

TOWNSHIP OF LOPATCONG

COUNCIL MEETING

August 6, 2014

The Meeting of the Lopatcong Township Council was called to order at 7:30 pm by Council President Ciesla. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Council President Ciesla 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: Council President Ciesla, Councilman Belcaro, and Councilwoman Schneider. Also present was Attorney Campbell and Engineer Sterbenz.

Resolution No. 14-88 - was passed to hold an Executive Session. Attorney Campbell stated that Council discussed contractual matters with the Dept. of Public Works, Police Department, Emergency Squad and Fire Department. Motion to go out of Executive Session by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

**Public Comment: -**

Marla Endick – 10 Byron Drive – On the agenda is to approve payment of bills and my question is, is the bill for the work done by Mr. Burachinsky on that list to be paid tonight?

Councilwoman Schneider – Yes it is.

Marla Endick – It is, okay so, my comment is related to that bill. Um, on July 18<sup>th</sup> the Express-Times printed an article recording that a completed audit was conducted by Mr. Burachinsky and was made available at the July 16<sup>th</sup> Town Council Meeting. This raises two serious concerns. Concern No. 1 this work was performed in an unofficial capacity. I do not recall any public vote by Council to hire Mr. Burachinsky. His report states that he was performing this work at the “request of the Township Clerk and the CFO”. How was Mr. Burachinsky hired without Council reviewing his credentials, being involved in developing the scope of work and having a say as to how much they were willing to spend on this work? My next question is, will all of council members informed that Mr. Burachinsky had been retained? Mr. Belcaro were you informed that he (inaudible).

Council President Ciesla – Um, no, no. Yes its public (inaudible).

Marla Endick – Okay would anyone, would any council members like to answer if they were informed that he had been retained?

Council President Ciesla – No here, I’ll explain what happens. At the meeting I believe it was the July, June 4<sup>th</sup>.

Marla Endick – I think it was June 11<sup>th</sup>.

Council President Ciesla – June 11<sup>th</sup>. We made a motion to hire

Marla Endick – Someone.

Council President Ciesla – Someone to review the books. Um, we have on hand a Qualified Purchasing Agent, a QPA. The QPA's limit is anything under \$5400.00 requires no quotes. When we made the resolution, we did not specify that they needed to come back to us with anything either. That would have to be a specific specification. So, because our QPA can, she can enter into any contract under \$5400 without any quotes and she, actually, did get quotes and between \$5400 and under \$36,000 again, we can make that determination without going out to bid, we just need more than one quote.

Marla Endick – Okay, that's good, so let me bring up then the Brass Rail Zoning issue that occurred in 2013 and I'm quoting this from the minutes from 2013.

Council President Ciesla – Does this have to do with an agenda item?

Marla Endick – Yes it does, it has to do with the process. In this case, Attorney Campbell had asked the Council for a motion to authorize the hire of the Zoning Officer. The motion was made by Ms. McCabe and supported by President Camporine and everyone voted yes. That was May 1<sup>st</sup>. The following month on June 5<sup>th</sup>, Councilman Belcaro gave a report on the credentials on Mr. Onembo, the Zoning Officer for Franklin Township, quoting from his resume and asked for a motion to hire this individual. This was put to a motion, Council voted unanimously to hire Mr. Onembo. July 10<sup>th</sup> Council came back and instead of just, they went so far as not including his bill, but actually doing a separate vote on the approval of the invoice in the amount of \$291.60 for the work done by Mr. Onembo and I applaud that procedure being followed. I am confused as to why in this particular case, when we spend \$1800.00, um, that was not done. At any rate, um, the second concern was, I had was, that the work that was actually performed did not actually provide the intended results.

Council President Ciesla – This is related to, I don't know, if

Marla Endick – Yeah, it's related to, I'm going to ask you not to pay his bill so I'll continue and I'm going to give you my reasons why. You don't have to, I mean, you can, but I'm going to tell you why. The work performed did not provide the intended results. Council passed a resolution on June 11<sup>th</sup> to hire an independent auditor to do an audit of pool numbers. In Mr. Burachinsky report he states "detailed verification and testing of the General Ledger Accounts for the pool operations was not deemed necessary at this time since an overall testing of the Lopatcong Township was already performed by the Township's auditors for each of the years presented". I would like to know who deemed that, that was unnecessary. I thought the whole point of hiring someone was to look at it from that point of view, do an audit. Not review numbers that were already in question. This was in no way an audit with Mr. Burachinsky calling his own work a review several times himself. He is correct; he performed a review of the same numbers that were already in question without looking into if there were any additional expenses that should have been included or the validity of some of the items that were being claimed as revenue. That is the information that would have put this matter to rest once and for all. So now, taxpayers are out \$1800 and we know, essentially, no more than we did two months ago. I implore Council not to use taxpayer money to pay for this work which was done without an official Council vote and did not produce the information which was at the heart of the resolution to hire an independent auditor. Thank you.

Councilwoman Schneider – I would just like to respond a couple of things for that, um, I can't speak for everyone but I was not informed that we hired anyone to do the job nor was I informed that he was even in the building. So, I had no knowledge of this being, this review taking place. Um, the first of my knowledge was when I was in London and I got a phone call from the newspaper. That's how I knew an auditor was in our building doing the pool review or whatever they want to call it. So, I had no knowledge of that. Um, I'd also like to say that I'm not, I'm

not pursuing, you know, I'm not going to have any more tax payer money spent on this. Um, had my input had been included; I would not have offered that scope. That scope was just a review. It reviewed Betty's numbers against mine, um, without looking into anything and that's not what an audit is. Um, I would have asked for something different and I would have certainly, um, put an RFQ out to find the best bidder and the most qualified person. Um, however, what it did produce the pool did not make \$25,000 last year. Um, we can go round and round with the, uh, it was a projected number of \$25,000, um, in August 29<sup>th</sup> when the meeting occurred pretty much the pool season had been over but could have given an almost answer of exactly how much the pool made. Not only that, when the post was put up on Council Corner on September 23<sup>rd</sup>, the pool had been closed for a month. We could have definitely got the answer of how much the pool had made. Instead, what was chosen to put up there was that the pool was projected to make \$25,000. It did not. Um, and again, I was asking as I asked two months ago that the post be corrected and, um, this is an official municipal website and it should have factual information and that, that Council Corner post should be corrected if not taken down entirely. This is what Mayor Steinhardt had said to, actually, it was Ms. Endick, if she, we, me or anyone were to prove that the pool did not make \$25,000, would the post be taken down and he said, I guess so. To this date, it is still up and the correct information is still not on it. Um, that's really all I have to say and my final thing on that is, in no way shape or form, did I ever, ever say I wanted the pool to be closed. All I wanted was the truth and to see if you look at everything that I had come out, there's a trend, there's a trend, we are losing money year after year on the pool. We're losing; the pool is making less and less, let me correct that. The pool is making less and less money every year and I'm concerned about that and I don't want it to be a burden to the taxpayers and that's all I was, I, I just wanted the truth and I wanted things to be rectified and that's all. So, I'm dropping the issue. I'm not going further with this anymore. I'm not spending any more money. I didn't approve that \$1800. I didn't have any input in that, so thank you.

Attorney Campbell – From a legal prospective, I would just tell the council members, you have all reviewed the report and if you feel that it is something that should be paid for, you don't have pay for it, it shouldn't be paid for, you vote to not pay for it, table it to next time, you can do that as well. Um, as far as the process, the process

Council President Ciesla – Was correct.

Attorney Campbell – Was correct. Um, we may have done it other ways at other times, but I can tell you with the example you gave involved a time when the Mayor who is the executive of the town had a conflict regarding that one. So, everything had to be done differently than it is normally done and I believe if we were to check with Ms. Dilts, I'm sure she would tell you she was directed to do it that way and that's why she did it that way but no, no we are not taking questions, I was just telling Council that I have reviewed the process, I read the comments online and everyone's comments and I checked everything and I say the process met, not only did it meet the standard because she didn't have to get quotes, she actually did go out and get quotes. She called other people, because she asked myself for other auditors I know in other towns and made phone calls, so I do know that.

Councilwoman Schneider – The process doesn't, um, so (inaudible).

Attorney Campbell - I'm telling you

Councilwoman Schneider - I was not involved nor was I even told.

Attorney Campbell – And, I'm not disputing that, I'm just telling you that from a legal prospective

Councilwoman Schneider – So, in order, in a spirit of transparency and open communication and, um, you know, the “C’s” Lori, I can’t even remember all the “C’s”

Council President Ciesla - She followed procedure that’s what it came down to and we can’t ask her to do anything differently.

Attorney Campbell - Is that, if you feel it wasn’t done correctly

Councilwoman Schneider - Right

Attorney Campbell - Or that the work was not done properly or wasn’t of the quality, then you can vote no and I’m not going telling anyone on Council what to vote, I’m just telling you

Councilwoman Schneider – Right.

Council President Ciesla - Next time you can say when you make a resolution like that, if you want specifications around it to, to do something other than what is the legal procedure, we can do that at that point but we did not, the four of us did not make any stipulations on that what’s so ever.

Councilwoman Schneider - Lou did you know there was an auditor in the building?

Council President Ciesla – Again, the procedure means he doesn’t have to

Councilwoman Schneider - It doesn’t matter, I’m asking did you know there was an auditor in the building?

Councilman Belcaro – No.

Councilwoman Schneider - You didn’t get any email saying that there’s an auditor in the building?

Councilman Belcaro – No, not in the building I know that someone was going to be hired.

Councilwoman Schneider - You knew that someone and you got an email?

Councilman Belcaro - Yeah because we approved back in June to get someone to audit this, to look at it.

Councilwoman Schneider – Right, but did you get any emails after that saying that there was an auditor, we hired an auditor or here is the report? Any of that?

Councilman Belcaro – No.

Council President Ciesla - Does the procedure state that he has to

Attorney Campbell - I think at this point everyone is going to vote what they want to vote because of what, how they believe the process was so.

