I know, she was beside herself, because I would be too.

On salary, we are going to have to open the resolution. Like I said last time, we are going to try; we are going to lower the end ranges cause there might be some positions opening in the next couple of years so we can be more in line with the economy as it is today.

For Recreation Committee, we are working on a bunch of things. I do have my list of movies I have to give to Beth for "Movies in the Park". We have Community Day. It is going to be on August 30th, it will be at the pool. We don't have all the specifications yet, but, if anybody is looking to help volunteer with that, you can give me a call. We are going to volunteer at the Veterans Memorial. We are going to be, we got some free goodies from Shoprite that we are going to be handing out after the ceremony and, that's on May 17th and begins at 11. The Boy Scouts will be there at 10 for their car show and, then, after the ceremony, there will be honorary baseball and softball games.

As far as technology, um, Rachel and I are going to plow through the next few months and, we are going to get on-line payments set up, somehow, we have a couple of vendors we are looking at. We are going to see what's best, this way if you want to pay your sewer bill at 11 pm, you can go right ahead.

I'm working with our technology consultant on upgrading our website to a newer version, on upgrading our website to a newer version with the software we are using. We're seeing if we can make the jump ourselves or if we kind of have to do it off to the side and switch things around, which I won't get into the technology of it, but once we have that we can go forward with upgrades we wanted to do.

The LAA, I got a couple things. The Baseball Clinic is filling up; it's getting a lot of people interested in it. I think they have 275 spots, we are getting; I think there's seven major, ex-major leaguers coming to help them out. It will be a fun day, it is May 4th and you have to register on line. There is a link, I believe, on the LAA page and it's also on our Facebook page, you can find that too and the town's website. But, then, you have to come in and registration is at 9 am and, it's free so, everyone that comes, it's being paid for by donations and it's sponsored by the town.

For, let me see, I drafted, we've had, the LAA has been working really hard, these volunteers put in a lot of time and a lot of effort and I've been working with them because they do cherish our park and they do cherish our fields and we are having people use our fields for, even if they're using them to practice or maybe it's a travel team or some kind of adult league and, what we need to do, is, we need to put in some policies on using these facilities because everything is very expensive, the seed is very expensive for the grass. The cost of maintaining the park, the dirt alone, for softball and baseball season, is very expensive and, then again, they have to constantly check them before the games, check the drainage and all that. So, it is a big cost to the taxpayers and, then, the kids that play the sports, have to pay an additional fee and a lot of that goes to field usages. So, the LAA, we've been working on an ordinance which I'm going to introduce tonight for first reading. It's an ordinance of the Township of Lopatcong, County of Warren and State of

New Jersey amending and supplementing the Code of the Township of Lopatcong by the Lopatcong Township Council to establish an Athletic Field and Recreational Fields Use Policy and to establish rules authorizing the Lopatcong Township Council to establish Recreational Fields by resolution. We've been doing a lot of research throughout all the other towns to see what they charge and that resolution will be presented at the next meeting and it is like a sliding scale. If you are like an, um, say you are an adult league, and it's more than 70% Lopatcong residents, he'll pay a much smaller fee than if there was only 25%. So this way, you are a taxpayer, so you're already paying for the fields, but yet at the same time, you are paying a little into it to offset some of our costs and, depending on the nature of the sport, like it's rugby or something, we may require a security bond and there's also the insurance that you will need, so this way you are covered. So, that's for our first reading and what I'll do is post this online in our new ordinance page and, also, I'd like to make a motion to introduce the ordinance.

Mayor Steinhart – Is there a second?

Councilwoman McCabe – Second.

Mayor Steinhart – Roll call.

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

NAYS: None

Interruption - Kathy Degan handed in her resignation to Mayor Steinhart and (inaudible) and walked out of the meeting room.

Mayor Steinhart – I apologize for the dramatics folks. Um, where did we leave off? Did we vote? Did I vote?

Clerk Dilts – Mayor Steinhart – yes.

Council President Ciesla – Okay, so one more thing I have to ask for, um, we put out the money for the football fields seed and I would like to see if I can get that back from Parks and Recreation, it's \$1400.00. I'd like to make a motion to have \$1400 transferred back into the LAA fund, seconded by Councilman Belcaro.

Mayor Steinhart – Questions or comments from Council?

Councilwoman Schneider – Yeah, I have a question, can you explain that a little further Lori?

Council President Ciesla – Football wanted to get the fields seeded and they didn't want to wait for me to come here to ask for the money because it needs a certain amount of time. So football agreed to pay for it themselves until I could get the money back to them - \$1400.

Councilwoman Schneider – Okay, so football is paying the town back, is that what's you're saying?

Council President Ciesla – We are paying football back.

Councilwoman Schneider – So we paid for it. Okay, they paid for it. Okay, they paid for it and we're responsible for that normally?

Council President Ciesla– Yes. Especially since we have people using our fields for free at this time so, you know, football is willing to put it out this time.

Councilwoman Schneider – Okay, okay I got it.

Council President Ciesla – So we could get it seeded in time for football season.

Mayor Steinhardt – Roll call vote.

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

NAYS: None

Mayor Steinhardt – I just want to respond to the comment about the budget. I'm not going to pick on Ms. Schneider today, um, but she indicated that you could ask her later about her no vote but you can ask me now why I voted yes. In fact, I'm going to tell you whether you want listen to it or not. Um, there is a distinction between introducing a budget and adopting a budget. I voted yes, not because I'm in agreement, necessarily, with the subject line items or with the overall spending plan but with the concept. That and the fact that, there were significant repercussions to the Township by not introducing the budget tonight. Um, I would equate it to this folks, I don't know how many of you had recipes handed down to you by your grandmother (inaudible) handed down to me from my grandmother, to my mother, to me and I've tweaked them over the years and kind of made them my own little thing, um, but the problem is if you don't bake it, you can't eat it and I equate voting on the budget tonight to having a cookbook full of recipes from your mother and grandmother and dying of starvation because you never eat anything and, if we hadn't introduced the budget tonight, or a majority of us had voted no for it, first off, we would have violated three settlement agreements where we had exposure for tax suits of upwards of three million dollars which we ended up settling for one and we would have violated a court judgment, the effect of which was forcing us to pay refunds back several years more than we were ordered to do so back to 2010 as opposed to 2012 or 13 whatever we were ultimately ordered to pay. The impact to all of us residents would have been hundreds of thousands of dollars in interest that we avoided and don't have to pay as a result of those resolutions, not the least of which in addition was the extra two million dollars that we avoided by settlements as opposed to trials and attorney's fees that we would have had to pay to continue that process if we hadn't introduced the budget tonight. Next, we would have defaulted on countless financial obligations cause we would not have a budget in place to move forward in order to meet those demands. We would have been guaranteed denial at the Local Finance Board on May 12 or 14, whatever the date was that Dave indicated that the next Local Finance Board meeting was that we've already requested an extension for, and were sort of granted by the skin of our teeth. We would have had an inability to set a tax rate which would have resulted in our having to send estimated tax bills and then to have to send duplicate tax bills to all of you to correct the estimation at a cost of, additionally, roughly, five thousand dollars for the bills, postage and mailing. So, look, I get it, it is nice to sit up here and vote no to simply introduce a budget that we can all question next month and kind of pick apart the various line items but, quite frankly, it's a foolish vote and it does not but show total lack of appreciation for the Township's budget process and it would have exposed all of you guys to millions of dollars in tax refunds and another of hundreds of thousands of dollars in interest. So, I just think it was kind of silly, I understand why it was done, but, quite frankly, I value my tax dollars a lot more than that, as I would think you do to and I would not have hindered or hampered the Township's ability to operate on a day to day basis simply to make a vote for the sake of making one. So that's my two cents on why I voted yes.

