

TOWNSHIP OF LOPATCONG
REORGANIZATION MEETING

January 7, 2015

The Reorganization Meeting of the Lopatcong Township Council was called to order approximately 7:15pm by Mayor McKay. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Mayor McKay 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.”

Mayor McKay stated that he was previously sworn in and will be sworn in again officially in about 20 minutes by Assemblyman Peterson.

A moment of silence was offered followed by the Oath of Allegiance.

Present: Mayor McKay, Councilman Belcaro, Councilwoman Ciesla, Councilwoman McCabe and Councilwoman Schneider. Also present were Attorney Campbell and Engineer Sterbenz.

Resolution No. 15-27 – Authorize Executive Session. Mayor McKay and Council discussed the topics for Executive Session. Mayor McKay did not want to discuss inappropriate matters that would violate Executive Session. Mayor McKay made a motion to go into Executive Session, seconded by Councilwoman Schneider. Mayor McKay asked for comments.

Councilwoman Schneider – I have a comment. I’m not comfortable with talking about whether it is taken off or not, firemen’s clothing allotment or the risk management appointment, um, and based on the Open Public’s Meeting Act wording I don’t feel comfortable in talking about those in Executive Session. Um, I don’t think they are Executive Session material. Um, so I would just like to say for the record that I’m saying we shouldn’t have them in Executive Session.

Councilwoman McCabe - I believe they are based on contractual and personnel issues and I believe we need to discuss during Executive Session which is the purpose for Executive Session so we can discuss that in session without the public present.

Councilwoman Schneider – Can you, how come these were never brought up in prior Executive Sessions. This is something new that you are bringing up RFQ’s in Executive Session?

Councilwoman McCabe – Being as this is our first meeting of the year so we can discuss reorganization, contractual and personnel issues.

Councilwoman Schneider – Right. Those were not on any agendas prior to this.

Councilwoman McCabe - (Inaudible) Executive Sessions where it’s different. I make a motion that we keep them on, I need a second to move forward please.

Attorney Campbell – (inaudible) that’s why you say again what you talk about so if you choose not to (inaudible).

Clerk Dilts – There is a motion on the table to allow it, is there a second?

Councilman Belcaro – I’ll second it.

Roll call:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla – I’ll say no to their clothing allowance and yes to the risk management.

NAYS: Councilwoman Schneider, Mayor McKay

Clerk Dilts – Motion carried.

Resolution No. 15-27 -

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

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

Litigation - Lawsuit filed by resident Joe Imhoff, Contractual – Police Chief’s Contract and Risk Management Appointment Contract and Request for Professional Services

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

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay asked for a motion to come out of Executive Session. Motion by Councilman Belcaro, seconded by Councilwoman McCabe. Comments – none. All in favor.

Attorney Campbell – Council was in Executive Session for approximately 30 minutes. The topics of discussion were litigation regarding the lawsuit filed by Mr. Imhoff, the Police Chief’s Contract, the Risk Manager’s Contract and Request for Professional Services. The Firemen’s clothing allotment was not discussed in Executive Session. The minutes for Executive Session will be available at such time as the need for confidentiality no longer exists.

Mayor McKay – Next order of business is my Oath of Office. Assemblyman Peterson will administer the Oath of Office.

Mayor McKay recognized the Greenwich Township Council at the Township’s meeting. Mayor Adams, Committeeman Tauriello, Committeewoman Emiliani and Committeeman Callari.

Public Comment – Mayor McKay asked for a motion to open up for public comment. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Ken Lutz – 4 Raleigh Court. Congratulations for taking office. Mr. Lutz stated he was the President of the Athletic Association and wanted to discuss a couple things and make sure that with the changeover having the establishment they had before. He noticed on Number 21 that you are looking a Council’s duties and responsibilities for the departments, and when he took over the Athletic Association there was no president and it was quite a mess but they are headed in the right direction and they currently have Lori Ciesla on the Board and that she is doing an excellent job. He stressed that the Board’s recommendation would be that Lori Ciesla remain on the Board as liaison so they can continue to progress forward in a positive manner and the best for the kids. The Board is looking for consistency and Lori has done an excellent job.

Bruce Hall – 187 Stonehenge Drive – Don’t know if it is an oversight but are we going to do the Oath of Allegiance. It was explained the meeting was opened earlier and the public did stand for the Oath of Allegiance.

Councilwoman McCabe – Asked to make a comment. Regarding the Council assignments. You know, as Kenny said the Mayor has been busy and they had not had a chance to speak with him regarding the assignments. Mayor Steinhardt took the time out to talk to the Council and ask

them what their interests were and explained the direction things were going. The new Mayor has not given them the opportunity and she looks forward to a discussion before appointments are made. The appointments are on the agenda without non-consent so her comment was to have a discussion regarding those assignments to the committees and restated what Kenny said we are moving forward and would like to keep the momentum going in a positive manner. Some of the additional assignments by the Mayor to different boards, she expressed that she had an issue with some of those assignments being done without consent of Council. Some are to be done without consent but some are not. Some of the seats are not open that the assignments are being made and it looks like there is an appointment for a non-citizen to one of the committees and did not think it was allowed and voiced her concern over this as not proper or appropriate assignments. She did not want the town to incur liabilities for any misreading of the ordinance or the statute or whichever one applies. She thanked the Council.

Councilman Belcaro – Starting the new year with a new Mayor his desire for now and in the future that the Mayor and Council work together by building bridges and tearing walls down. People should leave their politics and agendas at home. Defamation, allegations and accusations should be left at the door. Trust is earned and everyone together can build a relationship for the community.

Council President Ciesla – Questioned roll call – did we do this and are we swearing in the EMS personnel part of public comment.

Roll Call – Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor McKay. Also present were Attorney Campbell and CFO Rossetti.

Fire Chief LaFord – Informed everyone that the EMS personnel is out on a call.

Mayor McKay asked for a motion to closed the public comment period. Motion by Council President Ciesla, seconded by Councilwoman McCabe. All in favor.

Reorganization Meeting Business:

Mayor McKay said he would like to do a consent agenda and read the titles into the record. Attorney Campbell noted to him that items dealing with money would have to be pulled out and done separately and suggested Clerk Dilts read the numbers that could be done by consent.

Clerk Dilts – Resolution No. 1, Resolution No. 4, Resolution No. 6, Resolution Nos. 10, 11, 12, 13, 15, 16, and 17.

Mayor McKay suggested a consent agenda and noted they should be read by title. Attorney Campbell suggested a call by resolution numbers.

Mayor McKay - Resolution No. 1 is the annual meeting calendar and asked to consider adding additional meetings – January 21, February 18, March 18, and December 30th. Resolution No. 2 – charge for individuals requesting annual meeting calendar. Resolution No. 3 establishing cash management plan. Mayor McKay started over at this point as additional resolution numbers that were not agreed upon for the consent agenda were added by mistake.

Mayor McKay – Resolution No. 1 – the annual meeting calendar, Resolution No. 4 – designation of official newspapers – there was some discussion.

Clerk Dilts – Informed the Council that switching to another paper would be more costly.

Attorney Campbell- Suggested that Clerk Dilts do some research for Council and provide a list of the newspapers and the costs. The law provides that you are supposed to advertise in a newspaper that prints and circulates in your municipality. No one does in the Township of Lopatcong. Then you are supposed to go to the county and that is why the Star Gazette is everyone's newspaper. The Warren Reporter part of the Star Gazette no longer has offices in Warren County. It is believed they moved to Flemington. There is no newspaper she believes is printed or circulated in Warren County. Next, you go to the State of New Jersey and find a newspaper that is circulated in the Township of Lopatcong. This provides a lot more options.

The cost is expeditiously more to print in a daily newspaper than to print in the Star Gazette. She suggested designating a newspaper now.

Mayor McKay – Suggested keeping the newspapers we have now. Resolution No. 6 – reappoint Village Medical Associates as Township physicians, Resolution No. 10 – adopt Roberts’ Rules as a basic guide for fair and orderly procedure in meetings, Resolution No. 11 – reappoint Wayne Degan as 911 Coordinator, Resolution No. 12 – reappoint Christopher Troxell as Municipal Prosecutor, Resolution No. 13- reappoint Scott Wilhelm as Municipal Public Defender, Resolution No. 15 – reappoint Beth Dilts Qualified Purchasing Agent, Resolution No. 16 – reappoint Beth Dilts as Public Agency Compliance Officer as mandated by the Department of Treasury with regard to contract compliance and Resolution No. 17 – reappoint Brad Decker as Recycling Coordinate and authorize submission of Recycling Tonnage Grant application.

Councilwoman Schneider made a motion to approve these items, seconded by Councilman Belcaro.

Council President Ciesla – Pointed out that she could not do two meetings in January or February.

I can do March and December but I can’t do January and February at this point.

Councilwoman McCabe – Thought it difficult to pull in a second meeting each month. One meeting a month is sufficient to cover the business we need to take care of. The thirty days is needed to be able to include the other committees meetings and prepare for the next monthly meeting. She thought the one meeting a month is sufficient but can always call a special meeting when necessary. Weather might present additional problems and suggested to leave the schedule as is.

Councilwoman Schneider – It is budget season coming up and thought Council absolutely needed additional meetings. This is just an additional meeting and because there is a new Mayor and a lot of work to be done and if you can’t make the meeting, only three would be necessary for a quorum. Thought the schedule should remain.

Mayor McKay – Pulled this out of the consent agenda.

Attorney Campbell – Said a motion would be necessary to amend.

Mayor McKay – Made a motion to amend the consent agenda to remove Resolution No. 1. Motion by Council President Ciesla, seconded by Councilwoman McCabe. All in favor. Motion carried.

Mayor McKay – Roll call on the Consent Agenda.