Councilwoman Schneider - Right, um right but, you know, what we were talking about transparency and getting the numbers right and I was the one that was bringing up the whole issue anyway and it would have been, uh, a smart thing to do to include me.

Attorney Campbell – I recommend a new policy, to put in place then you should create a policy and put that in place. I'm just saying for this bill, we are dealing with one bill for tonight each member of Council is going to vote based upon their understanding and their beliefs regarding it.

Council President Ciesla - And the question was did she follow procedure and she did. Do we have any other public comments? Gena.

Gena James – 220 Strykers Road. I have a couple of things. The first one is dealing with, I guess it's under looking real quick the contract with Garden State Fire Works. According to Lopatcong Township newsletter that was sent out to town residents Community Day will conclude with a donated fireworks show. On tonight's agenda, there an approval to pay Garden State Fireworks \$5,000. So my question or I guess concern is why do we have the two differences and is the newsletter accurate?

Council President Ciesla – What is it. The donations?

Attorney Campbell- It is donated to the Township.

Council President Ciesla - The donation is coming to the town and then it's going out.

Attorney Campbell - You'll see it on the agenda. Whenever the town gets a donation, it comes in by way of Chapter 159.

Attorney Campbell - If you look back at this year, sometimes there's been a Chapter 159 where someone donates money or something and they do a Chapter 159 to add it to the budget and then

Gena James - Okay, so it's completely donated then?

Council President Ciesla - This is a contract as well. Like anybody donating the money can't enter into a contract with the Township, the Township because the fireworks are going to be covered under us, you know, as a Township, not the individual donor who he's not hosting fireworks himself. We are, so we need to enter into the contract.

Gena James – Okay, but they are completely donated then.

Council President Ciesla - Mmmhmm, yes.

Gena James - Okay. So that clears up that one. Uh, the next thing I have is on Ordinance 2014-07. Um, I was up here last month in regards to the same ordinance. I asked a whole slew of questions. I'm gonna kind of dwindle this down a little bit.

Attorney Campbell - Yeah is that, is that the public hearing?

Council President Ciesla - Yeah, we should probably

Attorney Campbell - We are going to do that during the public hearing.

Council President Ciesla – And, we have Lou here to answer.

Gena James - Mine is more a kind of statement of things I observed from last

Attorney Campbell - But if it's regarding that particular ordinance, the time to do it is during the public hearing. Because what we are going to do is, we are going to read the ordinance, there is going to be some explanation and then any questions or comments are done during that time.

Gena James - Even if I noticed changes have been made.

Council President Ciesla - Yes, we can address that at that point.

Gena James – Okay, so, I'll come back up then.

Attorney Campbell - They're not going to vote on anything until after public comment is closed so anything you have can be done before any action is taken.

Gena James – Okay, I'll be back up for that then. Thank you.

Council President Ciesla - Anyone else? Okay we'll close the public comments and go on to Old Business.

**Old Business:**

**Minutes** – Approve the minutes of June 4, June 11, and July 16, 2014. Motion by Councilman Belcaro, seconded by Councilwoman Schneider. Roll call vote:

AYES: Councilwoman Schneider – yes to June 4<sup>th</sup> and June 11<sup>th</sup> but I'll abstain from the July 16<sup>th</sup> meeting, Councilman Belcaro – yes to all three, and Council President Ciesla – yes to all three as they reflect the accurate contents of the meeting.

NAYS: None

ABSTAIN: Councilwoman Schneider – July 16, 2014.

**Ordinance No. 2014-07** – Second reading and public hearing to appropriate \$185,000 out of the Capital Improvement Fund of the General Capital Fund for the purchase of a DPW 4WD Mason Dump Truck with Plow, Salt Spreader and 2-Way Mobile Radio for \$100,000, purchase of a Cascade Truck for the Fire Department for \$35,000 and miscellaneous Drainage Improvements to Reservoir Road in the amount of \$50,000. Councilman Belcaro made a motion to hold a public hearing, seconded by Councilwoman Schneider. All in favor.

Brian Weeks – We had retired one of our trucks due to old age and just all kind of problems. It was 74-20 and we are just replacing this with an updated truck and different things, um, it's going to get us the plow, the salt spreader; everything you see written down on there. The radios, everything ready to go plow and we really need that bad so that is really what that pertains to and, uh, that's it.

Councilwoman Schneider – Was the price different on there from last month? The \$185,000, was that a different number do I recall?

Brian Weeks – No, the \$185 isn't mine.

Councilwoman Schneider – Okay, sorry great.

Clerk Dilts – The Ordinance was for \$200,000.00. Fifteen thousand dollars has been cut out of that because the Fire Department wanted to buy miscellaneous equipment and the equipment they wanted was not on the list but it was going to be more than \$15,000 so we took that out of the Capital Ordinance and that will be introduced tonight under new business.

Council President Ciesla- Is that a change that is acceptable for

Attorney Campbell- Did you check with the auditor about pulling it out? And they can't put anything in

Clerk Dilts - Right.

Council President Ciesla - Can you pull out as a second reading?

Clerk Dilts - He didn't seem to have a problem with it.

Attorney Campbell - The auditor?

Clerk Dilts – Right.

Councilwoman Schneider – Are we sure about that or we

Attorney Campbell – Worst case scenario, you just have to do public hearing again.

Brian Weeks – I can tell you this much, if you don't buy this truck

Councilwoman Schneider - No I'm not, I'm not challenging that Brian. I'm not challenging that, I'm just challenging the ordinance the number was \$200,000 last month and now on the second reading, it's a different number. That's all I'm challenging. I'm not saying not purchase it. That's it. So, if that is not the case, where we can't decrease, take out, then what happens?

Attorney Campbell – Then we have to do another reading.

Council President Ciesla – Right.

Attorney Campbell – But, there is no harm in doing it now double checking again because worse case he's going to say you have to do it again. If you don't do it tonight, you have to do it again anyway so.

Brian Weeks – Okay, thank you.

Councilwoman Schneider - Thanks Brian.

Lou LaFord – I'm going to sit so I don't have my back to you

Council President Ciesla - Is that microphone on for him?

Clerk Dilts – Yes it is.

Council President Ciesla – Just talk into the mike is good.

Lou LaFord – Chief Lou LaFord. Um, we are replacing our 1981 Cascade Truck. It is currently a box van, used to be a bread truck prior to its arrival to us and we got it through the Emergency Squad. So, the Squad had it first, we inherited it, and now we've had it for, ever since I've been on, 16 years, it's been here in another department well before that. Um, it fills our SCVA's which is the air bottles on our backs when we go into a fire; it fills 40 bottles of what we have. Um, if it goes out of town, out of town, the two here towns use different size bottles and it fills approximately 60 bottles. The truck is in an unsafe condition at the moment. The seatbelts aren't, aren't up to DOT standards. The breaks are faulty and sometimes it doesn't even start so we definitely need it at a scene if there is a structure fire. Um, it's what gives us our breathing air. It is important to the town.

Council President Ciesla – Do we have any questions from the public?

Attorney Campbell – Comments.

Council President Ciesla – Sorry, Brian. You have to come up Brian, sorry.

Brian Weeks – It was rolled down to you from the Emergency Squad so it is pretty old. It was given to them because the squad couldn't handle everything that was going on.

Bill Taggart – (Inaudible)

Brian Weeks – I fully agree with him (inaudible).

Council President Ciesla – Anyone else for public comment. Gena you can come back up.

Gena James – 220 Strykers Road. Um, last month the Ordinance 2014 -07 Council approved the first reading without Council having any information on a Mason Dump Truck and a Cascade Fire Truck. At the end of that meeting, Mr. Weeks provides the specs, information on the Mason Dump Truck. I feel it would be a more responsible Council to vote on ordinances and approvals, especially, when it deals with spending money to have all information first and gone through properly prior to any approval. Now, with that said, last month you approved the first reading of Ordinance 2014-07 with \$15,000 for spending for fire equipment. This was already approved last month's meeting with the first reading. I guess it's kind of going with what you guys were just talking about. Uh, this month this was removed from this ordinance and capital was less \$15,000. However, a new Ordinance 2014-08 was created for this expense for \$26,388.61. Again, this was already approved in the first reading of the Ordinance 2014-07 last month for \$15,000. I'm going to ask you to please explain and is it legal for an ordinance to be voted on for second reading and approval with such a change in an ordinance. First statement. Also, Ordinance 2014-07 is asking for approval of \$35,000 for a Cascade Truck. I also noticed for approval tonight to purchase a 1995 International Medium Duty Rescue Truck for \$34,600. If you have done your homework, you would know that a Cascade Truck is very different from a Rescue Truck and I was informed by the Clerk that these are the same truck but they are not. The Ordinance 2014-07 is misleading to the residents as to what truck is really being purchased. I ask that you clarify what type of truck is being purchased with capital money and ask this ordinance be rescinded or changed to accurately reflect what truck is being purchased. Thank you.

Council President Ciesla – And do you want to have Katrina to address the change in the dollar amount how would we address the truck.

Attorney Campbell- I think we already talked about the change in dollars.

Council President Ciesla – Okay, so yeah. You can make minor changes to your ordinance. Now, we were told that we can lower the amount but not raise it. Just like when we did the ordinance for the recreation fees, we had to pull out some fields at that time and it was an allowable change.

Attorney Campbell - If you feel that you don't want to risk it, that the auditor, you could do first reading again tonight and have a special meeting in ten days. Is that how we have to advertise?

Clerk Dilts – For another first reading to re-do the ordinance.

Attorney Campbell - Advertise the ordinance, because you have to advertise the ordinance again.

Clerk Dilts – You can have another meeting within 48 hours.

Attorney Campbell - But don't we have to put the ordinance, the ordinance has to go back into the

Clerk Dilts – And that requires ten days.

Attorney Campbell – So, in two weeks' time, you could, if you want to do first reading again tonight to make sure you have everything clarified, you could do that and Brian is shaking his head at me, but you could do that. If you wanted to be extra careful and not worry that Dave Evans tomorrow morning is going to say no that is not what I said, you misunderstood. It is completely up to you. But maybe you want him to answer the question about the truck.