Councilman Belcaro- Can I say something. Um, when I vote on something, I don't vote on it just to say no or I don't vote yes, just to say yes or because I don't like it or because I do like it. I take this serious, all right, I listen to our professionals and we heard tonight. It was very important to at least adopt this reading tonight. It was said, back in April and, it was said again, all right? And with what the Mayor has said, in June, we can discuss this again. In no way, when Dave said tonight that if because someone votes one way tonight, doesn't mean it obligates

it vote the same way in June, but we had to and, I think it is a wise decision and, that's what I like to do, make wise decisions, not just because I don't like something, it's because it has to be done.

Councilwoman Schneider – I wasn't going to give my reasons for voting no but since everyone is giving their reasons for yes you might as well listen to my reasons for voting no. Quite frankly, the budget that was put in front of me is not a budget, it is the 2013 numbers carried over, the unaudited 2013 numbers carried over and that is not a budget. A budget is something that has justification, it has documentation, it has substantial information to see why, why things are being charged, why we are applying this money, there's no documentation and there's nothing here to show this is a budget and, unfortunately, I can't approve 2013's unaudited numbers because that is what this budget is, is 2013's unaudited numbers. Unfortunately, my attempt to try and explain these things were just, I received, I guess a lot of you may not have been here last time, but I received certain attacks by people because I was trying to explain the difference between a baseline budget and a zero based budget, um, and trying to get this budget to actually be a budget. Um, my answers, were, you know, when I asked how a budget is prepared, the answer was well some people give me things, some people write it down, some people make phone calls, that's not a budget process. The process is not in place and I cannot approve this budget because it is not a budget. Um, there are things in there, there are errors in the 2013 numbers, there are errors that I found that's in the 2013 numbers. I will not approve errors that were carried over and, you know, there is discretionary spending in there that shouldn't be, um, I can give you some examples of those; discretionary spending, we have board secretaries that are salaried.

Attorney Campbell – (Inaudible)

Councilwoman Schneider – Okay, so I can't discuss payroll information?

Mayor Steinhardt – (Inaudible)

Attorney Campbell – (inaudible)

Councilwoman Schneider – But I'm not talking about someone's job performance or their job. I'm talking about the pay for that particular job.

Attorney Campbell – (Inaudible)

Councilwoman Schneider – There is discretionary spending in there that shouldn't be. There are errors in there, there are, there's an error that I found on a revenue page that actually bought the Parks and Playgrounds revenue down, um, it was a misclassification, um, I caught the error and, unfortunately, looking further into it, I found that in certain areas like Parks and Recreation, we talked about pool and making money, unfortunately, the pool does not make money. The pool just barely broke even in 2013 because we had a bad season, the pool did not make money in 2012, it barely broke even in 2013 and it will not make money this year unless we have another bad season and, unfortunately, because.

Council President Ciesla – A good season.

Councilwoman Schneider – A bad season. If we have rain, we will save money.

Council President Ciesla – No.

Mayor Steinhardt – Okay.

Councilwoman Schneider – If we have a bad season, the payroll register will be reduced. Right now we are asking for 20 thousand dollars on top of the payroll from last year. The payroll was reduced last year because we had a bad season, meaning staff was sent home, because there weren't enough people at the pool so staff was sent home to save money. If we are asking for that money back this year because we are anticipating a good summer. If we anticipate a good summer we're going to lose money and this goes back to a Council Corner post that said you know, the pool continues to make 25 thousand dollars. It continues to make money year after year, um, unfortunately, that's not true folks and I'm taking the numbers that are right off the trial balance and I was actually a little bit conservative in taking the numbers so, unfortunately, it does not make money. Um, and that's okay if it doesn't make money, it doesn't make money. I'm not suggesting we close the pool down. What I am suggesting is that we are transparent and we are honest with the people in this room and the people that live in this town. And I cannot approve a budget that has these errors in it.

Mayor Steinhardt – Hey Betty can we talk about some of the errors.

CFO Dobes – There are in the budget on an annual basis 14 thousand entries. The errors that you are referring to were corrected and most of them were on a worksheet.

Mayor Steinhardt – Can we talk about some of the specific line items like the pool.

CFO Dobes – The pool was a realization of revenue that Christine, name a name, in December, in my absence, to realize \$35,000 in grant funds. When John came to do the audit that was taken into consideration. Now, when you anticipate revenues, you can't anticipate any more than what you receive. If you anticipate less, and you get more, that goes into surplus which is one way we create surplus.

Councilwoman Schneider – Right. But the problem is you took the incorrect number and carried it over.

CFO Dobes – It was not an incorrect number.

Councilwoman Schneider – It is. You budgeted \$97,000.

CFO Dobes – It is anticipated. The budget is a plan and we just go by what was received and paid. We can't receive anymore or pay anymore unless we have documentation.

Councilwoman Schneider – All right.

CFO Dobes – So if we put in what we received, we can't actually anticipate any more than what we actually did receive and put in less, that goes into surplus.

Councilwoman Schneider – But what happened was the 2014 budget shows \$97,000 of anticipated revenue, no I'm sorry, the 2013. Actually it was because of that \$35,000 error you took the \$97,000 dollar number instead of the \$124,000.

CFO Dobes – That's fine, that's not an error.

Councilwoman Schneider – It is an error cause it was on certification of \$35,000.

CFO Dobes – It is not an error.

