

TOWNSHIP OF LOPATCONG

COUNCIL MEETING

October 27, 2014

The Meeting of the Lopatcong Township Council was called to order at 4:00 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, Councilwoman Schneider, Councilman Belcaro and Councilwoman McCabe, CFO Dobes and Attorney Campbell.

Resolution No. 14-132 - Motion to go into Executive Session by Councilman Belcaro, seconded by Councilwoman McCabe. All in favor.

R 14-132

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND THE STATE OF NEW JERSEY AUTHORIZING AN EXECUTIVE SESSION

WHEREAS, there are presently pending matters to be considered in Executive Session concerning possible matters listed:

Contractual –CBA Contract, Personnel – CFO Candidates, Contractual and Attorney Client Privilege – COAH and Shade Tree/Zoning Complaint

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and the State of New Jersey that the Council is authorized to hold an Executive Session.

BE IT FURTHER RESOLVED that the Council of the Township of Lopatcong will make said matters public within approximately 30 days of said meeting or until such a time as confidentiality of the matters is no longer required.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a Meeting held on Tuesday, October 27, 2014.

Margaret B. Dilts, CMC

Attorney Campbell stated that the Council was in Executive Session for approximately 1 hour and 5 minutes to discuss the above noted subject matters. Motion to go back into Regular Session by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Agenda Items – No comments.

Ordinance 2014-11 – First reading of Bond Ordinance for purchase of Pumper Fire Apparatus.

ORDINANCE NO. 2014-11

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$425,000 FOR ACQUISITION OF A FIRE TRUCK IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$403,750 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$425,000, such sum includes the sum of \$21,250 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$403,750 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$403,750 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for the acquisition of a fire truck in the Township, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$403,750.

(c) The estimated cost of the Improvement is \$425,000 which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$403,750 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance (including \$625,480 expected to be received from the New Jersey Board of Public Utilities) shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

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

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$403,750.

SECTION 10:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Lopatcong, in the County of Warren, State of New Jersey, on October 27, 2014. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 232 South 3rd Street, in the Township of Lopatcong, on November 19, 2014 at 7:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$425,000 For Acquisition Of A Fire Truck In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$403,750 Bonds Or Notes Of The Township For Financing Part Of The Appropriation.

Purpose(s): For the acquisition of a fire truck in the Township.

Appropriation: \$425,000

Bonds/Notes Authorized: \$403,750

Grants (if any) Appropriated: None.

Section 20 Costs: \$10,000

Useful Life: 10 Years

M. Beth Dilts, Clerk

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

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

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

NAYS: Councilwoman Schneider

Resolution No. 14-133 – Amend the Capital Budget for acquisition of fire truck.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO THE CAPITAL BUDGET

WHEREAS, the Capital Budget of the Township of Lopatcong was passed on June 4, 2014, and

WHEREAS, it has been determined that said Capital Budget must be amended due to a change in municipal priorities,

NOW, THEREFORE BE IT RESOLVED that the following amendments to the Capital Budget of the Township of Lopatcong are hereby authorized.

CAPITAL BUDGET (Current Year Action)
2014

Local Unit Township of Lopatcong

PROJECT TITLE	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2014					
			5a	5b	5c	5d	5e	
			2014 Budget Appropriations	Capital Improvement Fund	Capital Surplus	Grants in Aid Other Funds	Debt Authorized	
Acquisition of Fire Truck	425,000			21,250				403,750
	<u>535,000</u>		<u>110,000</u>	<u>21,250</u>				<u>403,750</u>

3 YEAR CAPITAL PROGRAM - 2014 - 2016
Anticipated Project Schedule and Funding Requirements

Local Unit Township of Lopatcong

PROJECT TITLE	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
			5a	5b	5c	5d	5e	5f
			2014	2015	2016	2017	2018	2019
Acquisition of Fire Truck	425,000		21,250					
<u>TOTALS - ALL PROJECTS - REVISED</u>	<u>535,000</u>		<u>131,250</u>					

3 YEAR CAPITAL PROGRAM - 2014 - 2016
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

PROJECT TITLE	ESTIMATED TOTAL COST	BUDGET APPROPRIATIONS		4		6		
		3a	3b	Capital	5	BONDS AND NOTES		
		Current Year	Future Years	Improvement	Capital	Grants-in-	7b	
		2014		Fund	Surplus	Aid and	7a	Self
					Other Funds	General	Liquidating	
Acquisition of Fire Truck	425,000			21,250			403,750	
TOTALS - ALL PROJECTS - REVISED	535,000	110,000		21,250			403,750	

BE IT FURTHER RESOLVED the following resolution be advertised in the November 5, 2014 issue of the Express Times and that two certified copies of this resolution be filed with the offices of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the Governing Body on the 27th day of October, 2014.

Certified by me
October 27th, 2014
Date

Margaret B. Dilts, CMC
Municipal Clerk

TRENTON, NEW JERSEY
APPROVED _____, 2014

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

School Payment – Motion by Councilwoman McCabe to pay the school \$1,090,571.00, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe and Council President Ciesla.
NAYS: None

CBA Contract – Councilwoman Schneider – Is for the Police Officers of Lopatcong. Their agreement expired December of 2013 and we are finally eleven months later in agreement with our bargaining. I think we, um, worked well together and the police officers were very receptive to Lou and I. We were the negotiators. Councilwoman Schneider made a motion to approve the CBA Contract, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe and Council President Ciesla.
NAYS: None

Council President Ciesla – Announced that the Council would have a special meeting on November 12th at 7:00 pm. This is the sole purpose of this meeting, is for Council to interview the CFO candidates. We are anticipating that no action will be taken. That will be in Executive Session.

Public Comment:

Joe Imhoff – 240 Aurora Street. Discussed if there was a report on the Leaf Clean-up Appreciation Day. He also discussed a resolution that the Council passed last month giving a 50% discount on pool memberships and fees for the park and pavilion to all volunteers in the Township.

Marla Endick – Spoke about the tax increases on her home.

Ken Fitzsimmons – Overlook Drive - spoke about the tax base and who re-evaluated the homes and the effect it had on the tax base. Also, an update on the easement for the emergency access out of Overlook.

Council President Ciesla asked for a motion to adjourn the meeting. Councilwoman McCabe, seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Lori Ciesla
Council President