Council President Ciesla – Yeah, I'd rather have him definitely have him go over that first. We can decide.

Lou LaFord – I see where the discrepancy is. It says Cascade Truck and then second ordinance says Rescue Truck. It is a Medium Duty Rescue Truck that we are purchasing it is going to be our Cascade Truck. That's all it is going to be used for. The current air system that's in the current truck will be removed put into the new truck and hardwired in. There won't be anything else that it is going to be used for other than to fill air bottles.

Gena James – So, it's not going to be used as a Rescue Truck? (Inaudible) I know is to carry (inaudible) as with a Cascade Truck (inaudible).

Lou LaFord – As of right now, it is going to be the Cascade Truck.

Attorney Campbell – It's got like a 20-year life span right?

Council President Ciesla - Oh you are using it as a Cascade Truck so I'd say the Ordinance is correct. It is just a resolution that you can change right now. If you wanted to change the wording of the resolution.

Attorney Campbell – Right, well, and that is what I was going to recommend if you wanted to do first reading again I would just add on the second to last sentence, purchase of a Rescue Truck for use as a Cascade Truck if you, if you are going to do it again, you can add that language.

Clerk Dilts – I would do it again just to be sure.

Lou LaFord – We are going to lose this truck if we wait any longer.

Council President Ciesla - That's the problem we have with the DPW truck too.

Lou LaFord – We've waited a month.

Attorney Campbell – We can vote and then still

Lou LaFord – And, just so Council knows, this truck was originally listed at \$45,000; I got the dealer down to \$34,600. A brand new truck is \$130,000.

Attorney Campbell – Let's be redundant and let's do second reading and let's do first reading

Council President Ciesla – And, we'll be covered either way.

Attorney Campbell – And, if second reading is fine, then you cancel it and we'll just cancel it out and not do it and it will make your auditor crazy later.

Council President Ciesla - I agree.

Attorney Campbell - When he sees a resolution

Council President Ciesla - But too bad.

Attorney Campbell - Involving money showing up twice but, um,

Council President Ciesla - Because we can cancel.

Attorney Campbell - That way were just being as careful as possible and being mindful of the concerns of both DPW and Fire, we're trying our best, because I know Brian is looking at me

Council President – Right, yeah.

Brian Weeks – Here's what, um, there's a time limit that you can buy these. They have already, there, it was supposed to be the 31<sup>st</sup> of July, all right, they bumped it back because I asked them, all right, and he is riding that for us. If we bump it again, you're going to buy a 2015 and we're going to start all over again and then we are going to wait however long it takes for that, Morris County Co-op or whatever we can go with

Council President Ciesla - Right to do that.

Attorney Campbell - That is why I recommend that we do, we had a public hearing, we can do second reading.

Council President Ciesla - We can do second reading.

Attorney Campbell – And, but

Council President Ciesla - We'll verify.

Attorney Campbell – It is the understanding that it only goes through with the auditors, you know, blessing and I'll.

Brian Weeks – Okay, when do we expect that?

Attorney Campbell - I'll call tomorrow.

Council President Ciesla - He already gave it. We'll just go over it with him again.

Attorney Campbell - As a safety (inaudible) we'll do first reading also, so in case he says no that is not what I said, then in two weeks you will see a special meeting advertised and we'll take care of it which is the best we can do.

Brian Weeks - I understand the reason why it is so precious and it is something you don't know yet, all right, it's because one more truck just got put out of commission.

Council President Ciesla - Did it, okay.

Brian Weeks - It will not pass our 1988 anymore.

Council President Ciesla – Okay.

Brian Weeks - Donna is aware of that okay, and it costs, just to be able to get it through inspection, you are looking at somewhere around \$8 to \$10,000 to do that. Okay, and that's just to have a truck that is a 1988. So, I'm down two trucks and taking over another part of the Township so I need you to look at the picture all right.

Council President Ciesla - We'll make sure of that Brian.

Councilwoman Schneider acknowledged Peter – Orchefski Highlands Way – What are the chances we can reach the auditor tonight? Get an answer right away, get it done, he needs the truck.

Attorney Campbell – We'll we're going to get it done either way.

Council President Ciesla – Well, that's what we are trying to accomplish, yeah. We'll get it done either way

Orchefski – Okay.

Attorney Campbell - Because if you get the auditor tonight and he says no you can't do it we're going to do first reading.

Council President Ciesla - We're going to do first reading anyway.

Orchefski – Okay.

Council President Ciesla – Any other public comment on Ordinance 2014-07? Motion to close public comments. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

#### ORDINANCE NO. 2014-07

#### 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, August 6, 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 APPROPRIATE \$185,000 FROM THE 2014 CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND FOR THE PURCHASE OF VARIOUS EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, THE FIRE DEPARTMENT AND DRAINAGE IMPROVEMENTS FOR RESERVOIR ROAD**

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

Council President Ciesla - Now we need to make a motion to vote on the Ordinance pending the approval of the auditor. I'll make a motion to vote on Ordinance 2014-07 pending the auditor the approval of the auditor, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Council President Ciesla – Then we'll go into New Business, we should probably roll right into doing a first reading on the new ordinance.

Attorney Campbell – I'll read it.

Council President Ciesla – Okay, thank you.

Attorney Campbell – Um, Beth we're going to give it nine, 2014 -09?

Council President Ciesla - I think we're off, I think it should be ten.

Attorney Campbell – Yeah, five and ten I think are, so we'll make it, we'll make it ten. So Ordinance 2014 -10 first reading to appropriate \$185,000 out of the Capital Improvement Fund of the General Capital Fund for the purchase of a DPW 4-WD Mason Dump Truck with Plow, Salt Spreader and 2-W Mobile Radio for \$100,000, purchase of a Rescue Truck for use as a Cascade Truck for the Fire Department for \$35,000 and miscellaneous Drainage Improvements to Reservoir Road in the amount of \$50,000. Anyone can make a motion. Motion by Councilman Belcaro, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Council President Ciesla – So, then tomorrow, you'll call the auditor, we'll get the verification again, make sure he still agrees with himself and then if that, if he feels we should go the other one then we need to schedule a meeting. Okay.

Attorney Campbell – Between Beth and I, we'll, I'll, I'm going to email him tonight.

Council President Ciesla – Okay, yeah.

Attorney Campbell – And, I'll call him on my ride in tomorrow morning and if there needs to be a meeting Beth will call you, call and set up a meeting.

Council President Ciesla - Okay, all right. New Business we'll get down to the next one.

**Dulaine Contracting** – Approve Payment No. 3 in the amount of \$173,141.30 to Dulaine contracting for work completed on the Rt. 57 Pump Station Project. Motion by Council President Ciesla, seconded by Councilwoman Schneider. Councilman Belcaro stated the vote would be pending the Engineer's approval. Roll call vote:

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

NAYS: None

**Garden State Fireworks** – Approve Contract with Garden State Fireworks in the amount of \$5,000 Community Day August 30, 2014. Motion by Councilman Belcaro, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

**Resolution No. 14-89** – Appoint Brian Weeks Certified Public Works Manager in the Department of Public Works.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REAPPOINTING BRIAN WEEKS AS CERTIFIED PUBLIC WORKS MANAGER FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey wish to reappoint Brian Weeks as Certified Public Works Manager for the Department of Public Works; and

WHEREAS, Brian Weeks was appoint Public Works Manager pursuant to Resolution 11-70 in August of 2011; and

WHEREAS, Brian Weeks shall receive tenure as Certified Public Works Manager for the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Brian Weeks is hereby reappointed Certified Public Works Manager for the Department of Public Works and received tenure.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

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

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

NAYS: None

**Lopatcong PTA Bingo License** – Approve Bingo License for Lopatcong PTA for Community Day. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call Vote:

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

NAYS: None

**Ordinance No. 14-08** – First reading to Amend, Revise and Supplement Chapter 227 entitled “Vehicles and Traffic”, including Section 25 “Multi-Way-Stop Intersections” relative to the Intersection of Baltimore Street and South First Street. Engineer Sterbenz explained that the Township obtained counts through the County, traffic counts in order to investigate whether or not this intersection should be improved to function as a multi-way stop. Some concerns over a number of accidents that took place there that it needed to be converted from a two-way stop which is what you currently have right now to a four-way stop. So, we got the counts and we also did a view of the accidents that have occurred there as well as review conditions and I feel that the criteria in the Manual Uniform Traffic Control Devices to implement the four-way stop have been addressed, so, I am ready to certify that to the Township Council that I’ve done an investigation and I believe it meets the warrants for a four-way, excuse me, a multi-way stop. So, that is why you have this ordinance tonight being introduced. There is a significant accident history there. Motorists on Baltimore Street cannot see the thru movements on South First Street, particularly the ones to the north on Baltimore Street and they’ve been the cause of numerous accidents at that intersection, so, I think this is a very important safety move to make

this a multi-way stop. So I recommend you introduce the ordinance tonight so we have a public hearing at the September 3<sup>rd</sup> meeting on this particular ordinance.

ORDINANCE NO. 14-08

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 227 "VEHICLES AND TRAFFIC", INCLUDING SECTION 25 "MULTI-WAY STOP INTERSECTIONS" RELATIVE TO THE INTERSECTION OF  
BALTIMORE STREET AND SOUTH FIRST STREET

WHEREAS, Chapter 227 "Vehicles and Traffic" of the Code of the Township of Lopatcong contains various parking and traffic regulations; and

WHEREAS, there is a need to amend provisions relative to multi-way stop intersections to include the intersection of Baltimore Street and South First Street to improve safety; and

NOW THEREFORE, BE IT ORDAINED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that Chapter 227 "Vehicles and Traffic", Section 25 be amended, revised and supplemented as follows:

**SECTION 1**

The portion of 227-25 relative to multi-way stop intersections shall be amended to add the following intersection:

Intersection

Stop Sign On

Baltimore Street and South First Street

Baltimore Street (both legs) and South First Street (both legs)

**SECTION 2**

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**SECTION 3**

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

**SECTION 4**

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on August 6, 2014 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on September 3, 2014 at 7:30 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, NJ at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Council President Ciesla – I thank you for that study because I know we had a lot of complaints about that intersection. Um, so, I'll make a motion for the first reading for Ordinance No. 2014-08, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

**Resolution No. 14-90** – Purchase of a 1995 International Medium Duty Rescue Truck for \$34,600 for the Fire Department to be used as Cascade Truck.