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

NAYS: None

Resolution No. 15-01

R 15-01

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY IN REGARD TO EXECUTIVE SESSIONS AND REGULAR MEETINGS FOR THE YEAR 2015

WHEREAS, Section 113 of the Open Public Meetings Act, Chapter 231 P.L. 1975, requires that at least once a year, not later than January 10th, of such year, every public body shall post and mail to the newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

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

EXECUTIVE SESSIONS of the Council shall be held at the Municipal Building, 232 S. Third Street, Lopatcong Township, Phillipsburg, New Jersey 08865 at 7:00 PM prevailing time, and REGULAR MEETINGS will be held at the same location at 7:30 PM prevailing time, on the FIRST WEDNESDAY of each month for the year 2015.

If the FIRST WEDNESDAY of any month shall fall on a legal holiday, the meeting shall be held on the following day. The dates of such meetings are as follows:

EXECUTIVE SESSIONS AND REGULAR MEETINGS

January 7, 2015	May 6, 2015
January 21, 2015	June 3, 2015
February 4, 2015	July 1, 2015
February 18, 2015	August 5, 2015
March 4, 2015	September 2, 2015
March 18, 2015	October 7, 2015
April 1, 2015	November 4, 2015
	December 2, 2015
	December 30, 2015

Re-Organization Meeting January 6, 2016

CERTIFICATION

I, Margaret B Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-06 -

R 15-06

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING PHYSICIANS FOR THE YEAR 2015

WHEREAS, the Mayor and Township Council of the Township of Lopatcong require that medical doctors be appointed for Township purposes; and

WHEREAS, these appointments are made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong that Village Medical Associates be appointed as physicians for the Township for the calendar year of 2015.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on the Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-10 –

R 15-10

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY ADOPTING ROBERT'S RULES OF ORDER AS A BASIC
GUIDE FOR FAIR AND ORDERLY PROCEDURE IN MEETINGS

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, that Robert's Rules of Order Newly Revised 11th edition is hereby adopted as parliamentary authority for procedure in meetings.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-11-

R 15-11

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING WAYNE DEGAN AS 911 COORDINATOR

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey are required by the State to appoint a 911 Coordinator to assist the Warren County Department of Public Safety; and

WHEREAS, the Mayor and Council decided to appoint Wayne Degan as the 911 Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint Wayne Degan as the 911 Coordinator for the Township of Lopatcong for the year 2015.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-12 -

R 15-12

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING CHRISTOPHER TROXELL AS PROSECUTOR

WHEREAS, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Christopher Troxell be appointed Prosecutor for the Township of Lopatcong for the year 2015 at a salary appropriated within the Salary Ordinance.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-13 -

R 15-13

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING SCOTT M. WILHELM MUNICIPAL PUBLIC DEFENDER

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Scott M. Wilhelm is appointed Municipal Public Defender for the year of 2014 at a salary of \$200.00 per case.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-15 -

R 15-15

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3a AND N.J.S.A.C. 5:34-5 ET. SEQ.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$36,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.C.5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Margaret B. Dilts possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A.C.5:34-5.; and

WHEREAS, Lopatcong Township desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Lopatcong Township, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$36,000; and

BE IT RESOLVED, that the governing body hereby appoints Margaret B. Dilts, as the Qualified Purchasing Agent to exercise the duties of a purchasing agent to N.J.S.A.40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit: and

BE IT RESOLVED, that in accordance with N.J.A.C.5-34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Margaret B. Dilts, QPA certification to the Director of the Division of Local Government Services.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing is a true and correct copy of a Resolution adopted by Council at a regular meeting of said governing body held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-16 -

R 15-16

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY DESIGNATING MARGARET DILTS AS THE PUBLIC AGENCY COMPLIANCE OFFICER AS REQUIRED BY THE DEPARTMENT OF TREASURY, DIVISION OF CONTRACT COMPLIANCE & EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall appoint Margaret B. Dilts as Public Agency Compliance Officer as mandated by N.J.A.C. 17:27-3.2 by January 10th of each year; and

WHEREAS, Margaret B. Dilts, Clerk/Administrator shall have the authority to serve as the point of contact for all matters concerning implementation and administration of the statute and its regulations; and

WHEREAS, Ms. Dilts will also be responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers which shall include but shall not be limited to goods and services vendors, professional service vendors and construction contractors.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey approve the appointment of Margaret B. Dilts as the P.A.C.O. for the Township for the year 2015.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-17 -

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF THE 2014 RECYCLING TONNAGE GRANT APPLICATION AND THE APPOINTMENT OF A RECYCLING COORDINATOR

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 198/c. 102, established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, certifiable records or materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycle and to indicate the assent of Lopatcong Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Governing Body of the Township of Lopatcong hereby endorses the submission of the 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Brad Decker as Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated trust fund to be used solely for the purpose of recycling.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Resolution No. 1 will be considered as a separate item and made a motion to approve as a separate item. Second.

Councilwoman Schneider – Second. Anybody have any more comments?

Council President Ciesla – Has no problem with extra meetings I just, like I said, it is the 7th and 21st and February 4 and February 18 and March 4 and February is a very short month. To prepare for this meeting how many days for all of us to prepare. It's been a lot.

Councilwoman Schneider – This is a reorg meeting and not a regular meeting – it's very different.

Councilwoman McCabe – Township meetings are intense too and thought special meeting should be set up to not lock it in right now.

Council President Ciesla – December 30th is necessary.

Councilwoman McCabe – January 21st is two weeks from today – not enough time.

Council President Ciesla – Asked to amend to take off February 21st and leave the two 18th's on.

Councilwoman Schneider – And the January.

Clerk Dilts – You want to remove January.

Councilwoman Schneider – Would like to keep them on because of additional business necessary after the reorg.

Councilwoman McCabe – It would be a lot of work to set up two meetings per month and we don't have enough time to get the agenda prepared for the public.

Councilwoman Schneider – Thought they should have plenty of time to prepare, you know, today is the 7th – that's two weeks.

McKay – We have a motion that needs to be voted on.

Clerk Dilts – There's a motion and a second.

McKay – Call for a vote.

Councilwoman Schneider – There is still comments. I believe that they should stand

Roll call:

AYES: Councilwoman Schneider, Councilman Belcaro, Mayor McKay

NAYS: Councilwoman McCabe, Council President Ciesla

Clerk Dilts - Motion carried.

Attorney Campbell – Just so Council knows if you decide if you don't need the meeting, you can cancel it.

Mayor McKay – Remainder of items will be done one by one. I make a motion to accept Resolution No. 2 – charge for individuals regarding annual meeting calendar. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call:

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

NAYS: None

Resolution No. 15-02 –

R 15-02

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY FIXING A REASONABLE SUM TO CHARGE FOR A LIST OF SCHEDULED COUNCIL MEETINGS

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act, be mailed to them individually; and

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request.

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

1. Each person who requests that individual notice as required under the Act be mailed to him shall pay annually the Township of Lopatcong Twenty-five Dollars (\$25.00) to cover the cost thereof.
2. Requests for such individual notice made by news media shall be granted without cost.

3. The sum herein designated is subject to change upon the adoption of a superseding Resolution by the public body.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Council President Ciesla – Requested discussion after motions are made on items.

Mayor McKay – Resolution No. 3 to establish a cash management plan. Motion by Councilwoman Schneider, seconded by Council President Ciesla. Discussion or comment. Roll call:

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

NAYS: None

Resolution No. 15-03 -

R 15-03

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey for the year 2015 the following shall serve as Cash Management Plan of the Township of Lopatcong.

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

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

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

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

Thomas M. McKay, Mayor
Maureen McCabe, Councilwoman
Margaret B. Dilts, Clerk/Administrator
Lorraine Rossetti, Chief Financial Officer

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

The following are authorized as suitable investments:

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

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

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

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

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

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Resolution No. 5 – appointing Township Attorney. I’m tabling.

Councilwoman McCabe – Do we discuss this?

Attorney Campbell – You can have a discussion.

Councilwoman Schneider – It is being tabled, there is no discussion.

Council President Ciesla – Is it being very transparent if we don’t have a discussion on why we are tabling it?

Councilwoman Schneider – Well of course.

Mayor McKay – Have your discussion.

Councilwoman McCabe – Why are we tabling it?

Council President Ciesla – Why are we tabling it?

Mayor McKay- We are tabling it because I’m not confident in the situation that we have right now with some of the professionals and I think it is time to look around and get a fresh perspective. Some professionals have been around for over ten years. State guidelines indicate we should really start looking after five and probably change by ten. He thought it was time to

freshen things up and get a new outlook. That's why. So I'm going to seek to do that and do it by appointing a committee of the Mayor; a search committee, a task force to go out and look for some of these professionals and I'm going to ask that Mr. Belcaro and Ms. Schneider populate that force.

Council President Ciesla- Just the two of them – not including you correct?

Mayor McKay – Not me and come back just as soon as they can with their thoughts on how we proceed .

Councilwoman McCabe – I thought that was the whole purpose of the RFP's that law firms submit their RFP and we vote on that.

Councilwoman Schneider – You don't need an RFP.

Councilwoman McCabe – Excuse me we have three RFP's that came in. One is our current attorney and two others. Not sure what the discussion is and the need to appoint a task force to find an attorney. We already have quite capable attorney's here that have been doing a very good job.

Clerk Dilts – Under the Fair and Open Process and RFP is required when you spend over \$17,500. That's why we went out because recognize the Fair and Open process.

Mayor McKay – Well then it would be beneficial for us to reopen that and I would ask you to do that.

Council President Ciesla – What's the cost of doing the RFP's again?

Clerk Dilts – No but I would believe.

Attorney Campbell – Cost to re-advertise

Clerk Dilts – You would have to re-advertise but I would believe I was going to say, you do have to reject the RFP's formally.