Mayor Steinhardt – Let's go back to. I got to admit I never went to accounting school, they didn't teach it when I went to law school, so I went and did a little reading. They did send me to

law school and I sort of paid attention, uh, so I do want to clarify one thing. Ms. Schneider preached zero based budgeting last month when she was here and she brought it up again as the means of solving the Township's financial woes. For those of you who don't know, like I didn't, let me tell you that zero based budgeting is a method of budgeting in which all expenses must be justified for each new period. Zero based budgeting starts from a zero base and every function within an organization is analyzed for its needs and costs. Budgets are then built around what is needed for the upcoming period. Regardless of whether the budget is higher or lower than the previous month. Zero based budgeting allows top level strategic goals to be implemented into the budgeting process by typing them to a specific functional areas of the organization where costs can first be grouped, then measured against previous results and current expectations. Zero based budgeting may be a rolling process done over several years with only a few functional areas reviewed at a time by managers or group leadership. Unfortunately, we don't have that luxury to review every one of our lines on a yearly basis for the very reasons that Betty just told us. All 14,000 of them, but beyond that, and let me say this to, in terms of the comment about our budget being full of mistakes, come back in June folks after the Local Finance Board has a chance to review it and we'll see where all the errors were, um, because they'll have final say over how good or bad a job we did. Cash budgeting or cash based budgeting is an estimation of cash inflows and out flows for business or individual for a specific period of time. Cash budgets are often used to assess whether an entity has sufficient cash for regular operations and or whether too much cash is being left in unproductive capacities. A cash budget is extremely important especially for small businesses because it allows a company to determine how much credit it can extend to customers before it begins to have liquidity problems. For individuals creating a cash budget is a good method for determining where their cash is regularly being spent. This awareness can be beneficial because knowing the value of certain expenditures can yield opportunities for additional savings for cutting unnecessary costs. They go on to give an example about buying a cup of coffee for a dollar a day seems unimpressive but when you look at it as a \$365 expense at the end of the year, you can determine where your money might be better spent on other things. All of that sounds great, and I learned more about accounting today than I ever thought I would but it doesn't mean much to us in a municipality because we are bound by the Local Budget Law- N.J.S.A. 40A:-1 and that says that the governing body of each local unit shall adopt a budget for each fiscal year. A budget of each local unit shall be prepared on a Cash Basis unless otherwise permitted N.J.S.A. 40A:4-3 – Cash Base Budget means – a budget prepared in accordance with this Chapter and in such form that based on the limitations, percentages, and estimates hereinafter provided, there will be sufficient cash collected to meet all debt service requirements necessary for operations, for the local unit, for the fiscal year and, in addition, provide for any mandatory payments required to be met during the fiscal year. I think it is wonderful that you came up with this great idea but it is illegal and, quite frankly, no one in the State of New Jersey will do it because we are obligated by Statute to follow the Cash Based Budget Plan which is exactly what we do and have done, successfully so, and as Mr. Evans even pointed out to you, we are below average within the County, well below averaged within the State and one of the lowest with any town with a police department here and I would agree with you that things are getting expensive, but your characterizations are mischaracterizations, quite candidly, and the proof will be in the pudding after we get to the Local Finance Board and we can come back here in June and have a debate on particular line items cause I have questions of my own, but I wasn't going to allow my questions of my own, but I wasn't going to allow the residents of this Township a couple million dollars in unfunded tax revenues or refunds or an extra hundred thousand dollars in interest for judgments for nothing more than silliness.

CFO Dobes – Can I say something Mr. Mayor?

Mayor Steinhardt – Yeah, knock yourself out.

CFO Dobes – I had ordered the Municipal Budget Process for all the new Council people and all of them have come in to pick it up except for Councilwoman Schneider. I think if you picked it

up and read it, you would have a better understanding of the municipal budget process and also the powers and duties of the municipal governing body. It's all an aid to help you.

Councilwoman Schneider – Right and not every town does base line budgeting. Um, there are, and I'm not saying you do it every year, and I'm not saying it's a perfect solution either, but there's justification, there is accountability for what you are spending your money own. It's just for you to think that, you know, anything is perfect, it's not but this is a better to way to do it instead of just carrying over numbers and I'll give you another example, of the difference between base line versus zero based budgeting. In base line budgeting, for example, in our budget, last year we put, we had a roof repair for about \$6,600. This year we need a fire suppression system for \$5,000. Instead of taking the \$6600 out and then adding the \$5,000 in, we left the money we spent on the roof and we added \$5,000 for the suppression system. These are the things that I'm talking about. There also was a 2.8 versus 28% error when we were going over the budget.

Council President Ciesla – That was in the worksheet Donna.

Councilwoman Schneider – It doesn't matter.

Council President Ciesla – Yes. It doesn't matter. It was a work sheet, it does matter.

Councilwoman Schneider – Right.

Council President Ciesla – (Inaudible).

CFO Dobes – It does matter.

Councilwoman Schneider – It does matter.

Mayor Steinhardt – I'm mean you read a speech last week that by the time you read it, it didn't apply anymore because we already (inaudible).

Councilwoman Schneider – That's because you knew where I was going and you, if you watch.

Mayor Steinhardt – I appreciate you giving me that much credit.

Councilwoman Schneider – Well watch the video, we can, we can see you I was telling Lori.

Council President Ciesla – No he didn't tell me anything. I prepared well before that cause I didn't get my changes in either.

Councilwoman Schneider – Okay, well, you know, here okay.

Mayor Steinhardt – (Inaudible).

Council President Ciesla – Finish up so I can go.

Councilwoman Schneider – Okay, right. Excuse me.

Council President Ciesla – Finish up.

Councilwoman Schneider – When I am done, I will be finished, I don't appreciate the tone you are taking. I'm trying to explain something; I'm not here to attack anyone. I'm here to change a process, that's it. I'm not here to attack anyone, nor have I.

Council President Ciesla – (Inaudible).

Councilwoman Schneider – Yes really.

Councilwoman McCabe – Please continue we've been here long enough.

Councilwoman Schneider – Right exactly. That's okay. You know what, I can't, you know what I believe that every time I bring up a process this is what I believe. I believe that I get bullied up here and I am, you know, this is what's going on. So, um, yeah, getting back to the pool not making any money on Council Corner you have that, in the minutes you have that. The website is supposed to be factual and it looks like five people according to the Council Corner posts looked at that and it was actually in September so you probably should have known what the numbers are because the pool was closed yet is still was not \$25,000 in profits and I would hope you would take that post down until there is one that is accurate.

Mayor Steinhardt – Betty says it is accurate so we're going by Betty's figures.

Councilwoman Schneider – Well there are misclassifications in Betty's figures. Right, there are, let's see: the water.

Mayor Steinhardt – We're not going to have (inaudible) on the budget.

Council President Ciesla – (Inaudible)

Councilwoman Schneider – Okay the water to fill the pool was not in the pool expense and many other things were not in the pool expense.

Mayor Steinhardt – (Inaudible).