R 14-90

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING PURCHASE OF 1995 INTERNATIONAL  
MEDIUM DUTY RESCUE TRUCK FOR USE AS A CASCADE TRUCK IN THE AMOUNT  
OF \$34,600 FOR THE FIRE DEPARTMENT

WHEREAS, the Fire Chief Lou LaFord has requested to purchase a 1995 International Medium Duty Rescue Truck for use as a Cascade Truck for the Fire Department; and

WHEREAS, Capital Ordinance 2014-07 allocated \$50,000 for the purchase of this truck; and

WHEREAS, Fire Chief Lou LaFord negotiated a purchase price of \$34,600.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Lopatcong, County of Warren and State of New Jersey authorize the purchase of a 1995 International Medium Duty Rescue Truck for use as a Cascade Truck for the Fire Department at a cost of \$34,600 as allocated in Capital Ordinance 2014-07.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

Council President Ciesla made a motion to approve purchase of 1995 International Medium Duty Recue Truck to be used as a Cascade Truck for \$34,600 for the Fire Department pending the adoption of Ordinance 2014-07 or 10, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

**Resolution No. 14-91** – 2013 Audit and Group Affidavit.

R 14-91

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY CERTIFYING THE ANNUAL AUDIT FOR 2013

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of the certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, a failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27bB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Lopatcong, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of the Resolution and the required affidavit to said Board to show evidence of said compliance.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

Council President Ciesla made a motion to approve the 2013 Audit and sign the Group Affidavit.

Councilwoman Schneider – I have a question. Why does it say approve, why wouldn't it say a motion to receive 2013 Audit and not the word approve means that you're agreeing with the 2013 Audit.

Attorney Campbell – You can change it to accept. Because your Group Affidavit is just saying that you acknowledge you received it and there were recommendations and you acknowledge you received those

Councilwoman Schneider – Right, yes.

Attorney Campbell – You are not saying you agree with it or not.

Councilwoman Schneider – Right.

Council President Ciesla – Anybody want to make a motion? Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**LAA Golf Outing - Approve** donation of Family Pool Pass for the LAA Golf Outing to be held on Friday, August 8<sup>th</sup>. This would be for 2015. Motion by Council President Ciesla, seconded by Councilwoman Schneider.

Roll call vote:

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

NAYS: None

**Strykers Fire House No. 2** – Approve Memberships for Fire House No. 2 for Frank Gara, Vincent Cicala and a Junior Membership for Dilan Rottmann. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**Ordinance No. 2014-09** – First reading of a Capital Ordinance to appropriate \$26,388.91 out of the Capital Improvement Fund of the General Capital Fund to purchase miscellaneous equipment for the Fire Department.

#### **2014-09**

### **AN ORDINANCE TO APPROPRIATE \$26,388.91 FROM THE 2014 CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND FOR THE PURCHASE OF VARIOUS EQUIPMENT FOR THE FIRE DEPARTMENT**

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

Section 1. The Township of Lopatcong hereby transfers \$26,388.91 from the 2014 Budget and directs the amounts to be deposited in the Capital Improvement Fund of the General Capital Fund.

Section 2. The Township of Lopatcong, in the County of Warren, New Jersey, authorizes the appropriation to fund the purchase of 20 - Fire Pagers at \$8,460.06, 8 - Nozzles and 6 - Hose Adapters at \$6,256.00, 2 – Multi Gas Meters at \$1,627.20, 10 – Radio Batteries at \$485.00 and 5 – Motorola Radio and 1 – Bank Charger at \$9,560.65.

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

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

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

NOTICE OF PENDING ORDINANCE

The ordinance, the title of which is published herewith, was introduced and passed upon first reading at a meeting of the Township Council of the Township of Lopatcong, in the County of Warren, New Jersey, held on August 6, 2014. It will be further considered for final passage after public hearing thereon, at a meeting of said Township Council to be held in the Municipal Building, 232 South 3<sup>rd</sup> Street in said Township on September 3, 2014 at 7:30 o'clock P.M., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in the Municipal Building said Township to the members of the general public who shall request the same. The purpose of said ordinance is to make an appropriation in the amount of \$26,388.91 for the purchase of a Truck for the DPW and the purchase of a Truck for the Fire Department.

/s/ M. Beth Dilts, CMC

Township Clerk

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

Councilwoman Schneider – I have questions first. Um, first we didn't ask questions/comments. A statement actually, I just want to let everyone know what the \$26,000 worth of miscellaneous equipment is. Um, it is a Woolf Communication System, 20 Fire Pagers, New Jersey Fire Equipment Company 8 nozzles and 6 hose adapters, Fire Fighter One had two multi gas meters, batteries for the radios and 5 Motorola radio and one bank charger that totals that amount. I just want to make everybody aware of what that \$26,000 is going to.

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

NAYS: None

**Consent Agenda:**

Council President Ciesla – For our Consent Agenda, we have five items. Um, a Resolution authorizing redemption of Tax Sale Certificate 2014-038 in the amount of \$848.20, on Tax Sale Certificate No. 2014-075 in the amount of \$177.44, a redemption of Tax Sale Certificate No. 2014-063 for \$307.73, redemption of Certificate No. 2014-054 in the amount of \$1,169.14 and redemption of Tax Sale Certificate No. 2014-063 for \$533.59. Motion to approve by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**Resolution No. 14-92** – Authorize redemption of Tax Sale Certificate No. 2014-038 and Premium in the amount of \$848.20 on Block 99, Lot 253C1204.

R 14-92

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 99, LOT 253C1204 IN THE AMOUNT OF \$848.20

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 99, Lot 253C1204, also known as 1204 Fairview Circle for 2013 delinquent sewer; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-038 was sold to Stuart Lasher for a Premium of \$400.00; and

WHEREAS, the property owners have satisfied the redemption amount on Certificate No. 2014-38 in the amount of \$448.20.

NOW, THEREFORE, BE IT RESOLVED on this sixth day of August, 2014 that the Chief Financial Officer be authorized to issue a check in the amount of \$848.20 for the redemption of Tax Sale Certificate No. 2014-038 and Premium to:

Stuart Lasher  
P.O. Box 83  
Milltown, NJ 08850-0083

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

**Resolution No. 14-93** – Authorizing redemption of Tax Sale Certificate No. 2014-075 in the amount of \$177.44 on Block 139, Lot 61.

R 14-93

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE NO. 2014-075 ON BLOCK 139, LOT 61

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 139, Lot 61 also known as 6 Jade Lane from 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-075 was sold to Stuart Lasher for 18% interest; and

WHEREAS, property owners have satisfied the redemption amount on Certificate No. 2014-075 in the amount of \$177.44.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of August, 2014, that the Chief Financial Officer is authorized to issue a check in the amount of \$177.44 for the redemption of Tax Sale Certificate No. 2014-075 to:

Stuart Lasher  
P.O. Box 83  
Milltown, NJ 08850

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

**Resolution No. 14-94** – Authorizing redemption of Tax Sale Certificate No. 2014-063 in the amount of \$307.73 on Block 116.12, Lot 10C0072.

R 14-94

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2014-063 ON BLOCK 116.12, LOT 10 C0072

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 116.12, Lot 10C0072 also known as 72 Limerick Lane for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-063 was sold to Arthur Frustaci for 18% interest; and

WHEREAS, Wells Fargo, mortgage company for the property owners, has satisfied the redemption amount on Certificate No. 2014-063 in the amount of \$307.73.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of August 2014 that the Chief Financial Officer is authorized to issue a check in the amount of \$307.73 for the redemption of Tax Sale Certificate No. 2014-063 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 a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

**Resolution No. 14-95** – Authorizing redemption of Tax Sale Certificate No. 2014-054 and Premium in the amount of \$1,169.14 on Block 115.07, Lot 14C0326.

R 14-95

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER IN THE AMOUNT OF \$1,169.14 ON BLOCK 115.07, LOT C0326

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 115.07, Lot 14 C0326 also known as 326 Shannon Street for 2013 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2014-054 was sold to US Bank Cust for PC4 First Trust Bank for a Premium of \$700.00; and

WHEREAS, property owners have satisfied the redemption amount on Certificate No. 2014-054 in the amount of \$469.14.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of August 2014 that the Chief Financial Officer be authorized to issue a check in the amount of \$1,169.14 for the redemption of Tax Sale Certificate No. 2014-054 and Premium to:

US Bank Cust for PC 4 First Trust Bank  
50 S. 16<sup>th</sup> St., Suite 1950  
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

**Resolution No. 14-96** – Authorizing redemption of Tax Sale Certificate No. 2014-067 in the amount of \$533.59 on Block 129, Lot 20.

R 14-96

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE  
NO. 2014-067 ON BLOCK 129, LOT 20

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 129, Lot 20 also known as 36 Kyle Drive for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-067 was sold to Arthur Frustaci for 18% interest; and

WHEREAS, Provident Funding Associates, L.P., mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2014-067 in the amount of \$533.59.

NOW, THEREFORE, BE IT RESOLVED on this 6<sup>th</sup> day of August 2014 that the Chief Financial Officer be authorized to issue a check in the amount of \$533.59 for the redemption of Tax Sale Certificate No. 2014-067 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 a meeting held on Wednesday, August 6, 2014.