Councilman Belcaro - I don't believe in fixing something that isn't broken. Our professionals have been, and have said this last year, our professionals have been with us for ten years. There is no justifiable reason to change them, with all due respect Mayor, the Mayor's opinion to change just for the sake of changing. They have been competent doing due diligent work which has been shown time and time again. Again, what the State says just a recommendation to change the professionals does not mean you have to. My interpretation of that is if the Township has a problem with the professionals, then would be easy to do that. I don't see no justifiable reason to change our professionals because of their professionalism and the great service they have been doing to this Township. I said it last year and I say it again. I'm going to stand by that. I understand you put me on a committee with Councilwoman Schneider to look into this, we'll see how it goes but, um, that's my opinion of our professionals. They know the Township, to bring someone new into this Township, to start over and to pay them to learn our Township is going to cost us more money. RFP's have been entered and they still, our professionals are still cheaper than the other ones who submitted their pay rate.

Council President Ciesla – My concern is we did the RFP's. We did the process in December, we closed it in December and most of us received copies of them so we know what they are and if you are going out on a mission finding, you know, what was in those proposals. Now, how is that contractually, like if you go to somebody and you say hey if you really want to get into Lopatcong, you need to bid this. Cause you already know what those other people submitted and

Councilwoman Schneider – So would everyone else. They're public documents; any law firm can come in an OPRA those documents.

Council President Ciesla – But not during, I don't know, I'm not comfortable with this because we did the RFP process and I don't understand to do it again. We already did it and we received multiple submissions.

Councilwoman McCabe – Three.

Council President Ciesla – I'm feeling like maybe the person you wanted to submit it didn't do it and you're giving them extra time and I don't know, I'm been asked to play by the same rules.

Mayor McKay – And everyone does and certainly that is what we want. We want everyone to get a share, a fair shake. I have no special person. I haven't asked anybody to do it and I just think we need to talk to some more firms and more people.

Councilwoman McCabe – I disagree. We have a process in place where we go out and we ask for the RFP's. This is a well-known process amongst, all towns amongst all the attorneys and amongst the law firms. Now believe me, law firms are looking for work. So they know, it's time to put in your RFP's and they get them in on time. They also know that it's not worthwhile to put in an RFP to a town that does not have a problem with its attorney. Cause that's also well-known splashed over the newspaper headlines. You know if a town is having an issue with their attorney and I can reiterate we have not had an issue contrary to comments out there, we have not. They've been very professional and reliable and I think in this year, it is especially important that we keep our professionals. We have a new Mayor and we have a new CFO. We need to keep some stability in this town. If we throw it all up for the sake of change, I'm not sure you are going to get what you are looking for. It may end up being a disaster. We need to keep some stability at least for another year maybe two years and then you can move forward from that point but to change it now for the sake of change, I, I strongly disagree.

Councilwoman Schneider – Well Mayor are you saying that you want to change for the sake of change. I didn't hear you say that you want to change for the sake of change.

Mayor McKay – No I didn't say that.

Councilwoman Schneider – And it is the Mayor's, um, that needs to put forth the name and I respect the mayor's decision and I will take the initiative and um, take on this task force and find some attorney's around in the area that are experienced and have experienced all the Township's around here that maybe we can find someone, well, Tom, maybe the Mayor could work well with.

Council President Ciesla – How is this working? Are we doing an RFP? We have to do an RFP so anybody can submit a proposal. So, we have to do an RFP by law. We can't just go around and knock on doors.

Mayor McKay – I don't think that's true.

Attorney Campbell – Normally the Township of Lopatcong has followed Pay to Play. So in order to follow Pay to Play, you need to do it that way but generally you don't have to go out for RFP. It's in your practice. Is it in an ordinance?

Clerk Dilts- I don't think we have an ordinance on Pay to Play. We have been consistently following that procedure since the law took effect.

Councilwoman McCabe – And isn't the attorney appointed with consent of Council?

Councilwoman Schneider – No it is not. Well, yeah, he hasn't appointed someone so we can't vote and there is no consent because he hasn't put forth a name.

Council President Ciesla – Only the Mayor can put forth the name but the Council has to vote on it.

Councilwoman McCabe – Correct. Okay.

Councilwoman Schneider – I will thank you Mayor for putting, appointing me to the task force. I will do my best to bring you some reputable names.

Council President Ciesla- What are we doing? Are we doing an RFP?

Clerk Dilts – That’s our current procedure.

Councilwoman McCabe – And, so, in the meantime, is our current attorney a holdover and able to handle any issues that come up in the meantime. I have no idea. There was not a time frame or a deadline put on this task force.

Attorney Campbell – I would be a holdover. My contract actually states that I am a holdover until you appoint someone else.

Councilwoman McCabe – Okay. Thank you.

Mayor McKay – Okay Resolution No. 7. No. Resolution No. 7 – appointment of defense of municipal appeals – Mayor’s request to table. So that’s another one we are holding off.

Councilwoman McCabe – Discussion

Mayor McKay – Discussion.

Attorney Campbell- Just so you are aware, the Township would be unable to file tax appeals. That’s not saying that’s not appointing a specific attorney. That’s merely appointing the Township attorney to work with the assessor and file and settle the tax appeal.

Councilwoman Schneider – But that would be, is that, you also?

Attorney Campbell – At this time yes but you wouldn’t have to change it, if you change attorneys. That gives the authority for the assessor to work with me and file tax appeals.

Councilwoman McCabe – So, I don’t think it should be tabled.

Council President Ciesla – So, you wouldn’t be able to defend any of our appeals if we don’t do this?

Attorney Campbell – And, I am not sure of the actual motion I’m not sure it would be to defend the appeals but you wouldn’t be able to.

Councilwoman Schneider – Can we read the uh, let’s look at the resolution.

Attorney Campbell – Actually, yes because it says you wouldn’t be able to file, prosecute any tax complaints to correct errors, complaints for added/omitted or assessments, defend, settle or stipulate.

Councilwoman Schneider – Well, do we have time frame on?

Attorney Campbell- We have a trial going on right now on Larken’s appeals.

Council President Ciesla – Right now?

Councilwoman Schneider – We have a trial going on?

Attorney Campbell – Yes, yes it’s a several day, I think we had the trial yesterday. Mr. Cohen from my office handles that.

Councilwoman Schneider – Wouldn’t you just be a holdover as like the other appointment?

Attorney Campbell – Yes or not, you are not appointing me tax appeal attorney. What that motion says is that the attorney of the Township. So, whoever the attorney is has the authority to work with the assessor to prosecute, defend, stipulate your appeals. So, all you are doing is giving, it’s a statutory requirement that you have to pass a resolution to authorize that. If you changed you attorney tomorrow, you wouldn’t have to pass a new resolution. It’s just authorizing the Township attorney. It is just an annual thing that you have to do.

Councilwoman Schneider – The Mayor has it as a hold over so.

Council President Ciesla – What do you think, I mean we are right in the middle of a trial right now. How does this affect our trial? Can we no longer attend?

Councilwoman Schneider – It's not like were, you know, Tom are you going, were not going to take a month to find someone to be the municipal

Council President Ciesla – If we are doing RFP's it takes a while.

Attorney Campbell – If you want me to look at my calendar you have tax court matters every Tuesday pretty much. I can look and tell you.

Council President Ciesla – You think Kathy can weigh in on this, our tax assessor would she be able.

Kathy Degan – From what I understand it is, Katrina would be a hold over.

Attorney Campbell- This resolution authorizes any attorney whoever the attorney is at the time to do all those things. If they don't authorize, I can't work for you.

Kathy Degan – We are right in the middle with Larry Gardner's tax appeals. (Inaudible)

Councilwoman Schneider – I would still say it is a holdover.

Council President Ciesla – We are not appointing Katrina as our Tax Appeal Attorney. We are just authorizing the attorney of the town to do the work.

Attorney Campbell – This is just authorized whoever to do the work.

Mayor McKay – All right then we'll take a motion to accept that and I'll remove the Mayor's request to table.

Council President Ciesla – Thank you. Motion.

Councilwoman McCabe – Second

Mayor McKay – Roll call

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

NAYS: None

Resolution No. 15-07 –

R 15-07

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING LEGAL COUNSEL TO FILE AND PROSECUTE ROLL-BACK TAX COMPLAINTS, COMPLAINTS TO CORRECT ERRORS IN ASSESSMENTS AND COMPLAINTS FOR ADDED, OMITTED AND ADDED/OMITTED ASSESSMENTS; DEFEND, SETTLE OR STIPULATE TO RESOLVE ALL 2015 LOCAL PROPERTY TAX APPEALS

WHEREAS, the County Tax Board has issued a letter of request requiring a Resolution by the Mayor and Township Council of each municipality of the County of Warren by its County Tax Administrator, Melissa Pritchett; and

WHEREAS, the said County Tax Administrator requires that the Mayor and members of the Governing Body of each municipality in the County of Warren, in order to file municipal roll-back complaints, correct errors or file added, omitted and added/omitted complaints, adopt a Resolution allowing the Municipal Attorney or any member of his firm to file and prosecute said complaints.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2015, by the Township Council of the Township of Lopatcong, in the County of Warren and State of New Jersey, that the Municipal Attorney for the Township, is hereby authorized to file, prosecute, defend, stipulate, modify, agree upon and otherwise perform the duties which are required of said Attorney, in the process of prosecution and/or filing of said roll-back tax complaints, complaints to correct errors in assessments for added assessments in 2014 and defending or settling all 20014/15 local property tax appeals and execute any and all stipulations relating to the same with the agreement of the Lopatcong Township Municipal Assessor.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to provide a true copy of this Resolution to the Warren County Board of Taxation, Warren County Court House, Belvidere, New Jersey 07823.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Resolution No. 8 – authorized interest to be charged on delinquent taxes.
Motion.

Council President Ciesla – Second

Mayor McKay – Discussion. Roll call.