Council President Ciesla – I just want to go over a couple of things here just to explain how this all works. Betty has been a CMFO for 27 years. She has 27 years of experience. Um, you can't hear me okay. Betty has been a CMFO for 27 years. Dave Evans. Oh I'm sorry. Um, our auditors are not just CPA's, they're RMA's a Registered Municipal Accountants. Only about 10% of CPA's are RMA's. The RMA is mandatory in New Jersey as per New Jersey Statutes. Title 45 Professions and Occupations. Uh, 45:2B-70 – requirements for qualification for Registered Municipal Accountant. A Certified Public Accountant or Public Accountant holding the inactive license so qualifies as a Registered Municipal Accountant by passing a Registered Municipal Accountant examination only a Registered Municipal Accountant registered in New Jersey shall undertake the work of auditing the financial statements of any municipality or country. Just making this known because, like I said, only about 10% of CPA's are RMA's. It is a very difficult test because municipal budgeting is very different from corporate budgeting. Most of them do not pass the test because they don't, because it is a whole different concept. The firm that we use has a lot of, it's like if you add up everybody who are their RMA's it comes to over 300 years of experience total. They represent 55 to 60 towns in New Jersey and they prepare debt statements for about 45 of them. So and, you know, some of them are Township of Morris, White Township, Belvidere, Caldwell, Rockaway Township, Denville, just to name some. I just wanted to go over that to say that it's not; there is a lot involved to be doing this. On April 12, yeah, April 2nd, Ms. Schneider did suggest that we switch to the zero balance budgeting method. She went on to talk about this method over our lazy method, however, she did not go into the details of changing the methodologies nor provided a time line of events needed to make this change or the estimated delivery date of the change or what resources would be needed, what additional work effort would be involved and what the anticipated return on investment would be. I personally believe and I think we all do, that we should examine every

last inch of the budget and we should look at any methodologies that might be more efficient or save us time or save us money. Certainly, there are alternative methods to doing that. I can tell you, however, proposing that we make a change in April or today is not feasible at all. It would not be possible and you've already heard how much it is going to cost us just, if we didn't introduce it tonight. To do something like that, you really have to prepare months in advance. If the suggestion was being made in the best interests of the business of this town, it would have been mentioned earlier in the process and there would have been a business proposal of some sort. To mention it for the first time in April or May to me, in my opinion, is purely political. Now, let's look at it from a business perspective. It doesn't lend itself fully to municipal accounting like it does to corporate accounting because so many things are regulated by the State. Again, you know, we should look at every single item that we are looking at and I do feel that they are and the assumption that we are just moving it over can be disproved which is one thing the 2013 budget compared to the 2012 budget we cut out ½ million dollars, it was actually lower than the year before and I know your taxes went up and I didn't want that either but that was because of the devaluation of the town. These are a lot of hard decisions. I can say that it's not anybody here who asked for money does not just get it handed out and every, you do need to start somewhere. For instance, like the gasoline that we need for our cars. Where are you going to figure that out from, you are going to look at what you did last year and then you are going to try and adjust and look at that? You are gonna see what kind of things we need, I know we need several things for the pool. I know we need the new suppression systems. Also, like we said we kept things, I don't have my numbers in front of me. You know, I should be most upset because I submitted the most changes but I know how much this is going to cost us. It is going to cost us more than the changes I was proposing just in fines alone and the interest would be ridiculous. I forgot what I was saying but I just feel we're trying to keep the departments as tight as we possibly can. The increase for this year mostly has to do with getting a new truck so we can plow; one did not make it through this winter. The EMS took back their request for an ambulance and is only asking for equipment so they can help save us money. The Fire Department has a Cascade Truck that provides air to the equipment that we; every town has a little piece of specialty equipment, the Cascade Truck is ours. It doesn't go over 30 MPH, it is a converted bread truck. I mean God forbid, it's not going to get there. The other thing, and we changed things around because of the ambulance, are the roads and I do have people here from Reservoir Road, I have a video that I'd like to show Council of what is going on on their Road. Plaza Road I been out to and they have problems. Red School Lane is next in danger to be a disaster. There is this term Paul can go into that is called Gatoring, right. Once you get to the point where the roads are gatoring, it needs to be ripped up and redone. We have so many roads that are a mess and I know the DPW works overtime trying fix them but it is getting to the point where they need to be permanently fixed. Reservoir Road is one that there is no drainage on this road. It is going into their basements, it's ruining their yards and their homes and their personal property. So those are the things that are in here and that's where the increase is. I really, you know, we looked at it and I went back and forth and, you know, you come and you asked a question and why is, why is this, you will get an answer; I have not never had my answers done. You, know, nothing is perfect, people make mistakes and you are going to sit here and when you have so many line items to do and you might make a typo, something might go here, that is what the auditors are for and that is what they do. But, we have to technically, our budget was supposed to be introduced in March going, according to New Jersey Statutes. The audit isn't done by them. We have to do the best that we can and this is an appropriation we're trying to guess. We try to make do the best that we can because things happen all the time. Like last year, with winter, we already spent \$90,000 in salt and, you know, we already know that, so it has to be in there plus you don't know what this winter is going to be like. Plus because the winter was so bad, the roads are in worse condition so that is going to cost more money. I just, again, and, you know what, I would be more than happy to hear about any alternative methods. I just think it has to be represented in a business fashion because, you know, it is easy to sit up here and vote no because she's just one no and know they can all go and campaign and say there was no tax increases voted in by them, but that's great but then the responsibility falls on us to make sure

that we take care of the business of the town, the roads, and the equipment, even if it means becoming unpopular which, you know, it does but

Councilwoman Schneider – Well I wasn't presenting any cuts in Capital so all those things that you just said raise your taxes, those aren't the things that raise your taxes. All the things that raise your taxes were the things other than Capital.

Mayor Steinhardt – Well I'm going to rein this thing in and finish my Council Report which I started 25 minutes ago, I think. I don't have anything else. Um, so tax collector.

Tax Collector Edinger – Tax Sale is scheduled for June 25th at 10:00 am. In your packets is a resolution for estimated billing just in case you do decide to, Betty and I have been working on it if it needs to be handled, cause right now we can delay the county payment but we cannot delay the school payment so (inaudible) That resolution is in your package (inaudible). Um, also in there is two taxpayers that have come to us with letters asking for payment and that resolution is in there and I believe that we are going to move forward with them. I have to work out the details to I'll bring the resolutions to the next meeting. 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

Tax Collector Edinger – And last but not least I know what happened with Mr. Degan here, but I cannot stress enough that I do need some part-time help in my office and I'd ask that you understand that.

Mayor Steinhardt – I haven't heard anything from Mr. Degan.

Tax Collector Edinger – Well whatever. Okay, as long as (inaudible) just in case I still need help. Thank you.

Mayor Steinhardt – All right um, all right Ms. Dobes. Mr. Sterbenz I know you have a couple of things.