Margaret B. Dilts, CMC

**Announcements:** Community Day is scheduled for Saturday, August 30, 2014 from 1:00 to 8:00 pm.

**Council Reports:**

Councilwoman Schneider – Okay. Um, before I start my Council Reports and just have a couple things to say before I go into those. We received all a letter in our mail, a Lopatcong Township

newsletter. Um, I just want to say that I'm not sure how many Council people had involvement in this letter, but I did not have any involvement or input in this letter. Um, it would be nice to have been asked because I do have some committees that I would have like to have said some things about. Um, also, um, with the post going back to the pool post, um, I believe on that post that that blog has been based, that post on that blog has been merely the perception of some people. It is not a factual post. Um, I really from, I'd would like to make a motion to have all of Council's input and approval for any mailings, social media, websites, council corner , um, anything else to be discussed should be discussed and approved by all Council members with the exception of emergencies, such as, weather, roads, electricity problems.

Council President Ciesla – From a technical standpoint, that would completely, completely void the whole purpose of having social media. If I have to call a meeting every time I have to post up there, there is a movie at the pool that defeats the entire purpose.

Councilwoman Schneider – Well, you don't have to call it but an email to say, uh

Council President Ciesla – I can't. That violates OPMA.

Councilwoman Schneider – How does that violate it?

Council President Ciesla – I can't send an email to all of you saying I'm doing something. I can't do that.

Councilwoman Schneider – Okay, so how about Council Corner. It should be all of Council and when you have a Lopatcong Township newsletter going out, that should be all of Council.

Attorney Campbell - There is actually a policy as to how it's to be done. So they are following a policy now but if you want to make a recommendation to change the policy, we can get you a copy of it. If you want to mark it up, how you want to change it.

Councilwoman Schneider – So, you're telling me, this newsletter that has different committees on it, doesn't have to go to everyone.

Attorney Campbell – (Inaudible).

Council President Ciesla – It does not have to, no.

Councilwoman Schneider – Okay, how do I make a recommendation to do that?

Attorney Campbell – Well, I can get you the policy and if you want to make specific changes to it. It was done by resolution. It's a written policy. I can give it to you.

Councilwoman Schneider - Okay. Um, all right, also, um, I would like to ask why the March 11<sup>th</sup> Budget Workshop Agenda, Minutes and Video are not posted.

Councilwoman Schneider – I don't have them.

Councilwoman Schneider – We approved the March 11.

Council President Ciesla – I don't actually have them to post them. I don't have the video either.

Councilwoman Schneider – I have a copy at home of the minutes.

Council President Ciesla – I get them officially from Beth. I don't use the draft that she gives us. If you want to send them.

Councilwoman Schneider – Where's the video?

Council President Ciesla – I'll have to see if it is on there, yeah.

Councilwoman Schneider – It should be on there right? It should be on there.

Council President Ciesla – I haven't checked so when I check, I'll let you know if it is.

Councilwoman Schneider – Okay, and in that meeting, um, there was a document that you produced that states that the Clerk saves the town a half million dollars in Salaries and Wages. Um, I asked for a copy, can I get that copy?

Council President Ciesla – That's the spreadsheet.

Clerk Dilts – It has to be updated.

Councilwoman Schneider – I'd like to address the press in regards to the, um, the audits per say that was done. Um, in your article, it said that an audit was done. There was not an audit. It was a review and also stated that Council approved the hiring of this gentleman for \$1800.00 Council did not approve it. Um, I would really appreciate it the facts get put in the newspaper properly.

Attorney Campbell – Just in defense of Sarah, she wasn't (inaudible).

Councilwoman Schneider – I know it wasn't Sarah. I know it wasn't Sarah. It was whomever the person that was here. I wasn't here, so I don't know. All right, so, moving onto my Council reports. Um, in June for Board of Education, Mr. Bonney who was the Assistant Principal decided to go back to teaching. Um, the Board of Ed did hire Mr. Oschifson also known as Mr. O. He has been appointed the Assistant Principal. Um, he has been an 8<sup>th</sup> Grade History teacher and he has about six years of educational experience and I would like to personally wish him luck and much success in the position. Um, there are, um, four seats open, um, for Board of Education. There are three, three-year seats that have candidates and one two-year seat that has no one running. Um, if anyone is interested in running for the two-year position, you can certainly contact President, um, sorry, Bill Taggart and um, the concern is if, if we do not choose someone or someone does not volunteer to take that position, the position will be filled by the County Superintendent, so, we will have really no say on who gets to be put on the Board. So, I'm urging anyone who is interested, please contact Mr. Taggart.

Bill Taggart – (Inaudible).

Council President Ciesla – So there has to be, just to reiterate since you didn't come up to the mike, President Taggart said that there has to be for the election, you need to be a write-in candidate and if you have more than ten votes, and you win, then you're in. If you have less than ten votes then it goes back to you correct? The amount of votes is ten.

Councilwoman Schneider – No.

Council President Ciesla – It would be a lack of candidates and it goes back to the Board.

Engineer Sterbenz – The County Superintendent.

Council President Ciesla – The County Superintendent okay.

Councilwoman Schneider – You done with that Lori.

Council President Ciesla – Yeah.

Councilwoman Schneider – Okay. Shade Tree – the, um, the person that was appointed in January, Ginny Rutledge, has declined her appointment. Um, she didn't even know that she was appointed, um, but cannot do that at this point in time. I would like to make a resolution or a motion to unappoint Ginny.

Council President Ciesla – Second.

Clerk Dilts – All in favor. Everyone – Aye.

Councilwoman Schneider – I would like to reappoint Joe Bichler as a person on my Shade Tree Committee.

Council President Ciesla – (Inaudible)

Councilwoman Schneider – He sent in, in writing that he was no longer doing that and now he's agreed to go forward with that. So I would like to make a motion to re-appoint Joe Bichler for Shade Tree.

Council President Ciesla – Second

Clerk Dilts – All in favor. Everyone said Aye.

Council President Ciesla – Anything else?

Councilwoman Schneider – Yes, I would also like to, we need to have three people on the committee. Myself, it would be now Joe Bichler and I'd also like to appoint Lisa Correa.

Attorney Campbell – (Inaudible) who makes those appointments?

Council President Ciesla – With consent of Council or Mayor and since he is not here, I could actually appoint him then.

Councilwoman Schneider – I believe Doug did say to go ahead and round up some folks since there is not a whole lot of interest in Shade Tree.

Attorney Campbell – Well, I think just as the official, he has to do it, and then you guys just all approve it.

Council President Ciesla – Can we do it in his absence?

Attorney Campbell – No because he has to.

Council President Ciesla – He has to actually be here. Oh okay.

Councilwoman Schneider – So, do I have to wait another month for that or can he do that?

Attorney Campbell – If you go on to your next thing I'll look it up and see if I can find it in the ordinance and maybe it's different than all the other ones and we can do it.

Councilwoman Schneider – Okay.

Engineer Sterbenz – It's the Mayor.

Attorney Campbell – He brings his book.

Council President Ciesla - It actually has to be him?

Engineer Sterbenz – Yeah, it's a term of three persons to be appointed by the Mayor shall be three years.

Council President Ciesla – Okay.

Councilwoman Schneider – So the he has to appoint all three of us cause I'm not appointed either, I'm just the Shade Tree representative from Council.

Council President Ciesla – We can't do it, I can't do it in his absence, he actually has to?

Attorney Campbell – Yeah.

Council President Ciesla – Okay, we tried.

Councilwoman Schneider – Okay. I'd like to

Council President Ciesla – It gives you time to get a third person.

Councilwoman Schneider – I did.

Council President Ciesla – Oh, you did.

Councilwoman Schneider - I did, Lisa Correa. Lisa Correa was my third person. Um,

Council President Ciesla – Have those filled out Volunteer Forms. Just make sure they have them if they haven't.

Councilwoman Schneider – Um, Joe Bichler is an employee. I don't think he needs to. I need an employee of the town to be part of it and I also need a citizen.

Council President Ciesla – Okay. So we'll just mark those as recommendations and then the next meeting that Doug is present at, he can actually do the appointing.

Councilwoman Schneider – Okay, um, I need to, um, get moving. We did receive a grant for, yes Brian I'm sorry.

Brian Weeks – (Inaudible).

Councilwoman Schneider – Brad was not on it.

Brian Weeks – Wasn't he rolled in (inaudible).

Council President Ciesla – No.

Brian Weeks – No not this year. It was only appointing.

Council President Cielsa – Vacated. Once he left the department, we pulled him off, yeah.

Brian Weeks – Oh, okay.

Councilwoman Schneider – But we did receive a grant for \$7,000 to hire our State Forester and I'd like to get moving on having him do that and I can't do that until we establish, put it in the newspaper and have the meeting so, um, so, we'll wait for that. Um, and what I would have liked to have added to our Township newsletter that went out for DPW, you need to reiterate to folks that your trees need to be trimmed, um, they should be according to the ordinance twelve feet the clearance above the surface of either the street or the sidewalk or anywhere residents can, um, a clearance for residents. Um, we'd hate to fine anyone and we hate to do that so I'm trying to get the word out to please trim your trees, it is a, um, they get in the way of collecting the leaves, they get in the way of snowplowing, um, and just parents walking their children in strollers or bicyclists or whatever so, um, if everyone could just please be cognizant of that and trim your trees on the street at the street level.

Council President Cielsa – And that is a requirement of the homeowner correct?

Councilwoman Schneider – Yes, the trees are the homeowners, um, they own the trees as well. The Township does not maintain those trees only just the trees in our.

Attorney Campbell – There are a lot of misconceptions people think if it is in the Township right-of-way that the Township is, they'll call the town and say, come cut this tree and you say who cut that tree and yet people have to bring their surveys and things but when there is a Shade Tree Commission, it is a little different, so, I would just recommend that people, if they have any questions, check the ordinance and if that doesn't answer their question, then call the town.

Councilwoman Schneider – Um, that's it thank you.

Council President Cielsa – Lou.

Councilman Belcaro – I don't have anything new this month. It's quiet.