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

NAYS: None

Resolution No. 15-08 -

R 15-08

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, Governor Florio signed into law Assembly Bill No. 4425, Chapter 75 and Senate Bill No. 2579, Chapter 89 effective March 29, 1991 and April 4, 1991 respectively; and

WHEREAS, the Governing Body of the Municipality wishes to comply with this law; and

WHEREAS, N.J.S.A. 54:4-67 has been changed to define a tax delinquency as follows:

“Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years”; and

WHEREAS, the Governing Body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. The penalty as fixed shall not exceed 6% of the amount of the delinquency; and

WHEREAS, the Governing Body of the Municipality may charge by Resolution, the sum of eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in the excess of \$1, 500.00 on taxes and assessment after the date that same would become delinquent until the date of actual payment; and

WHEREAS, most of the taxpayers of said Township of Lopatcong have had to bear an additional burden because of the fact that some taxpayers invest their funds at higher rates of interest than the penalty heretofore provided for under such statute; and

WHEREAS, the Council of the Township of Lopatcong deems it equitable and just that every taxpayer shall bear an equal share of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren that a tax delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED that a penalty of 6% will be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year.

BE IT FURTHER RESOLVED that the rate of interest to be charged for the non-payment of taxes or assessments shall be eight percent (8%) per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 after the date that they would become delinquent.

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

BE IT FURTHER RESOLVED that after the sale of property for non-payment of taxes or assessments, the property shall be subject to redemption upon the payment of eighteen (18%) percent per annum interest over and above the amount of the taxes, assessments and other charges due the municipality.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Motion by Mayor McKay, seconded by Council President Ciesla. Roll call:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor McKay.
NAYS: None

Resolution No. 15-09 –

R 15-09

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS AND CANCEL ANY MUNICIPAL CHARGE REFUNDS OR DELINQUENCY OF LESS THAN TEN (\$10.00) DOLLARS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have reviewed a request by the Tax Collector of the Township of Lopatcong to allow the Tax Collector to process and cancel any property tax usage charge refund or delinquency of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong hereby authorize the Tax Collector to process and cancel any municipal charge refund or delinquency of less than \$10.00.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call.

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

NAYS: None

Clerk Dilts – Number 14 Mayor.

Mayor McKay – This is one that we tabled.

Councilwoman McCabe – But we can have a discussion right? So why are we tabling appointing the Township auditor?

Mayor McKay – For the same reasons. The Township auditor has been in place for over ten years.

Councilwoman McCabe – Okay, so I'll have the same discussion on that as well. Um, we went out for RFP for Township Auditor. We received two. One is our current auditor, the other one is the auditor that is currently over in Greenwich. Not sure what the issue is. Again, this town needs to maintain a level of stability. We need to move forward. We need to not detract from the work that has to get done. Putting all political agenda aside. We need to continue with the work of this town.

Mayor McKay – We do, we do and in the interest of stability rather than stagnation, we need to, I think, get some change. Get some people in here that have different ways of looking at things. Have different background, different experiences and I think we can accomplish that by changing some of the professionals after so many years.

Councilwoman McCabe – Well, I think our auditor is an auditor for more than several towns in the State of New Jersey and has done good work for us. We have not received any issues from the State of New Jersey and, again, we only have two auditors here. Again, it is our own but we currently have in the one from Greenwich. Two choices. I'm not sure why we are tabling this. Additionally, I understand that there is a report, a debt report that needs to be done by the end of this month. We need to have our CFO working with the auditor and we need to move forward and get that work started. We can't delay on appointing auditors and having task forces.

Council President Ciesla – Is our auditor a holdover? So, if, now with this whole process of a task force, what exactly happens; will Lou and Donna go out and hand pick people and come back and only bring them or is it an RFP process. Because again, this is usually a \$30,000.00 contract.

Councilwoman Schneider – Do you want to open up the RFP process or we can just do the task force and Lou and I can go out and find some folks.

Councilwoman McCabe – Why are we doing an RFP process?

Council President Ciesla – So, basically, go out and find not Nisivoccia. That's probably what will happen.

Councilwoman McCabe – That's what it sounds like. We've already an RFP process.

Councilwoman Schneider – Well, that's why he is holding it over.

Councilwoman McCabe – Why are we doing it over.

Council President Ciesla – So, they can knock out Nisivoccia.

Resident Diane Hall- Who's the mayor?

Mayor McKay – I repeat. We are not out to eliminate anybody. We are looking for new perspective, we're looking for new capabilities, new people that can help us and you know, after many, many years of using the same professionals, people get very familiar with each other and things kind of get fuzzy.

Councilwoman McCabe – You know what

Mayor McKay – And I don't like that.

Councilwoman McCabe – with auditors have to follow their own rules; that their ethics, they're not going to bend rules because they happen to like one town better than the other. They have their licenses that they need to maintain. They have ethics and values that they have to uphold and again, the RFP process is well known throughout the State of New Jersey. The auditors know which towns to apply to so by going out again, what are we accomplishing? We're delaying, we're delaying the work of this town and I think it is making more unnecessary work and I think this is unnecessary.

Councilwoman Schneider – Well, we do have a meeting on January 18th and um, I actually would like to

Council President Ciesla – January 21st.

Councilwoman McCabe – It's the same thing and it's January 21st.

Councilwoman Schneider – or 21st sorry. The 21st we do have a meeting and, um, I actually would like to interview the other proposal. I'd like to bring them in. It would be nice to speak to some folks. Um, and uh, meet them personally rather than just look at an RFQ.

Council President Ciesla – Is that under the RFP then. The people from the RFP or are we doing a task force?

Resident – (Inaudible).

Councilwoman Schneider – It's not illegal.

Resident Orchefski– Stood up and yelled out Point of Order. I understand that it is (inaudible) Mayor who I believe decided to table the issue and I think you should move on with the agenda as it is outlined.

Councilwoman McCabe – And we are allowed to discuss the matter.

Council President Ciesla – We are allowed to discuss as council people.

Councilwoman McCabe – So Point of Order right back at yah.

Councilwoman Schneider – All right Mayor it is your decision. Should we move it or Mayor if you are going to stay with your decision I would like to move to the next resolution.

Clerk Dilts – I just want to put one thing on the record. Last year's contract that hired Nisivoccia is already in place for them to perform the audit for 2014.

Councilwoman Schneider – We are we on Number 18.

Councilwoman McCabe – They are already in place to do the audit for this year. Why are we voting on this? Why is this even on the agenda?

(Inaudible) – For 2015

Councilwoman McCabe – 2015 thank you all right.

Council President Ciesla – So, Nisivoccia can do our audit for 2014.

Clerk Dilts – Yes, he is contracted to do that.

Mayor McKay – Ready? Okay. Resolution No. 20.

Council President Ciesla – 18.

Mayor McKay – Oh 18.

Councilwoman Schneider – No. you're, you're skipping.

Council President Ciesla – Request to table but we have a discussion.

Councilwoman McCabe – What are we on?

Council President Ciesla – Computers 18.

Councilwoman McCabe – 18.

Mayor McKay - All right here we go. Resolution No. 18 – appointment for computer services.

Council President Ciesla – Are they a holdover. We have a hold over because I was going to be working on the website with them and they have everything on the server – we are on their server.

Clerk Dilts – Everyone is still a holdover because we still need to, you know, move forward with our operation.

Councilwoman McCabe – So, what was the deadline on this task force? They're going to be researching auditors, attorneys, information technology. That's a lot of work to get done in two weeks. Unless you had someone specific in mind.

Mayor McKay – I have no one specific in mind.

Council President Ciesla – I would just like the task force to pay special attention to the computer services just to know that we are on everything is on our professionals server. So that will require moving everything.

Councilwoman Schneider – Yep, thank you.

Council President Ciesla – That will be an additional cost.

Councilwoman McCabe – And a great expense.

Councilwoman Schneider – All right Mayor are you.

Council President Ciesla – He can run the meeting.

Mayor McKay – Resolution No. 19 appointment of Labor Attorney. Mayor requested to table this. Discussion.

Council President Ciesla – My only discussion is if we can look into the legality of what we are doing to make sure we are not breaking the Pay to Play Law. Please, if we could just do that.

Mayor McKay – That would be good.

Councilwoman McCabe – Again, we received one RFP for our labor attorney and it is our current labor attorney. No other ones applied. And, again, attorneys know it's time to apply if you want to be the town's labor attorney. I disagree with this procedure. I'm not sure that it is legal and I don't want this town to be held liable for taking this action. My comments.

Mayor McKay – Okay, um.

Council President Ciesla – Katrina, can you weigh in on the legality or

Attorney Campbell – Should you ask me to I will, I can.

Resident Perlingero – As a citizen who is paying taxes like everybody else I think we have a right to know what the legality is since the question of legality is being brought up.

Council President Ciesla – I'll do that. I'll make a motion to, uh, if I can make a motion to authorize our Attorney Katrina Campbell to look into the legality.

Councilwoman McCabe – Of holdover attorney, legality.

Council President Ciesla – Is there a second?

Councilwoman McCabe – Second.

Mayor McKay – Roll call.

Roll Call: AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider, Mayor McKay

Clerk Dilts - Motion Carried.

Mayor McKay – Resolution 20 – appointing Council President.

Councilwoman Schneider – Is that an appointment from Council?

Councilwoman McCabe – I have an appointment.

Councilwoman Schneider – I would like to appoint Lou Belcaro.

Councilwoman McCabe – I'd like to appoint Lori Ciesla. She did a great job last year. She worked very diligently. She stayed in touch with all the members of Council. She helped work to get the job done and I think that she should keep the position. I don't think there is a need to change everything that's.

Councilwoman Schneider – I believe I made the appointment.

Mayor McKay – I need a second on that. I'll second it.

Clerk Dilts – Okay, so Donna and Tom that was to nominate Lou Belcaro?

Councilwoman McCabe – Was Lou asked if he wanted to be Council President?

Councilman Belcaro – I'm honored. I thank Councilwoman Schneider but I believe Lori has been doing a good job at that position and I would like to leave it at that.

Councilwoman Schneider – I would like to just say before we move on that I, I voted for Lou because Lou has said that he wants to work with the Mayor, um, he's shown that he wants to work with the Mayor. I don't see Lori as wanting to work with the Mayor

Council President Ciesla – I have.

Councilwoman Schneider – And he needs someone who can stay with him and be by his side and um, give him guidance and so far, there has, none of that has been received by Lori.

Council President Ciesla – I disagree. I think I'm the only person here who reached out to him. The only person here.