Engineer Sterbenz – Thank you Mr. Mayor I'm going to be speaking to Executive Session Agenda Item 6 and 9. Specifically 6 – the Strykers Road Sidewalk Agreement. As the Council is aware, we have \$120,000 grant from the State of New Jersey to construct sidewalks on east side of Strykers Road between the shopping center and Powderhorn Drive. When we decided to make that grant application, there was support from the residents on the east side of Strykers Road; I think that's what prompted the Council to agree to file the application. It is my understanding that that support is no longer there. In light of that, I would like to get permission from the Council to talk to the Dept. of Transportation, specifically, the Bureau of Local Aid to see if there is a possibility of shifting those grant funds to another project so we don't end up losing those funds. I need a motion from you tonight to try and seek that alternative. Motion by Mayor Steinhardt, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Engineer Sterbenz – Now Executive Session Agenda Item 9 – DOT Grant application. The purpose of that particular line item is to make the Council aware that the department just advertised two grants programs recently. These are both grant programs that the DOT will be using federal funds on. First, is the Safety Routes to School Grant Program and the second, is the Transportation Alternatives Program. We should pick the Safe Routes to School, this is a

program to try and improve pedestrian ways at the approaches to schools and to try and make them much more safe for students and others traveling to and from schools. Um, my suggestion to you if you were interested in wanting to submit a grant application under the program is to do something on Belvidere Road. Actually, Betty and I about probably 6 or 7 years ago did file an application. It was crafted in a way to try to correlate what Phillipsburg Board of Education has to do per an agreement that it has with the Township of Lopatcong. Phillipsburg Board of Education has to install an extensive sidewalk package both in the Town of Phillipsburg and the Township of Lopatcong at the approaches to the new high school. So we would work in conjunction with them and try to get some more sidewalks in, some crosswalks on Belvidere Road so that students in Lopatcong would be able to walk to the high school after it is built. So that's one possibility. In respect to transportation alternatives, what the state is looking at is trying to come up with unique transportation projects in the state. One of the categories that falls into that is streetscape projects and again, looking into our past here, we did craft the grant application to try and improve the aesthetics of Red School Lane and at the same time try to calm traffic speeds on Red School Lane, specifically, we were applying for funds to try and create a center boulevard island on Red School Lane. Try to cut down on the roadway width, it is a very extensive roadway width right now and is very undefined out there at this point and I think it promotes excessive vehicular speeds on that road so we would, that is one possibility would be to submit that application. It is something very similar to what we filed a little while ago to try to beautify and to try to cut down on vehicular speeds on that road. There could be other possibilities as well but that's just something that comes to mind. I just want to make you aware of these grant programs to see if there is any interest. We have until June 30th to file an application under these two programs. It would have to be an enabling resolution that would be adopted by a municipality. You could do that at your June meeting. I would have that prepared for you. Whatever direction you would want to go with either of these programs. That's my two cents worth. Thank you.

Council President Ciesla – Could you talk about No. 7 Reservoir Road and Plaza since they are here so we can see what steps we need to take in anticipation of the budget.

Engineer Sterbenz – Reservoir Road as Councilwoman Ciesla just indicated is a road that is seriously impacted by drainage and there is not much in the way of drainage in the roadway. The Township did establish a drainage system about 5 or 6 years ago. We were looking about a year and a half ago to improve upon that, extend that, we did not have the funds at that time but there is a request for proposal document that I have that could be sent out to contractors that would extend the drainage system from where is currently ends. I think it is by house no. 35, another 250 feet to the north there would be several catch basins installed as part of that and, in addition to that, more recently, there was some spring conditions to the north of there, um, and those spring conditions are creating some impacts in that particular area and, in fact, all that water is moving southward towards a drainage system and one of the problems that exists there, why the water is not being picked up, there is a pipe that use to exist that has been removed over the years and we don't have anything to collect the water and drain it through the remainder of the pipe out to a swale that exists on the Opdyke property across the street. So that would be another area that we would to treat as part of a drainage project. There has been some recognizance out there we can probably certainly do at least one catch basin with about 75 feet of pipe and if there is enough funds, we can add some further catch basins above that to try to get some better drainage on that road and cure that problem that exists – the upper end of the road.

Regarding Plaza Place, Plaza Place is a road that we studied quite some time ago by our office and we didn't expect to hit all these bad economic times over the last 5 years, we had a very aggressive paving program. We paved an extensive amount of roads in this Township and it kind of came to a, I don't want to say, I don't think we hit a brick wall but certainly pace has slowed considerably. If we had kept on that pace, we certainly would have gotten to Plaza Road probably in 2010, 2011, the roadway is quite alligator at this point. There is quite a bit of

patching that exists at the approach to Plaza Road. Plaza Place is a different road than Plaza Road. So there is evidence of the road breaking up at this point. So that road needs some work. Probably the best strategy there for Plaza Road would be to include that in the bid documents for South Third Street. South Third is going to be bid this summer. We will probably go out to bid on Plaza Road with that. Our estimate going back about 5 years ago was at \$16 or \$17 thousand dollars. I think it's going to be more than that now because the condition of the road is deteriorating. I probably would put that at about \$25,000 that road looking at it since you requested me to look at it, since the last meeting, so that's a road in need at this point.

Council President Ciesla - How can we start moving on this?

Mayor Steinhardt – Grant applications to the extent they have them and to put money in place (inaudible) start prioritizing. Figure out how you want to spend the money we have (inaudible).

Engineer Sterbenz – Just a couple other facts on these federal grant programs, you can get reimbursed for engineering and inspection. Normal DOT local aid job you can only be reimbursed for inspection. Municipalities have to foot the bill for the design engineering, so that's an advantage. You typically can ask for a lot more money under the federal aid programs. In fact, on the transportation alternative, they're allowing, uh, there is a soft cap on this but they are advertising one million dollars. Safe Routes to School is typically a 300 to 400 thousand request, you would want to keep it in that range.

Mayor Steinhardt – Can you create a list of the roads; prioritize them, (inaudible). Okay you create a list of roads that are in need of repair, prioritize them, find out what applications are available for us to make to try and help fund them. Make sure we have sufficient money within the budget to cover them and then you dip into it as you can to meet them, you know, on a priority basis.

Council President Ciesla – And then you can, if you feel like one road has, you know, the higher priority, not only that, but there needs to be some like some kind of stop gap fix, in the meantime, like we're talking about the drainage pipe going across Reservoir Road.

Mayor Steinhardt – Some of that work we can do in-house. I mean, some of our Road Department guys are capable of taking care of some of the smaller jobs.

Council President Ciesla – As soon as we can get going on that I'd like to.

Engineer Sterbenz – Thank you very much, I will take care of that.

Councilwoman McCabe – I have a question. Are you allowed to share with us what was handed to you before Ms. Degan stomped out of here?