Council President Ciesla – All right I guess that leaves me. Um, this Friday is the LAA Golf Outing. They still have room for some single golfers. I don't know at this point, because he did send out an email this morning. If you are interested and you didn't have a foursome, you can come; they have room for single golfers. Also, there is, you can buy a \$50 dinner, drinks and music ticket and you can also buy a \$30 drinks and music ticket. So, depending if you have the \$50 dinner, I believe its \$50, but if you really want me to push the \$30, they are having the Inmates come play at the Architects and again, you can, drinks are included in that price and the entertainment. This is the big fundraiser for the LAA; every sport gets a portion of the monies generated by this fundraiser.

For Recreation, again, Community Day is August 30<sup>th</sup>. We are in the process, whenever we come up with something new, we put the things on the website and I just want to thank my committee for all the hard work that they're doing.

As far as, the only thing I want to reiterate, again, is for, I don't want to harp on this but when we passed our resolution to hire somebody to look at that pool, its falls into the guidelines of our QPA and we did follow those guidelines.

For technology, we have the survey up, we have it posted on the website, on Facebook and if you want, on the back of the newsletter and you can fill it in. We are getting a lot of good responses. All of them are, most concerned with getting emergency notifications and community event

notifications and also, they mostly go to our website for contact information and our calendar so we'll look to enhance those as best we can and I just thank you for your participation in that and that's all I have so. Do we have anything from Rachel to read off?

Clerk Dilts – No.

Council President Ciesla – Do we have to approve Council Reports first?

Clerk Dilts – No. We have to get the Engineer's Report.

Council President Ciesla – Uh, the CFO's not here go ahead you're up.

Engineer Sterbenz – Thank you very much. At the last meeting on July 16<sup>th</sup>, we had rejected the bids for South Third Street due to poor pricing that we received from the bidders. Subsequent to that meeting, I updated the plan specifications. I did introduce an alternate bid and we re-advertised that project for public bids and those bids will be received and opened on August 19<sup>th</sup>. We already have some traffic in the office. Contractors are coming in to look at it and we're contracted to purchase the specifications and we will be opening those bids on August 19<sup>th</sup>. Hopefully, the pricing will be better this time. Also, related to that project, you may recall several months ago, we asked the DOT to rescind our grant for Strykers Road for the Sidewalk Improvements. There had been a request from some of the residents to do that and concurrent with that particular request, we had requested that the monies for that particular project be transferred to the South Third Street Project which would give us a bigger pot of money and help to defray more of our expenses on that particular project. I was told by the DOT before I went on vacation which was about twelve days ago, that a decision is forthcoming on the request. It is not something that is handled by the staff in the Mt. Arlington Office of local DOT but handled by the Commissioner's Office in Trenton so; hopefully, we'll have positive decision in that regard. We should know in the next couple of weeks. It would be very important for us to know that before we award a contract in this matter. Any questions on South Third Street? Moving on, there was a request by a resident several months ago, a number of months ago I should say, to establish a multi-way stop at the intersection of Stonehenge Drive and Lauren Place and the Council had asked me what to do and my recommendation was that we get the County again, which is at no cost to the Township, to do the traffic counts. The County has obtained the traffic counts. I have those counts right now. The question is, is do you want me to take the next step which is to do a complete investigation to see if we should establish a multi-way stop at that intersection. If you think I should make that step, you should make a motion tonight to authorize me to do that and we'll be involved, obviously, looking at the Uniform Traffic Control Devices seeing if there is any accident history there with the Police Department, spending some time at the intersection during some of the busier times during the day am and pm peak hours seeing how the traffic is functioning there, whether there is any site distance impediments so on and so forth to see if this intersection will be eligible for a multi-way stop. So, if you want me to do that, I just need your authorization to do that tonight.

Council President Ciesla – And you did those at the other two correct? Using the same

Engineer Sterbenz – Correct. Just to give the Council some background in Title 39 of the State Statutes which is Vehicles and Traffic. Um, that particular section of the state code was amended several years ago to give municipalities more say in traffic ordinances. In the past, most of the ordinances had to be sent down and be reviewed and approved by the Commissioner of Transportation. Due to DOT staffing cuts over the years, that process became very, very inefficient. It took in some cases, 18 months to two years to get the commissioner to respond to an ordinance. It was pathetic, the whole process, so, the state legislature updated the code and provides more flexibility to municipalities. A great onus in determining whether these ordinances should be adopted is on the engineer and the engineer has to do an investigation and

provide a certification as part of that process in order for you to move forward in adopting the ordinance and all these ordinances we've been adopting over the, actually, I've been doing it for years but some of the more recent ones all had a certification to back it up from me. So, and you will be getting a certification before the September meeting on the four-way stop at South First Street and Baltimore Street to indicate that I did do an investigation and I'm satisfied with you adopting this ordinance. I think it is in the interest of public health and safety. So the same process will be I'll be doing my investigation and if I think that warrants a multi-way stop at this particular intersection Lauren and Stonehenge, I'll issue a certification and we'll develop an ordinance as part of the process.

Council President Ciesla – Any questions from Council?

Councilman Belcaro – Yeah, I do. Paul, an alternative to a four-way stop sign, those radar displays, you know, it notifies drivers how fast they're traveling. How effective are they?

Engineer Sterbenz – I think they are very effective.

Councilman Belcaro - You know, now do we have to go through the same process in able to use that?

Engineer Sterbenz – No. Those are portable, they're portable.

Councilman Belcaro – Because I think that, um, radar display, I know that it catches my eye when I come across something like that notifies me how fast I'm going. I think that it is something to look at.

Engineer Sterbenz – I think, in my opinion, we should do the investigation, the residents requested it, we picked up the information. If I find that I cannot certify this location for a multi-way stop, then we would need to look at alternatives to try to deal with the speed issue at that location.

Councilman Belcaro – Right.

Engineer Sterbenz – And, that would be a very good alternative cause I think they are effective. They really garner the attention of motorists.

Councilman Belcaro – Right.

Engineer Sterbenz – You know, when they seem them and they start flashing because they're traveling more than the legal speed limit on that particular road.

Councilwoman Belcaro – Maybe we get a mannequin, with a police officer, with a radar gun standing next to it. But I think it's very effective.

Engineer Sterbenz – Yeah. I believe they are.

Council President Ciesla – Any other questions from Council? I'll make a motion for you to continue your studies for Stonehenge and Lauren seconded by Councilwoman Schneider. Roll call vote:

AYES: Councilwoman Schneider, Councilman Belcaro, Council President Ciesla

NAYS: None

**Department Reports** - Motion by Council President Ciesla, seconded by Councilwoman Schneider. All in favor.

**Payment of Bills** – Motion to approve bills by Council President Ciesla, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilwoman Schneider with the exception of the bill for the gentleman that was hired by \$1800. The resolution clearly stated that we wanted to hire an auditor to do an audit. This was not an audit; it was a review which pretty much is not anything what the resolution said. Not only was I not involved in the hiring or involvement in him being in the building, process related or not. The right thing to do would have been to tell all of Council that the gentleman was here for any questions or concerns. So, I say no to that bill.

Councilman Belcaro – Yes.

Council President Ciesla - Yes. At this point we have audience participation. Anybody?

Brian Weeks – 208 S. Seventh St. – What I'm coming in front of you for you guys is Truck 18, it's the 3500 GMC Mason Dump. The body is shot, all right, the cab and chassis and everything is in good shape but the bed won't make it through. So, what I did, is uh, went out and got a price to sandblast it and paint it. It came in at \$7,532.00. I went out and I priced, that is for an exact, that is to sandblast it, then I went out for a stainless steel bed. The first quote came in at \$17,500 and then I asked him to drop a couple things off to see what the price would change, okay, that came in at \$15,320. So then I did one more leg work and I went back to where the body actually came from, from where the truck and all that was built and asked for the exact same bed to be replaced. Um, and what I came out with and this is my recommendation to you \$6,480. I believe that that bed will last, I believe it is a 2006 or 04, don't hold me to exactly which one it is and I believe this bed will pretty much make it to the life of the truck, if not close to it, all right. So, uh, I would like to take that money out of my budget, operating budget and I'm asking for permission because of the amount of money it is to do that.

Council President Ciesla – Did you check with Betty to see, you did.

Brian Weeks – I did, I checked with everybody, Betty and I checked with Beth. Everybody agreed financially. I just need to come in front of you guys to ask for approval for that.

Council President Ciesla – So, at this point, uh

Councilman Belcaro – So, this bed is completely shot?

Brian Weeks – It's shot. To be able to fix it, the body is all rotted. What happened was they painted it with pool paint and it seals everything in and it just rotted all the walls from the inside out. All right, and to even get it sandblasted and everything, there is no guarantee it might go up from that point once they start getting into it. So that's where I'm looking at it to go to put a new one on.

Council President Ciesla – And, replacing the bed is an option?

Brian Weeks – Replacing the bed is the cheapest and then a I'll take the body, we're going to take the bed off and we're either going to choose to save the body as a storage for coal patch, and different things, whatever I'm allowed to do there. I have to figure that out or scrape it and bring back money to the town.

Council President Ciesla – Okay and, um,

Brian Weeks – So, we're going over all the usage of that also.

Council President Ciesla – Did you say it had a warrantee or (inaudible).

Brian Weeks – I don't know if they give a warrantee, I don't know. I don't know.

Councilman Belcaro – How old is that bed in that truck?

Brian Weeks – Let's say it's a 2004 just for easy reference, you're talking ten years all right and if we get another ten years out of it, it is a 20 year truck.

Councilwoman Schneider – Right.

Brian Weeks – It's only a 3500 Mason Dump here.

Council President Ciesla – How much is the truck itself cost in entirety just for (inaudible) purposes?

Brian Weeks – Well, we're just buying one, we're buying one right now.

Council President Ciesla – Okay, so, that's the same truck?

Brian Weeks – That tells you the difference. A massive difference.

Attorney Campbell – You're asking to take this out of your budget?

Brian Weeks – Out of my Operating Budget.

Council President Ciesla – Out of his budget yeah.

Brian Weeks – So, it's not asking for other monies and different things.

Council President Ciesla – Right.