Councilwoman Schneider – You reached out but your actions speak louder than your words.

Council President Ciesla – What actions? What actions?

(Inaudible)

Council President Ciesla – Okay, what do we do, do we vote?

Councilman Belcaro – All due respect Councilwoman Schneider, um, here's the opportunity before all of you that Lori can sit down with the Mayor and work together. Okay. So, it's before you and the onus falls on the Mayor and Council President.

Clerk Dilts – Is there additional nominations?

Councilwoman McCabe – Yes, I make an additional nomination to vote Lori Ciesla as Council President to remain.

Mayor McKay – Discussion.

Clerk Dilts – Is there a second on that motion.

Mayor McKay – Second.

Councilman Belcaro – Second.

Mayor McKay – Discussion. It should be noted that Ms. Ciesla was not voted on to become the Council President. She was appointed. Matter of fact from what I can tell, every Council President in the past was appointed. This year we decided to follow the law and have an appropriate election for this position and I'm very glad to see that. So, I just thought I would (inaudible).

Council President Ciesla – I respectfully disagree with that. Mayor Steinhardt made the recommendation. No one disagreed last year, last year.

Councilwoman Schneider – No he, since there was no vote.

(Inaudible)

Councilwoman Schneider – No it was not. It's not in the minutes and it is not on the video and I did not vote for it.

Attorney Campbell – Mr. McKay your email to me yesterday, you said that you wanted to change that Mr. Steinhardt at the end of the meeting asked the Council to approve all of the appointments on his list, council president being one of them, the entire governing body voted on it. So, in your own email, you told me that that's what happened. Have I checked the minutes, no?

Councilwoman Schneider – That's not what happened.

Mayor McKay – It was treated as an appointment.

Attorney Campbell – It was voted on by the entire Council. In my opinion, it was voted on by Council.

Council President Ciesla – The Mayor did ask.

Councilwoman McCabe – The Mayor asked, he did speak to us regarding the appointments.

Attorney Campbell – And, if it wasn't, you had 45 days to challenge.

Councilwoman Schneider – He did not speak to anyone regarding, he may of spoken to you but to me regarding it and it says in the minutes that she is designated as council president.

Attorney Campbell- You had 45 days from that date to challenge it.

Clerk Dilts – Should I call the roll Mayor?

Mayor McKay – You may call the roll.

Roll Call: AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider, Mayor McKay

Motion Carried.

Resolution No. 20 – Appointment of Council President.

R 15-20

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

WHEREAS, Mayor and Council put forth nominations for Council President for the year 2015;
and

WHEREAS, Lori Ciesla was nominated for the appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve the appointment of Lori Ciesla as Council President for the year 2015.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Mayor is to read into the record the Council Department responsibilities. If I had them, I don't know what version we are on.

Clerk Dilts – Mayor I can give it to you. This is the version you sent me today.

Mayor McKay – I'll read these so you can all hear them. These are the assignments and responsibility of the Mayor to make. As to my own responsibilities Administrative and Executive Personnel first level liaison, Public Safety Director, Planning Board Class I, South Warren Regional Police Commission and ex-officio on Boards, Commissions, Committees, Associations, Etc.

Donna Schneider – DPW, Clean Communities and Recycling first level liaison, Shared Services Negotiations Committee, Finance Committee, Administrative and Executive Personnel second level liaison.

Mr. Belcaro – Sewer Department, Planning Board Class III, DPW, Clean Communities and Recycling second level liaison, Shared Services Negotiations Committee, and Finance Committee.

Lori Ciesla – Board of Education Liaison, Recreation Committee, Animal Control first level liaison, Shade Tree Commission, Technology.

Maureen McCabe – Municipal Insurance and Fund Commissioner, Lopatcong Athletic Association liaison, Public Bldgs. and Grounds, Animal Control second level liaison and EDAC liaison.

Mayor McKay – So, those are my assignments for the Council members. This isn't, that is voted upon, this is something the Mayor just does.

Councilwoman McCabe – Without discussion with any of the members of Council.

Mayor McKay – Nobody made themselves available to me.

Councilwoman McCabe – As I stated earlier, um, Mayor Steinhardt reached out to us, to me, to Lori and discussions with us regarding our interests, our preferences and how things worked and that was not done here. I am interested in building bridges here and trying to do team work but I'm just not seeing it yet.

Mayor McKay – Well, what I was interested in doing was getting people different experiences, different, you know, committees to work on, different things to do that would make them better rounded Council people. I don't see that there is anything in here that is hurtful to anyone. I just think it's a lot of, you know, just try to mix things up a little bit.

Councilwoman McCabe – For the interest of continuity.

Councilwoman Schneider – I was not contacted by Mayor Steinhardt to ask me what boards I would like to be on.

Council President Ciesla – That was because you took over Victor's seat. When we came on, there were three new people in one year.

Councilwoman Schneider – That doesn't change the fact that Mayor Steinhardt did not contact me to say, to ask me what I would have been interested in.

Council President Ciesla – My only concern is and I don't know if we can have a discussion is that as Council President, I am the backup to the Mayor so Admin and Executive is supposed to go with the Council President, I believe for second level liaison and Planning Board Class III, Lou actually has to be, we have an appointment for that.

Mayor McKay – Yes that is an appointment. That's my assumption.

Attorney Campbell – There is a separate resolution for that.

Council President Ciesla – There is a separate resolution for that. I just don't know about the Admin. and Exec.

Councilwoman McCabe – And Shared Services/Negotiations.

Clerk Dilts – You are supposed to act upon the Mayor's inability to (inaudible) you are second in charge and Admin. and Exec. should be under you.

Councilwoman McCabe – And Shared Services/Negotiations Committee is written as if it is one committee. Those are two separate committees and I think that is a lot of work for the people who are appointed on them. It should be split up. That's just my comment.

Maher McKay – I don't believe there is too many negotiations this year, are there?

Councilwoman Schneider – Just the cable bill is up on 2016. There is really only one cable company we can contract out with, so, there's not much negotiating that can actually be done.

Mayor McKay – There are some other committees we'd like to form, we won't do that today. We'll talk about them before we do it. Um, a senior's committee; one that does a lot of things that could help the seniors out. That would be something I'd like to see and some form of enhanced Communications Committee. Uh, these are things that I'd like to see in the future but for now this was my best shot at doing it, so.

Councilwoman McCabe – Well, we did appoint me as the senior liaison last year. So, I've been working with them already.

Councilwoman Schneider – Well you were just asked by Lori. There wasn't a vote.

Council President Ciesla - Mayor Steinhardt appointed her.

Councilwoman Schneider – You asked her, not Mayor Steinhardt.

Mayor McKay – Which committee are you talking about?

Councilwoman Schneider – Senior.

Council President Ciesla – It's neither here nor there at this point.

Mayor McKay – Yeah, we'll talk about that later; let's move on to the next item. Appointments to all vacated municipal boards. Again, I don't have the. Now the way these work as to my understanding from doing the research on, is that certain boards are the purview of the Mayor just to make appointments to. Other boards, the Mayor recommends people and the Council consents on it. The boards I'm going to speak to now and, um, the positions I'm going to speak to are those that the Mayor makes. First one is the Planning Board. There are various classes within the Planning Board. The Class I position is for the Mayor and I'm going to take that position and it is a one year appointment. Class II is the employee of the municipality and Wayne Degan is there and I'll continue him as a reappointment. Class IV, the way I calculate it from looking at documentation and requesting documents to substantiate who is in these offices and to the extent that they came to me, I considered them and to the extent they did not come to me, I couldn't and so I believe these are open positions; open seats for various reasons and I show three Class IV open seats and to which I am going to appoint Mark Gural, Gary Woolf and Ken Tichy.

Resident Bruce Hall – Excuse me.

Councilwoman Schneider –It's not comment time.

Bruce Hall – There is only one seat.

Councilwoman Schneider – It is not time for comment.

Bruce Hall – (Inaudible) you are breaking the law.

(Inaudible)

Attorney Campbell – You can comment on it later. He is aware.

Council President Ciesla – He's been made aware.

Councilwoman McCabe – Yeah.

Mayor McKay – There are questions as to certain people's being appropriately put into these boards and I asked to see documentation to substantiate that. The documentation was not forthcoming; it is my assumption, therefore, they are not properly appointed to the boards.

Broche Hall – That's your opinion and we had the right to

Councilwoman Schneider – It is not public comment.

Council President Ciesla – Do it in public comment Bruce.

Mayor McKay – And we have two alternates and we are appointing Peter Olschewski and you Bruce Hall.

Resident – You have to be an American citizen.

Mayor McKay – I think we've sent some information in on that.

Bruce Hall – I am already a Class IV member and my term expires the end of 2015. I have documentation to show that.

Mayor McKay – Please bring it to me because no one else has it at the end of the meeting.

Bruce Hall- You are voting on it now, why do something.

Mayor McKay- There is no vote on this; these are my appointments.

Council President Ciesla – There's no vote.

Mayor McKay – If you can come forth later and show me evidence, (inaudible). I can only work with what I'm given Bruce.

Bruce Hall- You are not asking the members. There are only two seats; there's an alternate (inaudible) there are only two seats that are vacant. Anything other than that, you need to call; they have the right to ask for a public hearing. It's in the law.

Mayor McKay – Then we'll go to Shade Tree Commission.

Council President Ciesla – You're on Environmental.

Councilwoman McCabe – Wait.

Councilwoman Schneider – Environmental.

Mayor McKay – I forgot Environmental. Environmental Conservation Commission. Two appointments here. Um, the um, a member and chairwoman will be Jennifer Leifer.

Council President Ciesla – Juniper.

Mayor McKay - Juniper Leifer, I guess and, um, a member will be Mark Gural. Next, is the Shade Tree Commission. We are not sure of the status of this, if it is going to continue or not but in the meantime, we need people to go to it so we are nominating, or we are appointing Lisa Correa and Lee Rozycki. No. 23 is the Mayor McKay will appoint the Finance Committee. Um, so um, motion.