Mayor Steinhardt – Yes, she handed me a note tendering her resignation.

Councilwoman McCabe – And are we accepting that this evening?

Mayor Steinhardt – Uh,

Councilwoman Schneider – Isn't that a personnel matter that needs to be discussed in Executive Session?

Attorney Campbell – (Inaudible).

Councilwoman Schneider – Let me ask who, who sent Wayne the Rice Notice? I mean who did it come from, just you?

Attorney Campbell – (Inaudible).

Councilwoman Schneider – Does it say Council wants to talk to you about it or does it have an individual's name on it that they wanted to talk to them about it?

Attorney Campbell – (Inaudible).

Mayor Steinhardt - Technically (inaudible). Ms. McCabe indicated that she wanted to talk about this particular person and we did, I said we could deal with it. The only way to deal with it is the way we did. That's how it ended up on the Executive Session, or excuse me, on the regular agenda as opposed to the Executive Agenda.

Councilwoman Schneider – Okay, I just wanted to know who the, who the letter came from. Was it addressed from Council or.

Mayor Steinhardt – The attorney for the Township.

Councilwoman Schneider – Okay, so it doesn't say it was to or from Council cause I didn't get that until this evening so I just want to make sure my name wasn't on it as something that was known.

Attorney Campbell – (Inaudible).

Councilwoman Schneider – Okay, okay.

Mayor Steinhardt – Um,

Council President Ciesla – Are we going to talk about it now or wait and go into Executive?

Mayor Steinhardt – Um Lori, I don't know the answer to that. What we are debating as whether an employee can effectively waive their Rice Notice provisions by, you know, speaking up in public about themselves – it would be no different than if she walked up here and handed me a letter now, Katrina, is not familiar with it and neither am I, specifically, and I am reluctant to venture an opinion. I will tell you this because we dealt with this, ironically, we dealt with this with the former tax assessor which is resignations are, are legally effective the date they are accepted not the date they are tendered because the former tax assessor handed us a postdated resignation not knowing we could accept when we did, she was done. Um, so even though it was postdated, it was irrelevant. But what my concern would be, I don't know, we would have a discussion in the public session. My concern is that even though she walked up here and handed it to us, I don't know what the implications of that legally are and I just, I'm going to defer to you guys and to counsel and I'm not here to give you a legal opinion. I have my reservations.

Councilman Belcaro – Can I speak.

Mayor Steinhardt – Technically, we shouldn't talk about the employees so be careful of what you want to say.

Councilman Belcaro – Okay. I just, in a situation like this, I, um, would support a cooling off period and leave it at that.

Councilwoman Schneider – I agree.

Councilwoman McCabe – We should look into it legally and see what our options are.

Mayor Steinhardt – And honestly, I would feel better and safer about that anyway because I just, we act and we shouldn't there are repercussions to the Township.

Attorney Campbell – (Inaudible).

Mayor Steinhardt – Motion to approve Department Reports. Motion by Councilwoman McCabe, seconded by Council President Ciesla. All in favor.

Mayor Steinhardt – Pay bills. Motion by Councilwoman McCabe, seconded by Mayor Steinhardt.

Councilwoman Schneider – I didn't get anything to pay. Um, was there something that went around to sign?

Council President Ciesla – There was something in our packet.

Councilwoman Schneider – Oh the Bill List to sign.

Council President Ciesla – (Inaudible).

Councilwoman Schneider – I'll say no to that motion until it is done.

Mayor Steinhardt – No problem.

Council President Ciesla – That's all right I have my copy.

Mayor Steinhardt – Yeah I have my copy.

Council President Ciesla - I not only looked at all the bills, I messed them all up.

Mayor Steinhardt – And I signed them. I'm familiar with them. So anyway, we have 4 Ayes and 1 Nay. Is that the deal?

Councilwoman Schneider – No I'm still not going to sign it.

Mayor Steinhardt – Yeah no problem it is working its way to you. Here you go. We'll hold off. See if she wants to sign it now. Can I have a roll call on that please?

Councilwoman Schneider – I have a question, is this the same exact list that you put in my mailbox or has there been changes to it?

CFO Dobes – The exact same one.

Councilwoman Schneider – Okay so there's no additions to it since Friday.

CFO Dobes – No.

Councilwoman Schneider – Okay.

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

NAYS: None

Audience Participation:

Mayor Steinhardt – Folks questions, comments?

Diane Hall – 187 Stonehenge Drive. I have two comments. Ms. Schneider, I was at the board meeting the other night, I did not see you. Since there was only a half dozen people in the room, I think I would have seen you. I asked that you please retract your comment because you do not have your figures correct or your comments so please check with the board before you give out that tax information.

Paul, if you go back about 3 years, Vic Camporine, he had stated about making Red School Lane a boulevard. At that time, there were a couple of residents that didn't like the fact that when they pull out of their driveways, if there was something in the middle there, might I make a suggestion that since the road has to be addressed, maybe because we did make two lanes by the light on Baltimore there, what if you did like shoulder markings and then go into the two lane. That would prevent accidents when somebody is rushing in the morning and you are doing the speed limit and they decide to pass you and then do it on the right side when you're making the right when it comes to the two lanes and it would also help out the residents on Red School Lane. So, that was under the discussion with Vic and I don't know if you remember that. So, um, I don't know if you would like to look back on those minutes or if you'd like to address now.

Engineer Sterbenz – That's certainly a possibility but I don't think that would be an eligibility grant application under that program because there would be no beautification aspect of the project.

Diane Hall - No I don't want boulevard.

Engineer Sterbenz – Okay and, and, and

Diane Hall – And striping for like a shoulder so the cars could park there and that would create a one lane until you get to the two way.

Engineer Sterbenz – And that's something that is very feasible and would also cure some of the problems that I've observed as the municipal engineer on that roadway. So, um, if you are going to go that route, to solving the problems, you are not going to get grant money under this particular program as I've just described. So you are going to probably go and seek local aid monies under the standard DOT Local Aid Program some point in the future. That type of improvement would fit under that program. That's not for this Federal Aid Program.

Council President Ciesla – What about Cobblestone shoulder's would that count as beautification.

Engineer Sterbenz – I don't think so.

Council President Ciesla – Okay.

Dian Hall- What about those extra trees. Can we put them in? Um, I don't know if anybody from the audience is from Red School Lane to speak like they did when it was addressed several years back. Just a thought that if.

Engineer Sterbenz – It's an issue. The island, the island would be beautiful and would knock down quite a bit of the roadway width that you have there which would help with vehicular speeds but it is going to hinder someone on that street that has an access driveway.

Diane Hall – Right.

Engineer Sterbenz – It's going to hinder them so that's one of the tradeoff's there.