Brian Weeks – Because of the volume, the amount of monies, I'm just looking to come in front of you and say this is what I recommend; this is what I'd like to do.

Councilwoman Schneider – And Brian, can you just quickly, um, for the residents information tell them what the truck is used for?

Brian Weeks – Well it's actually, if you see us pulling a big white trailer, it is usually the Mason Dump that pulls that. Um, you sell it all rusted up and everything. Um, we are looking just to replace the bed all right. We use it for salt, we use it for pushing our alleys, we use it, it's our 4-W Drive Mason dump. Until we get the new one, it's the only 4-W drive Mason dump we have to get up to Reservoir Road, Delaware Street, you know, the small places that we can't take the big truck. So, it is a necessity and I looked at it as what's the cheapest and best way to go for the longevity of the truck. Um, I looked at it going stainless steel isn't the best at this point because the truck won't even last that long, all right, and then, we'd have to adapt that bed to a new truck and I don't want to do that. So, let's put the \$6000 into instead of the \$15,000 and, you know, get ourselves a nice truck that we can use for the next five, six years, ten years whatever it last us, you know, what I mean. Um, and I'm not, I'm looking to take it out of my operating budget, so, all right, so that's where I'm out.

Council President Ciesla – As far as the purchases that he has, he has his four different quotes because that's in-between the \$5400 and the \$36,000. So, can we, actually, authorize him to

purchase that tonight? All right. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Council President Ciesla – Any other questions? Peter.

Orchefski – Highlands Way – I have a couple of things to address, I apologize in advance. Donna, you just brought up that you did not vote for that audit report because you felt it's not uh, not an audit, it was a report. You guys passed a resolution for an auditor so I would like to know what the legalities are. If you vote on an audit, should you not get an audit instead of a report? I mean you guys vote on a red bicycle and somebody shows up with a car, different, so I would like to know if that is possible. Um, I (inaudible) I was asked if for the Shade Tree Commission to join. I know that I wanted to join EDAC and I was not permitted due to the fact that I'm not an American citizen; therefore, I could not do the Shade Tree thing too. Would you know if there is a requirement to be an American citizen to be on the Shade Tree Commission?

Attorney Campbell – There is (inaudible).

Orchefski – Okay. So, therefore, I could not do it Donna. I spoke to Marla about it, was not happening.

Councilwoman Schneider – Sorry about that.

Council President Ciesla – Who did you speak to?

Orchefski – Excuse me.

Council President Ciesla – I'm sorry did you speak to someone in the town hall about it?

Orchefski – What do you mean?

Council President Ciesla – You said you spoke to somebody.

Councilwoman Schneider – I knew, I knew that Peter was the only person in town that put Shade Tree on and, um,

Orchefski - An application.

Councilwoman Schneider – On the application, yes, so, um, I didn't get to speak to Peter, so, I told someone else about it.

Council President Ciesla – Oh, okay, all right. I'm sorry that you can't apply.

Orchefski – No it's all (inaudible) I don't want to be intruding up on your Shade Tree (inaudible)

Attorney Campbell – The rationale behind that is that you don't have the ability to vote and so, that is the rationale they put. The people here get to vote on things (inaudible).

Orchefski – I think you are just keeping minorities out and, um.

Attorney Campbell – You can call Trenton.

Orchefski – I will. And, Mr. Sterbenz, intersections and I was interested in the topic. I just got a four-way stop where Lori's friend lives and I was wondering, I think I missed the whole thing. It's right where I live, it's Belview and Strykers. Have you done the same studies and what not?

Engineer Sterbenz – Yeah. The investigation, we had accident reports.

Orchefski – Can I get that report? Is that possible to get my hands on it because I don't recall any. Is that a possibility?

Engineer Sterbenz – Yeah, I can give you the accident reports, I can give you the traffic counts, I can give you my certification.

Orchefski – Cool, excellent. You said, you said four-way stop needs to be eligible. Intersection, you used the word eligible to become a four-way stop, that's what you said.

Engineer Sterbenz – Yes.

Orchefski – So, I would like to know what criteria I need to be met to have a four-way stop eligible.

Engineer Sterbenz – Give me your email address.

Orchefski – I gladly do so.

Engineer Sterbenz – I'll gladly scan all that stuff and email that to you.

Orchefski – You're the best. Last thing, um, Donna you raised the point of having this social media stuff being voted on. Brilliant idea, I have no idea how anybody cannot want to do that is beyond me, however, we have two people here which is Beth and I think Lori who are handling the social media. You guys should know what the policies are in regards to the information of because I think you said you don't know what the policy is, right?

Attorney Campbell – I don't have it right here in front of me but I believe you were probably here when we passed it.

Council President Ciesla – Township Administrator and/or the Mayor.

Attorney Campbell – I bet it is on line too.

Council President Ciesla – It is on line, yes it's on line.

Orchefski – So there's no requirement of having every Councilmember for the newsletter and/or the website (inaudible) to be involved.

Council President Ciesla – No, I mean the Clerk's Office can and you know, the Tax Collector, all of them can put what they want into their mailings.

Attorney Campbell – That was a policy that was voted on by Council.

Orchefski – So you guys voted that the (inaudible) can put whatever they want in the mailings.

Council President Ciesla – The office. This is, yeah.

Orchefski – They can put whatever they want in the mailings (inaudible).

Council President Ciesla – We didn't vote on whatever else was in there.

Councilwoman Schneider – This was pretty much the Health and Wellness Event, Cyberspace, Athletic Field Rental, EDAC, um, a lot of these are all committees you folks are on, I mean, so that means if I want the Township to find out about my committees I have to waste another postage stamp and mail something of mine out to everyone.

Council President Ciesla – No, we're gonna, what we'd like to do is we want to start creating a newsletter. We can set up a newsletter committee to do that. You are more than welcome to join it and we'll figure out the best way to do it. Most likely electronically at this point and then we can make copies to keep here in the office so we don't spend any money on it.

Councilwoman Schneider – Yeah, well but you did on this. The point would have been to say all Council people we're putting out a Township newsletter. Is there anything you would like to add to it?

Orchefski – (Inaudible).

Council President Ciesla – It is and going forward, we definitely want to do that. Part of the questionnaire was do you want a newsletter and so far it's been overwhelmingly yes.

Councilwoman Schneider – Right, but this newsletter I mean, it would of, I just don't understand how you just don't ask everyone to say what is it that you want put in it.

Orchefski – With this and with, with the report which (inaudible) it looks like you guys all leaving Donna out of pretty much everything.

Council President Ciesla – We're not leaving her out of anything and I resent the comment that was in the newspaper that we are too.

Clerk Dilts – We don't ever hear from Donna.

Council President Ciesla – Yeah, we don't at all.

Councilwoman Schneider – What does that have to do with anything? I

Clerk Dilts – I would like to tell you what is going on a regular basis, a daily basis but I don't ever hear from you so if we missed including you, I apologize

Council President Ciesla – Yeah, we apologize but going forward we definitely want everybody's participation.

Councilwoman Schneider - But I did send you an email before I went on vacation and I said can you tell me what's going on, what do I need to do, what's the agenda and I received nothing

Clerk Dilts - I didn't have an agenda prepared at that time.

Councilwoman Schneider - I said an approximate of what's going on and what do I need to know and I didn't

Clerk Dilts - No that's not what you asked me. (Inaudible) and actually this being up at the very last minute so.

Attorney Campbell – To make things clear, I think we were very lenient with the last public comment not ask questions and direct who you want those questions to be asked by so, um, I think you are always allowed to and I think some of these were short answers, you know, I'm just reminding Council.

Councilwoman Schneider – Yes, yes I know. I

Attorney Campbell- It was not you I was talking to it was out there a lot of directive questions, that, specifically, brought and that's not what public comments are.

Councilwoman Schneider – And, um, who are you going to get back to regarding the legalities of hiring someone to do a job that wasn't asked to do?

Attorney Campbell – I already opined on that.

Councilwoman Schneider – I'm sorry.

Attorney Campbell – I already opined on that. I gave my opinion.

Councilwoman Schneider – That the, for the resolution itself, when you didn't get the service, not the money but the service you still just, that's your, that's the answer, okay.

Attorney Campbell – Yes.

Council President Ciesla – Any other public comment? Mr. Taggart.

Bill Taggart – A couple of items on No. 5 the four-way stop. Thank you for the four-way stop on Belview and Strykers. Um, everybody I've seen there has been adhering to it, it's great. Now to the one on First and Baltimore. My concern there and, I know, there's going to be a public hearing next time is that we might be better having a three-way allowing those coming off, you know, across 22 through because otherwise you might end up causing a backup onto 22 which I think would be a bigger safety concern.

Council President Ciesla – Which I think we (inaudible) correct? If you'd like to address it.

Engineer Sterbenz – Yeah, I have the counts; it is about a vehicle a minute average for the whole day. During the peak hours it is about a minute, about a vehicle and a half. I have the counts right here so I'll pursue that (inaudible).

Bill Taggart – I know I've been behind

Engineer Sterbenz – I'll take a look at that further.

Bill Taggart – Okay, yeah.

Engineer Sterbenz – That was brought up by the Council when first discussed making it a four-way stop and I also, you know, the accident reports also tie into that because we got to see which way the accidents being caused by people on Baltimore Street crossing the intersection (inaudible) hitting vehicles (inaudible) direction so we'll take a look at it (inaudible).

Bill Taggart – Thank you. Um, Consent Agenda No. 3 and No. 5 same sales certificate, same block and lot different amounts; one is right, one's wrong.

Attorney Campbell – We'll have to get Rachel to tell you which one is which unless you have them.

Council President Ciesla – She added two that's why. The original agenda only had the three.

Attorney Campbell – Yeah, she tries to get numbers, it goes the whole month, she tries to get them in the last minute, and we let her, sometimes that happens.

Council President Ciesla – The authorization is for the block and lot correct?

Clerk Dilts – We can change No. 5 the Tax Sales Certificate is 067. We want to redo that one under the Consent Agenda No. 5 Tax Sale Certificate 2014-067 in the amount of \$533.59 on Block 129, Lot 20. If someone wants to make a motion?