Councilwoman Schneider – Motion.

Council President Ciesla – I think you have to say who it is.

Councilwoman McCabe – Who is it?

Council President Ciesla – Just reiterate it.

Mayor McKay – Oh, it's, um, Lou Belcaro and Donna Schneider. Any discussion?

Council President Ciesla – Second.

Mayor McKay – Discussion. Roll call.

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

NAYS: None

Mayor McKay – Governing Body appointments. The way this has been done and I think the Governing Body is asking for Councilman Belcaro to remain in the Class III position of the Planning Board.

Attorney Campbell – I think he held the position previously. So if someone wanted to make a motion, they can make a motion to appoint anyone they wanted but I think it is listed that way because he was the previous one and I'm sure he said he wanted to continue to do it.

Council President Ciesla – I'll make a motion for ... Belcaro to continue on in his Class III Planning Board appointment.

Councilwoman McCabe – Second.

Mayor McKay – Discussion. Roll call.

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

NAYS: None

Mayor McKay – Now, the second item is the Zoning Board of Adjustments but there are no names here, so, I assume.

Clerk Dilts- No you have letters from the past two members Joe Marchie and Jesse DeGroff to continue their memberships on the board in a new term.

Mayor McKay – But they're not on the resolution.

Clerk Dilts – No, I left them vacant because someone has to make a motion to appoint them.

Councilwoman McCabe – Motion to appoint Joe and Jesse.

Council President Ciesla – Second.

Clerk Dilts – Discussion. I'll call the roll.

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

NAYS: None

Resolution No. 15-21 – Governing Body appointments.

R 15-21

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING GOVERNING BODY APPOINTMENTS TO THE EXPIRED AND VACATED TERMS ON PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

WHEREAS, the Mayor of the Township of Lopatcong, County of Warren and State of New Jersey nominates the following people to the expired and vacated terms on all Municipal Boards:

Planning Board

Governing Body Appointment:

Class III – Councilman Belcaro term expired – 1-year term

Zoning Board of Adjustment

Governing Body Appointments:

4-year term Jesse DeGroff – term expires 12/31/18

4-year term Joseph Marchie – term expires 12/31/18

NOW, THEREFORE, BE IT RESOLVED that by unanimous vote the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey all boards are approved.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Resolution 22. There seems that this is changed. I believe we had appointments to be considered.

Clerk Dilts – Well you gave me two lists. You sent me one list and then you redid the list and sent it to me this morning.

Mayor McKay – Yes.

Council President Ciesla – The Mayor with consent of Council. These appointments.

Mayor McKay – Yes, these are Mayor with consent of Council but there was another one on here for the, um, Rent Leveling Board.

Clerk Dilts – Again, the Rent Leveling Board, the appointments, there is no open positions.

Mayor McKay – My research indicates that there are so.

Attorney Campbell – I would recommend you just do that one (inaudible).

Mayor McKay – I'll have to table that one.

Councilwoman McCabe – Table what?

Mayor McKay – Well the missing committee that is not on here, that I. This is ten versions or so that this is happened so far and I'm sure were.

Clerk Dilts – Your versions.

Mayor McKay – These are things that the Mayor makes the recommendation and Council votes on them. We have Recreation Committee Nicole Venezia for three years and Eric Johnson for three years and the Economic Development Advisory Committee.

Councilwoman McCabe – Can we just start with the Recreation Committee first and have a discussion?

Mayor McKay – Well, we could, but they are on the same resolution. The Economic Development Advisory Committee, I'm recommending Marla Endick and Twyla Bartlett and then as alternates we have Judy Liptak. So those are my recommendations there and I make a motion.

Councilwoman Schneider – Motion.

Clerk Dilts- He made the motion, do you want to second it.

Councilwoman Schneider – Second.

Mayor McKay – Discussion.

Council President Ciesla – Robin Wodzisz was on Recreation Committee and she submitted a letter stating that she wished to continue and I would just appeal to the Mayor to actually appoint her, not that I have anything against anybody new it's just that we are, the committee is new. Robin has been a great help; unbelievable and the fundraiser that is coming up right now without her, I don't know that it would be going off for the Southwick family. I can't thank her enough for what she has done. We are planning on having subcommittees so we will have more and more people involved but I'd really like to see Robin put in again.

Councilwoman McCabe – Yeah, I agree, Robin's done a lot of work for this town and she's indicated that she'd like to continue in the position. I think that should be honored. Um, you know, it's great that we have volunteers and we have, we have great volunteers and we'd like to hold to them and I believe that Robin should remain on the Rec. Committee.

Councilman Belcaro- I'd like to give the people who currently volunteer first bid out of respect if they like to continue serving. If not, it's their choice and then we can move on.

Councilwoman Schneider – I understand that too and I did vote for Robin. Robin was on for two weeks, a week, two weeks, so, that's all she's been on the Recreation Committee.

Council President Ciesla – Officially.

Councilwoman Schneider – Officially yes. Is there another position that maybe we can create?

Councilwoman McCabe – For Nicole, sure.

Councilwoman Schneider – Can we have her on.

Council President Ciesla – I prefer Robin. That's just, this is my comment.

Councilwoman Schneider – Well, wouldn't three people be better on the Recreation Committee that needs so much help?

Councilwoman McCabe – No.

Councilwoman Schneider – No.

Attorney Campbell – The ordinance doesn't allow you (inaudible).

Council President Ciesla – No, Robin is up for, she'll be done if you appoint Nicole, Robin is no longer on it and if I were Robin, I would no longer do it unofficially if we are not going to reappoint.

Councilwoman Schneider – No, I'm asking to add another person to the committee.

Councilwoman McCabe – No, you can't you have act by the ordinance.

Councilwoman Schneider – So you can't change it?

Council President Ciesla – You have to change the ordinance.

Councilwoman McCabe – Yeah and we don't need to change the ordinance. We have a volunteer that has the experience and has put in the time and absolutely has had great results and has indicated that she would like to continue. So, I would like to keep Robin on the Rec. Committee.

Council President Ciesla – Like I said she is the power horse behind the Southwick fundraiser coming up this weekend.

Mayor McKay – All right then as a um, gesture of um, cooperation, I would think that is not an appropriate thing to do. I will withdraw Nicole and can put in Robin.

Council President Ciesla – Thank you.

Councilwoman McCabe – Thank you.

Mayor McKay – Okay, any more discussion?

Councilwoman McCabe – Yeah, Economic Development Committee are we up to that? Um, I disagree with your appointments. Um, I disagree with your appointments. I think that there needs to be some discussion further on on who is getting appointed to Economic Development. I don't know who Twyla Bartlett is. I didn't see volunteer forms, um, we do have to do background checks on our volunteers. Um, and, uh, yeah, once I, I'd like to see someone whose ready to pull this town together and, um, Marla has not demonstrated those traits in any way, shape or form so yeah, I wouldn't be voting for her.

Mayor McKay – I would disagree (inaudible).

Councilwoman McCabe – I understand that you would, I was just voicing my opinion and, uh

Mayor McKay – And she is also highly qualified. She has an advanced degree.

Councilwoman McCabe – In what?

Mayor McKay – In, um, in, um, she has an MBA with a concentration in economics.

Councilwoman McCabe – We have specific experience that is required on the Economic Development Committee. We already have some people with those.

Mayor McKay – For some of the positions that's true and, and, and this would not violate that.

Councilwoman McCabe – I disagree with that appointment.

Council President Ciesla – The problem is is that over the past few years, and I know Marla is a very good marketing person.

Councilwoman McCabe – We already have marketing person.

Council President Ciesla – And, I know she can be a benefit for this town.

Councilwoman McCabe – Hasn't shown that yet.

Council President Ciesla – My concern is some of the things that have happened over the past few years. I want to build these bridges back. I don't want it to be a contentious environment.

Mayor McKay – Well, this is how you build the bridges. You bring on board the people who you think are dissident.

Councilwoman McCabe – Well, I think someone needs to.

Mayor McKay – If they want to come on board, and help and they have the talents and the wherewithal to do that, then you embrace it.

Councilwoman McCabe – I think they need to display different traits before they are brought on board. So, yeah, I disagree with that.

Council President Ciesla – And, what is Twyla's background?

Councilwoman McCabe – I also don't know who Judy Liptak is. I, you know.

Council President Ciesla – I can speak for Judy.

Councilwoman McCabe – And you are appointing people, I don't know these names. I don't know what their background is. I don't know what their experience is.

Mayor McKay – See that what I want to do, I want to, excuse me.

Councilwoman Schneider – Twyla did send in a volunteer form, is that correct? Yes.

Mayor McKay – (Inaudible) impressive resume which I don't have with me but if you want to see it, I'll get it to you.

Councilwoman McCabe – Yeah, I'd like to see the volunteer forms and have some more information before I can make that decision.

Mayor McKay – Well, I showed my being conciliatory to you in keeping someone you thought was of value on one of the committees and I think if we are going to bring everyone in this town

together, we need to bring everybody into the government to help and this is one way to start doing that and I strongly recommend that she come (inaudible).

Councilwoman McCabe – Well, I guess I can vote on it and I would disagree because, again, for the reasons I've already stated.

Councilman Belcaro – If I may, in two weeks we are going to have another meeting. I'd like all of us to think about this. This particular R15-22 in two weeks and we'll have a vote on that day. Can we table this?

Councilwoman McCabe – Or maybe the Economic Development part cause the Rec. we seem to agree on.

Councilman Belcaro – I'm just asking for that two weeks.

Council President Ciesla – Maybe Maureen can meet with Marla, Twyla and Judy.

Councilwoman Schneider – Why is that?

Mayor McKay – We haven't done that with any other appointments so you have someone who is qualified who is got a clean record, I mean, and they want to do it, that's all it is. Let her do it.

Councilwoman McCabe – You know.

Mayor McKay – Let her do it.

Councilwoman McCabe – We're trying to meet with other attorneys, I think at minimum, we could meet with some volunteers and have some discussions.