Diane Hall – And to be honest, I have a difficult time getting to work in the morning trying to get across Red School Lane pulling out there because you are at an angle to see and if you are going to stick something there again, you are at an angle and it's hard to see. So there's a couple of different reasons. Okay thank you.

Councilwoman Schneider – Um, I just want to address you Mrs. Hall. Um, I have the agenda that says all of the, um, the input

Diane Hall – At the meeting it was all changed.

Councilwoman Schneider – This was all changed at the meeting.

Diane Hall –Yes.

Councilwoman Schneider – Okay, well, sorry about that.

Diane Hall – There are two board members in the audience tonight that can verify that.

Councilwoman Schneider – Okay, can

Diane Hall – I don't know if legally they can, so I'm standing, I'm telling you.

Councilwoman Schneider – Mr. Hall can you tell me what was legally changed because I certainly don't want to provide false information.

Bruce Hall – (Inaudible).

Councilwoman Schneider – Okay, so that was last night. Okay, this wasn't at the meeting? Right, okay.

Bruce Hall – (Inaudible).

Councilwoman Schneider – Okay, I wasn't aware of the meeting last night. Okay, okay, this was, um, I'm talking about the meeting before that, so yes, I wasn't aware of the meeting last night. Okay.

Mayor Steinhardt – Anybody else questions or comments?

Joe Imhoff – I have three questions. Um, when a person, any person tenders a resignation, and it has not been accepted does that person still have access to the office to which they were at prior to this?

Attorney Campbell – (Inaudible).

Joe Imhoff – Will the municipal building have an answer by tomorrow morning when business hours are?

Mayor Steinhardt – We will try and have an answer by tomorrow morning.

Joe Imhoff – But even though there not office hours scheduled, one would have access to the building. I'm only asking this because of the comment on the way out that's it not, it's hasn't been that much fun working here and you are looking at security issues. You are only dealing with dollars so.

Attorney Campbell – (Inaudible).

Joe Imhoff – If a young person wants to participate in Phillipsburg Athletic Programs such as be on the Pal Team or the Firth Street Center that they need to be residents of Phillipsburg. That Pal cannot recruit your son to be on one of their football teams.

Mayor Steinhardt – (Inaudible)

Council President Ciesla – Ha ha he's joking. He's going to recruit from Phillipsburg.

Joe Imhoff – Does Lopatcong have a similar policy that only Lopatcong residents can participate in LAA activities?

Council President Ciesla – No. We allow (inaudible).

Joe Imhoff – Might that be something to look at being that Phillipsburg has seen it has a thing to do.

Council President Ciesla – We have, like for football we open football to everyone. Primarily, sometimes don't have a football team, so we do take them on. At one point, we were, it was supposed to be like Greenwich was only supposed to go to us and then Greenwich went back to Pohatcong and now a little open. It's usually kind of a petition process if somebody wants to leave their league like in Phillipsburg they need to contact the coach and director of that sport and state why they're leaving and then they need, I believe like a, I want to say a blessing but they need a release.

Mayor Steinhardt – Like our kids are not being excluded. We actually had trouble finding kids if you go back, like the Midget Football Team three, four years ago played games with like 10 kids cause we did not have enough kids. Some of those kids were from out of town to make 10 kids. The problem is, is that you have (inaudible) that draw kids away.

Council President Ciesla – Like Little Liners.

Mayor Steinhardt – (Inaudible) you would consider it a traditional (inaudible).

Council President Ciesla – But you do need the release. So P'burg will say you will no longer going to play with us and then Lopat will take them on and it is usually on a case to case basis. Like for football, I know, they open it up because of that very reason. We lose a lot of kids in seventh and eighth grade cause the Little Liners and I'm not sure how Pop Warner is doing at this point.

Mayor Steinhardt – I can't say that I know of any kids that (inaudible) that I can pick out in my sons group. We have 4 Lopat teams in their age group alone.

Council President Ciesla – We get a couple basketball players.

Mayor Steinhardt – Like I said, I see it more in football (inaudible) so

Council President Ciesla – That was just Alpha right they only have Pop Warner I believe. Yeah. Yeah.

Mayor Steinhardt. - Whether they considered that, I have no idea. (Inaudible) those are some of the pros and cons.

Council President Ciesla – They can actually they just put something in their bylaws too that allows the director; if they want to they can charge an additional fee for an out of town resident. So they could charge them more if they found that they needed that.

Mayor Steinhardt – I can't say that we've had any parents come to us saying their kids are not getting playing time because of that.

Joe Imhoff- I'm just remembering 30 years ago when my youngest was 10 and was recruited by one of the Phillipsburg teams to play baseball and I just thought this was an awful way to start the kids out in competitive sports; stealing them from one township to another.

Mayor Steinhardt – Not so much for the towns (inaudible).

Resident – (Inaudible).

Council President Ciesla – Typically, we don't get a lot because the kids do want to play for their own team and they take a lot of pride in that and, usually, it's a problem of like maybe they are more comfortable, maybe they know the kids through some other activity like Boy Scouts or Girl Scouts or maybe through CCD or something like that and they want, uh, they feel more comfortable with them but, typically, it's just football that we open up because we do have towns that don't have them and others are on a case by case basis.

Joe Imhoff- Three – I know this is something that probably should go before the Board of Education for them to consider but since you are the leading authority in town, next year's class entering high school from the districts, from the sending districts and from Phillipsburg, show 61% of the next year's 9th grade class, 61% coming from the sending districts and 39% from the Town of Phillipsburg itself. Talked about a 5.9% increase if we go fulltime kindergarten. P'burg just hit us with a 7.9% increase for high school tuition from the sending districts. I don't know how much more you can take, but I can't take too much more. Isn't about the time the Council communicates to the Board of Education we seriously need to consider, I'm on some pain medication, so I'm just spitting things out as best I could.

Council President Ciesla – More representation?

Joe Imhoff – Isn't about time Council worked with the Board of Education to start a serious discussion with the other sending districts about a regionalized school district so we have some input into how our tax dollars are being spent on the other side.

Mayor Steinhardt – Not to be dismissive of it, it's a conversation that's been had countless times just in the 15 years I've been here. My understanding is that it requires the Dept. of Education approval and it also Phillipsburg signing off because they're part of the send/receive district and with all the, and this is just a political statement, but with all the pushes towards consolidation of services everywhere, I think you would be hard pressed to convince the state to sign off on a plan to bifurcate a school district, especially when they are about to drop like 100 million dollars or 80 million dollars on a new high school.

Joe Imhoff – What does bifurcate mean.

Mayor Steinhardt – Mr. Swims here, he can probably tell you. It's cut and divide.

Joe Imhoff- Thank you.