Councilwoman Schneider - Motion. So the C017 goes away on that, it's just plain old Lot 20.

Council President Ciesla – Block, Lot 120.

Councilwoman Schneider – Thank you for that, I didn't know that.

Attorney Campbell – 129, Lot 20.

Council President Ciesla – Lot 20 okay. So we need to make a motion okay, you made a motion?

Councilwoman Schneider – I did.

Council President Ciesla – Second.

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

NAYS: None

Council President Ciesla – Thank you Mr. Taggart. Anyone else? Mr. Johnson.

Eric Johnson – 361 Stonehenge Drive. Back in September 2013, I brought up the intersection of Stonehenge and Lauren and I want to appreciate and thank you for pursuing that. I have not looked at the traffic data myself. My expectations, is that the traffic data will not warrant a four-way stop but it is not about the safety of the traveling vehicles, it is about the safety of the pedestrians and the students very close to a school zone. So, I just want to remind everybody to put this in the big picture. This is about pedestrian safety not necessarily car safety. Um, we want to get something that is effective and we also want to get something that is appropriate for the residential area that it is in. I do agree that a digital speed display is effective but it might not be appropriate for the surroundings. The most effective is of course a four-way stop. A four-way stop might be the least desirable but it might be the only solution to get cars to slow down. I'm still regularly seeing cars in excess of 40 MPH. That's too fast for that road and it might be 7 or 8 o'clock at night but we need to be proactive about it and not reactive about it. One injured student is going to be too much. But, I do want thank you for the study and to vote yes on the continued study. I think it is very important. The painted cross walks might also be something we want to consider. Maybe in conjunction with another idea as well. And, on a side note, I think it's great we are looking at a four-way stop at Baltimore and First Street. I used to go through that intersection everyday on my way to work and it does need it.

Council President Ciesla – It does definitely without a doubt.

Eric Johnson – And, that’s a safety issue as well, but thank you very much for the study and thank you for continuing it on the study, I really appreciate it.

Council President Ciesla- Thank you for bringing it to our attention. Anyone else? Come up please.

Nancy Updyke – Reservoir Road. I have two questions. When were they going to start the project?

Council President Ciesla – Good question, Mr. Sterbenz?

Attorney Campbell – It will probably depend on whether we just did second reading or whether we did first reading for the drainage improvements. That ordinance that we did two of tonight, um, included \$50,000 for drainage improvements on Reservoir Road. So, if we did second reading tonight, then as soon as it gets processed, the money would be available. If we did first reading, it’s going to be another two weeks.

Nancy Updyke – Okay. And the second one is giving the okay, having the lawyer draw something up.

Council President Ciesla – Oh for the easement?

Nancy Updyke – The easement, yes.

Council President Ciesla – Okay that would be, and I do believe and Paul you can talk to us, if I do not know where the easements for Reservoir Road are, are you aware yet of what we need?

Engineer Sterbenz – I did before, but the property (inaudible) and uh, I’m not sure exactly where we’re running the drainage anymore. So um, it’s up to them, we need to discuss.

Nancy Updyke – Well the creek beds there. It’s still there.

Engineer Sterbenz – We weren’t going to be running it to the creek. We were going to replace the drainage line in kind and direct it into that low area where all the stones were.

Nancy Updyke – Yeah, they’re still there.

Engineer Sterbenz – So, that’s still the game plan, if that’s okay.

Nancy Updyke – And maybe extend the piece from where the pipe ends right there now? Further down into

Engineer Sterbenz – Into that field?

Nancy Updyke – Into the old creek bed.

Engineer Sterbenz – I’m not recommending that I think that’s going to create permitting issues for the municipality and extra costs that are not built into this ordinance right now. That was not the intention from my understanding, from being out in the field. We were going to put some inlets and piping on Reservoir Road and we were going to direct the pipe to that low area at the time that particular property was wooded and we were going to direct it to that low point.

Nancy Updyke – This just cleared off that was all.

Attorney Campbell – That changes the water.

Engineer Sterbenz – The problem is, is that you're in Highlands Preservation area. You are within 150 feet of a Category 1 Stream and um, anything that strays outside where the existing drainage system is could create the need for permits for the municipality and we were not looking to do any curbing as part of this. It was not built into the budget appropriation, we're looking to go in and replace the piping system as it and, uh, really under the guise of maintenance at this point so once we start straying from that we start adding on to piping systems and clearing areas that we would not cleared previously that were within 150 feet of the stream changes the whole scope of the project.

Nancy Updyke – I don't see where it would.

Engineer Sterbenz – I'm concerned about that.

Attorney Campbell – Just to give an example like a DEP permit is not like you come here and get a building permit. It costs hundreds, its' thousands to tens of thousands of dollars for a permit and a town that wanted, a tree fell into a stream and all they wanted to do is yank the tree out of the stream and it was like \$10,000 for a permit.

Engineer Sterbenz – There has to be a plan signed and sealed by a licensed engineer, it's going to have to be surveyed. The town was going to do some surveying; you know and put together a plan like we have in other areas of this roadway in order to get it done quickly. We thought that level of detail would be satisfactory and get it out to contractors quickly and get pricing from contractors and we were not looking to go out to bid, we were looking to get three quotes a minimum of three quotes on this, so, you know, we start doing more work there and we end up having to seek DEP permits to change this whole complexion of things. It is not really where we wanted to go on this. It wasn't budgeted for.

Council President Ciesla – So, what's the next step for you as far as what we did budget?

Engineer Sterbenz – Well, I think assuming tonight's ordinance is valid, we have a pot of money at this point, and I think we need to determine how we are going to use it. On the lower end of Reservoir Road we have a piping system that was built previously and we, actually, have a plan, we actually obtained quotes for this.

Nancy Opdyke – This goes directly right into the creek, this water.

Engineer Sterbenz – So, let me just finish, so, you know, in that particular work package was anywhere from \$30 to \$35,000 when we priced it out previously. At the time we weren't ready to spend that type of money, so, we didn't award it, so, one possibility is focusing on that because we have a definitive plan. Another, is to put together a plan from Ms. Opdyke's area of the roadway and we probably need to go out there probably with some Council people with me and with Brian Weeks and determine what this project is going to be and, I know, we had an expectation what it was going to be, we were looking at \$15,000, we were going to spend on this so we think we can focus on the northern area. We can maybe do both, if we can try to do both and see if it fits under the \$50,000 but, um, we have to have some discussions as a Council on that. I think we need, if we're going to do the upper end of the road by Ms. Opdyke's property, I think we need to spend a half hour out there then and look at this.

Council President Ciesla – Yeah, we can schedule that, yeah, we can do that. We can do that (inaudible) because we definitely want to address the issue. We've been going out there with some of your neighbors over the last few months trying to get this done.

Nancy Opdyke – Yes, all right.

Council President Ciesla – Thank you. Any other public comment? Marla.

Marla Endick – 10 Byron Drive – Um two different things. One is I hope Council will consider or Ms. Schneider takes it upon herself to create a new, I don't think it would be an ordinance or resolution that would require Council to vote on any communication that is being mailed out to all Township residents using taxpayer money. It just makes sense. Um, secondly, Lori I really appreciate you pointing out in the case of the pool auditor, that you all followed the guidelines to meet the minimum requirements of the law. However, there is doing the right thing and being fiscally responsible as well which also speaks directly to your four "C's" that you brought up; collaboration, communication, cooperation, don't remember what the fourth one is um, it's going beyond meeting the minimum requirement. Um, Ms. Campbell, you actually made my point at the very end, I couldn't respond after you responded to me. You actually made my point when you explained that in the case of the Brass Rail, in the spirit of transparency Council went the extra mile to hold all these series of votes in public because of the Mayor's conflict of interest and that is to be applauded. Similarly, in the case of the pool audit, you have a Council woman questioning the numbers of the Township administration, so both would be considered interested parties in that matter, so how the majority of Council thinks it is okay and appropriate to have the administration, one of the interested parties be the single deciders of the auditor that is hired and to define the scope of work to be done is extremely concerning. This all could have been avoided by simply having Council involved in the voting of the hire and involved in describing the work to be done. Then we would have received an audit instead of an \$1800 report.

Council President Ciesla – Any other public comments? Gena.

Gena James – 220 Strykers Road – Um, with all due respect with Mr. Weeks, um, (inaudible) it seems like every month Mr. Weeks is coming up here and doing a presentation and almost most of the time, he's asking for something for DPW which I have nothing against but even tonight as I watch him come forth to replace the bed of a truck, which again I'm not denying that we don't need, cause I want the town to have the resource that it needs but everyone seemed to be a little surprised up here by that question that he asked for a replacement which is again spending more town money. So my suggestion I would just make to Council if you would just make that part of your agenda. Um, have it as a presentation by DPW and so forth. Um, so we don't have those surprises and becomes more transparent to the town Council and also to residents. Thank you.

Council President Ciesla – I think really it should probably be handled by the DPW liaison. So, if he needs something, that he could go through you and you could bring it up in your reports so that he can answer that.

Councilwoman Schneider – Is that all right Brian?

Attorney Campbell – I think so much from a process standpoint sometimes Brian running around getting quotes and he doesn't know if he's going to make it to the meeting but so I think you do that, that process I think is a good process but maybe understanding that if he comes to you and says hey look I just got these in today the guy just called me back.

Councilwoman Schneider – Yeah, but if we know before hand, we could definitely make it an agenda item correct?

Council President Ciesla – Oh yeah, definitely an agenda item.

Clerk Dilts – Shade Tree could be put on the agenda.

Councilwoman Schneider – Gena would that be acceptable?

Gena James – (Inaudible).

Council President Ciesla – Actually that is for us to decide and I think.

Councilwoman Schneider – I just want to make sure that someone who's questioning it would be satisfied with the result, so.

Council President Ciesla – Any other public comments? Motion to adjourn by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Clerk/Administrator

Lori Ciesla  
Council President