Councilman Belcaro – In two weeks, can we just have two weeks on this. I don't think I'm asking for a lot – just two weeks.

Mayor McKay – Okay, we'll table this for two weeks; both pieces.

Councilman Belcaro – Thank you.

Councilwoman McCabe – Thank you.

Clerk Dilts – Motion to table. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call:

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

NAYS: None

Council President Ciesla – You think Maureen can get the resume for Twyla?

Councilwoman McCabe – Yeah, the resumes and the volunteer forms.

Mayor McKay – Something happened with the other committee.

Clerk Dilts – Your Rent Leveling. It's already filled, there was no other appointments. If you would like to bring

Mayor McKay – I would like you to give me the information that will demonstrate that this is so. I asked you when did somebody get appointed.

Clerk Dilts – I gave you all that information Mayor McKay.

Mayor McKay – No I didn't think you gave it to me to the satisfaction.

Clerk Dilts – I did. I sent it to you by email.

Mayor McKay – What did you do, I think at the 29th, you appointed someone to a two day term.

Clerk Dilts – I don't appoint anybody.

Mayor McKay – Well someone, who did that?

Attorney Campbell – They appointed Mr. Mengucci to Mr. Tolti's term which does not expire yet.

Mayor McKay – Well, he had two years; isn't that what the term is?

Attorney Campbell – No.

Mayor McKay – What was his term?

Attorney Campbell – It was a three year term. I gave you a layout of all the terms and when they expire

Mayor McKay – All right. I don't want to get into (inaudible) We have to discuss all of them and do it properly.

Council President Ciesla – Will you table that to the 21st?

Mayor McKay – Yes. Okay Resolution No. 23 – approve Temporary Municipal and Sewer Utility Budget. I've not seen the budget.

Clerk Dilts – You have the resolution of the temporary budget in your agenda packet.

Mayor McKay – Which one?

Clerk Dilts- Everyone.

Council President Ciesla – Everyone. Basically, they take last year's budget and

Councilwoman McCabe – 26.25%.

Council President Ciesla – Just so we can stay in operation.

Mayor McKay – Okay motion to adopt it?

Council President Ciesla – Motion.

Councilwoman McCabe – Second.

Mayor McKay – Discussion. Roll call.

Roll Call:

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

NAYS: None

Resolution No. 15-23 – Temporary Budget.

R 15-23

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING TEMPORARY MUNICIPAL AND SEWER
UTILITY BUDGET FOR YEAR 2015

WHEREAS, NEST 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2015 Municipal and Sewer Utility Budgets, temporary

appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this Resolution is within the first thirty days (30) of January 1, 2015; and

WHEREAS, 26.25% of the total appropriations in the 2015 Municipal and Sewer Utility Budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2015 Temporary Municipal Budget is the sum of \$1,654,045.30 and in said 2015 Temporary Sewer Utility Budget is the sum of \$450,165.45.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made, and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for the record.

2015 Lopatcong Temporary Municipal Operating Budget

REVENUE - 104345 Amount to be Raised by Taxation \$1,654,045.30

EXPENDITURES		
10510120	Postage	\$3,000.00
10510220	Computer Services	\$5,000.00
1051320	Code Book Update	\$500.00
10510520	Human Resources Education	\$1,000.00
10511010	Mayor and Council Salary	\$5,500.00
10512010	Municipal Administration Salary	\$80,000.00
10512020	Municipal Administration Other Expense	\$7,500.00
10513010	Financial Admin. Salary	\$20,000.00
10513020	Financial Admin. Other Expense	\$200.00
10513520	Audit Services	\$15,000.00
10514510	Revenue Admin. Salary	\$8,500.00
10514520	Revenue Admin. Other Expense	\$750.00
10515010	Tax Assessment Salary	\$25,000.00
10515320	Tax Assessor Miscellaneous Expense	\$15,000.00
10515520	Legal Services Other Expense	\$30,000.00
10516520	Engineering Services Other Expense	\$15,000.00
10518010	Planning Board Salary	\$5,000.00
10518320	Planning Board Misc. Other Expense	\$2,000.00
10518510	Zoning Board of Adjustment Salary	\$2,000.00
10518520	Zoning Board of Adjustment Other Expense	\$500.00
10519610	Building Sub Code Inspector Salary	\$35,000.00
10519620	Bdlg. Sub Code Other Expense	\$2,300.00
10519810	Fire Inspector Salary	\$5,000.00
10521020	Liability Insurance	\$40,000.00
10521520	Workers Compensation Ins.	\$25,000.00
10520010	Zoning Officer Salary	\$2,500.00
10520110	Rent Leveling Board Salary	\$1,500.00

10522020	Employee Group Insurance	\$175,000.00
10522520	Unemployment Insurance	\$1,000.00
10524010	Police Department salary	\$625,000.00
10524020	Police Department Other Expense	\$25,000.00
10525210	Emergency Management Salary	\$1,100.00
10526020	First Aid Organization Other Expense	\$2,500.00
10526420	Fire Companies Other Expense	\$5,000.00
10527510	Prosecutor's Office Lopatcong Salary	\$6,500.00
10529010	Road Maintenance Salary	\$95,000.00
10529020	Road Maintenance Other Expense	\$47,195.30
10531010	Building and Grounds Salary	\$5,000.00
10531020	Building and Grounds Other Expense	\$7,500.00
10537110	Parks and Playground Salary	\$2,000.00
10537120	Parks and Playground Other Expense	\$20,000.00
105375095	Garbage & Trash Removal	\$2,000.00
10543020	Electricity	\$25,000.00
10544020	Telephone(Exclude equip acq)	\$15,000.00
10544620	Gas(Natural or Propane)	\$10,000.00
105448520	Fire Hydrant Service	\$45,000.00
10544920	Water	\$2,000.00
10546020	Gasoline	\$25,000.00
10546620	Interlocal Municipal Court	\$60,000.00
10547220	Social Security	\$100,000.00
	\$1,654,045.30	\$1,654,045.30

**SEWER
2015 Lopatcong Temporary Sewer Utility Budget**

Revenue – 764220 Sewer Service Charges \$450,165.45

Expenditures

7650110	Sewer Operating Salaries & Wages	\$45,000.00
7650120	Sewer Operating Other Expenses	\$400,965.45
7654021	Social Security	\$4,500.00
7654022	Unemployment Insurance Compensation	

\$450,165.45 \$450,165.45

Temporary Municipal Operating Budget –

2015 Budget Total Appropriations -	\$7,016,836.95
Less Appropriations for Interest and Debt -	-\$365,712.00
And Capital Improvement Fund -	-\$350,000.00
	\$6,301,124.95

2015 Temporary Budget – 26.25%	\$1,654,045.30
Sewer Temporary Municipal Operating Budget –	
2015 Budget Total Appropriations -	\$1,952,416.00
Less CIF/Debt Svc	(\$237,500.00)
	\$1,714,916.00
2015 Temporary Budget – 26.25%	\$450,165.45

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Resolution to renew membership in Statewide Insurance Fund for a period of three years.

Council President Ciesla – Motion.

Councilwoman McCabe – Second.

Mayor McKay – Discussion. Roll call.

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

NAYS: None

Resolution No. 15-24 – Renew membership in Statewide Insurance Fund for a period of three years.

STATEWIDE INSURANCE FUND
R 15-24

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Township of Lopatcong (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2015** terminating on **January 1, 2018** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

	<u>YES</u>	<u>NO</u>
Workers' Compensation & Employer's Liability	<input type="checkbox"/>	<input type="checkbox"/>
Liability, Property, Crime-Faithful Performance and Fidelity, Inland Marine, Boiler and Machinery, Comprehensive General Liability, Auto Liability, Auto Physical Damages and Professional Liability	<input type="checkbox"/>	<input type="checkbox"/>
Pollution Liability	<input type="checkbox"/>	<input type="checkbox"/>
Umbrella	<input type="checkbox"/>	<input type="checkbox"/>

BE IT FURTHER RESOLVED that Township of Lopatcong (*name of member employee*) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Member name: _____

By:

Title: _____

ATTEST:

(Clerk)

Dated:_____

This Resolution agreed to the 7th day of January, 2015, by a vote of:

 5 Affirmative Abstain Negative Absent

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, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Authorize Mayor McKay to execute Statewide Insurance Fund Indemnity and Trust Agreement. Motion by Councilwoman McCabe, seconded by Councilman Belcaro. Discussion. Roll call:
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor McKay.
NAYS: None

Mayor McKay – Reappoint Randy May Otterstedt Insurance Agency as Risk Management Consults. I thought that was going to be reworded.

Councilwoman McCabe – Yeah, I’d like to have discussion on that. We had received another.

Mayor McKay – I have to make a motion first. Motion by Council President Ciesla, seconded by Councilwoman Schneider. Discussion.

Councilwoman McCabe – We received another, a local Budd Agency would like to have that position and they have sent in a letter indicating that they’re interested in that. I think that since that is a local business, it’s been in this community for over 20 years and I would, I would like to appoint Budd Agency to that position and that’s all I’d like to say. So, I’d like to make a motion to appoint Budd Agency to be the Risk Management Consultant.

Mayor McKay – We have to vote that one down. Roll call.
AYES: None
NAYS: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor McKay

Mayor McKay – Motion to appoint Budd Agency to that position. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call please.
AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor McKay.
NAYS: None

Resolution No. 15-25 – Appoint Risk Management Consultant.

R 15-25

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Township of Lopatcong has joined the Statewide Insurance Fund a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant as those positions are defined in the Bylaws if requested to do so by the "Fund"; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

1. The Township of Lopatcong hereby appoints Jack Budd its local Risk Management Consultant.
2. The Township of Lopatcong and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2015 in the form attached hereto.

TOWNSHIP OF LOPATCONG

ATTEST:

Thomas M. McKay
Mayor

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Mayor McKay – Ask for authorization to execute Risk Management Consultant's Agreement. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call.

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

NAYS: None

Mayor McKay – Resolution No. 26 reappoint Maureen McCabe as Fund Commissioner and Beth Dilts as Alternate Fund Commissioner.