Council President Ciesla – We actually looked into it way back when, way when my son was still in middle school and we were trying to find a way to fund the high school since they, we say we no longer could and the push back was that for political reasons and financial reasons they felt we had too many school districts and to make a regional district would mean we would need another superintendent and so they didn't want to put that cost on but I think we probably should look into opening a dialogue with them cause the numbers are going up and I know what are we know \$14,000 a kid to send to P'burg, Yeah, and I know we have about 100 per grade from Lopat alone so it is a lot of money and like you said, we only have three seats for the sending districts on the school board so we don't have any

Joe Imhoff – That doesn't matter at all. That's not worth spit. The representative from Greenwich read a statement before the budget was passed to say that he would not vote for the budget. Bill Taggart voted for the budget, the increase to us was passed last month and, um, and then Mr. Rummerfield from Phillipsburg spoke up before his yes vote and said he doesn't think the sending districts are paying enough. So

Council President Ciesla – Yeah I do think we need to open up a dialogue.

Joe Imhoff- I'm paying enough.

Council President Ciesla – Yeah, because I believe they can charge us up to what \$15,000.

Mayor Steinhardt – It's a great discussion to have, I think it has a lot of road blocks (inaudible) I think you'll get support from the outlying districts.

Joe Imhoff- Well like I said, they're the majority at the high school. They should have representation. Thank you.

Mayor Steinhardt – Question, comments. In the back, Brian.

Brian Weeks – I want to address a concern in the park. We have roads going up by the ball fields – they're bike paths, they're walking paths, they're not vehicle paths. People are going up in there. They're almost taking out some kids. Not the place for cars, all right. So we are going to be addressing that is the reason I'm letting you know that because I will be putting poles in the middle of those lanes and I don't want somebody driving through there. So just giving you a heads up that they are going in tomorrow or Friday.

Mayor Steinhardt – The police are aware of it and I talked to Brian about it yesterday. We have a couple regular offenders and um, you know, be on notice that they are going to come looking for you if you go up there. Somebody drove up there the other day while there were ball games going on on our ball fields with a bunch of little kids running around and someone's going to get hurt. They are not meant for that, you know, you can walk, if you got to carry a bag to a baseball game you can walk to get there or find help if you need it, but don't drive up there and put a child in danger.

Council President Ciesla – Rowe's Lane is a private lane too. There is only parking for handicap there and they need to reinforce that too.

Engineer Sterbenz – Mayor, just so you are aware that there is a section of our traffic ordinance having to do with Lopatcong Park and the Pool, and I don't know if it is worth it for us to take a look at enhancing that section of the ordinance to prohibit vehicles on these bicycle/pedestrian paths. They are intended for those uses and not for vehicles.

Council President Ciesla- Then we can raise the fine as well.

Engineer Sterbenz – If that's something you are interested in, Katrina and I can work on that between now and the next meeting.

Mayor Steinhardt – Sure thing. Mr. Schuster, how are you sir.

Ed Schuster – I've been a resident of Morris Park for about 30 years. I am, just like to say the past and present Council has done a pretty good job of running the Township. That being said, have they made mistakes, I'd think any of them would admit sure we've made mistakes and you made unpopular decisions, sure you've made unpopular decisions. Just like tonight, you all don't agree on things, but you have to make decisions which are best for everybody and I think we all have to realize that. We look at these people here and so, uh, we're here for a couple hours then go home tonight, we're done till next month. I think they wish. Well anybody that wants to take their place, I think they'd be more than welcome to have, you know, somebody to take your place. It's not easy whether you are running a township, a town, a city, a state or a country, whether you have a council, whether you have a group of people or you have one person, they all have to make decisions. They're all not going to be right. They're all not going to be popular. A lot of decisions that they have to make like they were talking tonight, they not all agree with it but its things that they have to do for the betterment of everybody and I think we should give them credit for that. They are doing the best job that they can. Like I say, I've been almost 30 years. Nothing is perfect. Nobody's going to be perfect. No situation is going to be perfect. I think they're doing a pretty damn good job with the taxes and everything else. So I think we should give them kudos for the job they do and I know we always don't agree 100% but overall, I think we, you know, have a pretty good place here we're living at. I think you are doing a pretty good job for us. That's all I can say. While I'm here Mr. Sterbenz, Dana and South Sixth Street, Delaware Crossing is opening up pretty soon if you can get a stop sign there probably cause that back entrance to avoid an accident.

Engineer Sterbenz – Okay.

Mayor Steinhardt – All right, it's getting to be about 10 o'clock, anybody else, questions comments.

Andy Horun – (Inaudible) The reasons I'm here is I just want to acknowledge our basketball; two basketball teams that went undefeated and won the championships, they were the girls (inaudible) They were undefeated, they won their championship and the girls youth 13 team went undefeated they were the (inaudible) they won. (Inaudible) are coached by Dan Pace and Mercury by John Best. I just wanted to publically acknowledge them.

Council President Ciesla – Did you order your banner.

Mayor Steinhardt – Anybody else?

Gena James – Strykers Road. I just wanted to say that I attended the Egg Hunt for the past 9 years now and I want to say what a wonderful job has done with that for the past 9 years. Thank you to DPW because I know they do, they have a hard time setting up and also to clean up and yeah trees seemed like to be a big hit this year and one special thing I know I said to my husband when I was there this year was it was so nice to see each and every councilperson out there this

year. That was nice to see everyone there working together. It was a great pleasure to see that. So I wanted to say thank you for all your hard work and effort for doing and planning that. I know the children love it as well. I know my kids couldn't wait to go and they kept asking me the whole week, when's the Egg Hunt, when's the Egg Hunt. So I thank you for that.

Also, regards to the sidewalk situation that Mr. Sterbenz brought up today. I want to thank you for listening to me a couple months or weeks ago I guess it was about the safety issue I had by putting the sidewalk in on the other side, on how it would be unsafe for the children, there would be more pedestrian come out this side with no crosswalks there. Obviously, I'm concerned because of the school which is why I came forward about it cause I have my own safety issue with my own children getting back and forth to school but we're making it work as the residents do. Okay, but just sitting back and thinking about it more and more, logic starts sitting in and you start thinking about other safety, you know, as well and it just pros didn't out way the cons and so forth, so I want to thank you very much.

Mayor Steinhart – Anybody else? Motion to adjourn?

Council President Ciesla – Oh yeah can I give one shout out to the Easter Bunny, I'm sorry. I want to thank Alyssa Fischbach, she's not here but she very graciously decided to be our Easter Bunny. In case everybody was wondering who it was.

Mayor Steinhart – Hold on, we don't have to have an Executive Session do we, the only thing was that workplace thing we can do next month. Veterans Memorial don't forget May 17th up at the park, please come join us. Is there a motion to adjourn? Motion by Councilwoman McCabe, seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Douglas J. Steinhart
Mayor