Council President Ciesla – Motion.

Councilwoman McCabe – Second.

Mayor McKay – Discussion.

Councilwoman Schneider – Can you, um, can someone on Council or Maureen since you did the job last year explain what Fund Commissioner is?

Councilwoman McCabe – We had, I attended a meeting ,actually it was last year in January we had a meeting with the Risk Management Consultants who came in. They discussed the insurance issues with the town. Um, they discussed last year our work comp. claims and then they made suggestions as far as let's say a town has too many work comp. issues they may then make a suggestion on maybe having some safety training classes.

Mayor McKay – Roll call.

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

NAYS: None

Resolution No. 15-26 – Reappoint Maureen McCabe as Fund Commissioner as required by municipal insurer and Beth Dilts as Alternate Fund Commissioner.

R 15-22

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING FUND COMMISSIONER FOR 2015

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

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

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

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

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Consent Agenda:

Mayor McKay – Motion to accept by Consent Agenda Resolutions No. 27, 28, 29, 30 and 32, seconded by Council President Ciesla. Discussion. Roll call.

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

NAYS: None

Resolution No. 15-27 – Authorizing redemption of Tax Sale Certificate No. 2014-061 in the amount of \$392.02 on Block 116.10, Lot 1 C0131.

R 15-27

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2014-061 ON BLOCK 116.10, LOT 1 C0131

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 116.10, Lot 1 C0131 also known as 131 Limerick Lane for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-061 was sold to Stuart Lasher for 18% interest; and

WHEREAS, Lereta Mortgage Company for property owners has satisfied the redemption amount on Certificate No. 2014-061 in the amount of \$392.02.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2015 that the Chief Financial Officer is authorized to issue a check in the amount of \$392.02 for the redemption of Tax Sale Certificate No. 2014-061 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, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-28 – Authorizing redemption of Tax Sale Certificate No. 2014-068 and Premium in the amount of \$1,045.18 on Block 133, Lot 56.

R 15-28

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 133, Lot 56 also known as 73 Buckley Hill Drive in Lopatcong Township for 2013 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2014-068 was sold to US Bank Cust as Cust for Actlien Holding for a Premium of \$400.00; and

WHEREAS, Citi Mortgage payable thru Core Logic Tax Real Estate, escrow company for property owners has satisfied the redemption amount on Certificate No. 2014-068 in the amount of \$645.18.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2015, that the Chief Financial Officer be authorized to issue a check in the amount of \$1,045.18 for the redemption of Tax Sale Certificate No. 2014-068 and Premium to:

US Bank Cust for Actlien Holding
50 S. 16th St., Suite 1950
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-29 – Authorizing refund of duplicate tax payment in the amount of \$2741.28 on Block 99, Lot 22 C0204 for tax year 2014.

R 15-29

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

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

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 99, Lot 22C0204	Green Tree Servicing Re: 204 Bald Eagle Drive	\$2741.28

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments to the 2015 property taxes due.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-30 – Authorizing refund of Tax Sale Certificate No. 2013-022 and Premium in the amount of \$25,977.52 on Block 103, Lot 21.

R 15-30

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 103, LOT 21

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 19, 2013, a lien was sold on Block 103, Lot 21 also known as 102 Stonehenge Drive for 2012 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-022 was sold to US Bank Cust as Cust for BV001 Trust for a Premium of \$10,500.00; and

WHEREAS, Lereta Select Portfolio, escrow company for property owners has satisfied the redemption amount on Certificate No. 2013-022 in the amount of \$15,477.52.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2014 that the Chief Financial Officer be authorized to issue a check in the amount of \$25,977.52 for the redemption of Tax Sale Certificate No. 2013-022 and Premium to:

US Bank Cust For BV001 Trust
50 S. 16th St., Suite 1950
Philadelphia, PA 19102

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-31 – Authorizing refund of Tax Sale Certificate No. 2014-066 in the amount of \$429.17 on Block 116.14, Lot 14 C0046.

R 15-31

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE
NO. 2014-066 ON BLOCK 116.14, LOT 14 C0046

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 116, Lot 14 C0046 also known as 46 Limerick Lane for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-066 was sold to US Bank for PC4 First Trust Bank for 18% interest; and

WHEREAS, CoreLogic Real Estate manager of escrow for National Star Mortgage for property owners has satisfied the redemption amount on Certificate No. 2014-066 in the amount of \$429.17.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2015 that the Chief Financial Officer is authorized to issue a check in the amount of \$429.17 for the redemption of Tax Sale Certificate No. 2014-066 to:

US Bank as Cust for PC4 First Trust Bank
50 S. 16th St., Suite 2050
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, January 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-32 – Authorizing redemption of Tax Sale Certificate No. 2014-005 in the amount of \$429.19 on Block 16, Lot 14.

R 15-32

RESOLUTION OF THE TOWNSHIP, COUNTY OF WARREN AND STATE OF NEW
JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE No. 2014-005 ON
BLOCK 16, LOT 14

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014 a lien was sold on Block 16, Lot 14 also known as 19 Park Square for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-005 was sold to US Bank Cust for PC4 First Trust Bank for 18% interest; and

WHEREAS, Nationalstar Mortgage, mortgage company for property owners has satisfied the redemption amount on Certificate No. 2014-005 in the amount of \$429.19.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of January 2015 that the Chief Financial Officer is authorized to issue a check in the amount of \$429.19 for the redemption of Tax Sale Certificate No. 2014-005 to:

US Bank Cust for PC4 First Trust Bank
50 S. 16th St., Suite 2050
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, January 7, 2015.

Margaret B. Dilts, CMC

Council Reports:

Councilwoman Schneider – No Council Reports.

Council President Ciesla – Why are we cancelling Council Reports?

Councilwoman Schneider – Because we just got our new assignments and we don't have any Council Reports as of yet.

Councilwoman McCabe – I do.

Councilwoman Schneider – If you have anything from 2013

Councilwoman McCabe – 2014.

Councilwoman Schneider – 2014 sorry. Didn't you do that in the 29th meeting.

Councilwoman McCabe – I have something for today 2015.

Councilwoman Schneider – You just got your Council assignments.

Councilwoman McCabe – Either case, I think we have the right to do Council Reports.

Councilwoman Schneider – Okay that's fine. I have nothing to report.

Councilman Belcaro – I know Baltimore Street is a little bit of a mess. And with this here, asphalt companies will be closing down if they didn't shut down by now so, um, fortunately that the ground is frozen so it helps out at least get a couple inches out of that and that be, you know, so me, myself I try to stay off of Baltimore Street. I go around so that's the way it is until it is completed.

Council President Ciesla – Do you know if they are going to continue, um, for Paul, do you know if they are going to continue to keep, they keep patching it up and it keeps falling apart. Are they going to continue to at least try to patch it up?

Councilman Belcaro – Well, every time it rains, you know, what happens when it rains, it gets into the crevices and when ice forms, it breaks up, lifts up, it happens with concrete, it happens with asphalt so, um, you know, just be cautious. If you can, take a different route. That's all I can say.

Engineer Sterbenz – I think what we need to do is monitor the trench and when the trench is settled and it's unsafe for motorists, we need to contact Dan Madden and we need to advise him of that. We need to advise him to use the provisions in that particular contract to get the contractor to do something so we do not have an unsafe condition for the public. So, I think it's going to be a work in progress and we need to monitor it on a regular basis moving forward if winter work is going to continue.

Council President Ciesla – From my previous appointment as LAA liaison and Recreation and all that, just a reminder that we have the spaghetti dinner fundraiser this Sunday. If you need any information on that Saturday, sorry thank you, if you have any information about it maybe you should ask Ken or Robin. It's 4 to 8 at the Lopat Middle School; yes 4 to 8 this Saturday. If you haven't reserved already, you can do that or you can just come in the door. We are taking any walk-ins we can get. There will be lots of prizes there too.

As far as Recreation, we have a meeting next Monday. Although we didn't appoint anybody today, I invite Robin and even Nicole to come to the meeting on Monday and Technology; I'm going to get those email lists going. We want to update the website. I'll have to hold off on that a little until we figure out who our computer person is because we would have to move everything over. I just want to welcome Mr. McKay, Mayor McKay to Council and this is my third year now. First year wasn't too bad, last year was a little, wasn't the greatest. I'm hoping this year is going to be the best one out of it. I think we can all work together and I have a lot of good ideas and congratulations. Thank you.

Councilwoman McCabe – Okay my report is I did do this last week. Many of you weren't here. We got a Shop Lopatcong Card available. Many of them are being purchased at the Clerk's Office. They are available from 9 to 5 during business hours. This is something we put together to help the businesses of Lopatcong. We want to try increase foot traffic in Lopatcong. Um, the EDAC Committee worked very hard on this. Special thank you out to Bruce Hall because he did do a lot of the layout on the computer to set it up so that we could get it printed. It's \$5. We had discounts from Friendly's, Pizza Hut, the UPS Store, Mienke, The Brass Rail. You'll get your \$5 back in your first use. So it might be beneficial to get a few cards. You get one in your car, one for your kids, whatever works. I just want to let you know that we have them in and they are available. That said, moving on, I do agree that we need to work together and make that effort and that's important because we want to get this town going and keep it going but in that regard, I feel that some of the appointments that were made tonight especially to the Planning Board and then to the Environmental Commission. I think those appointments may be illegal. So, I would like to have those appointments looked at. I don't want us doing anything illegal up here because either maybe someone's misread and ordinance or a statute or there's a miscommunication. Um, so I really feel that I should make a motion to reject these appointments to these two committees and have it looked at because I really think that some of them are quite possibly illegal and could get us in trouble.

Council President Ciesla – Can they be remanded back to the Planning Board to redo?

Councilwoman McCabe - I could yeah, and obviously we would need the Planning Board attorney to weigh in and give his opinion as well as the Chairman of the Planning Board.

Councilwoman Schneider – They are Mayor approval without consent of Council so you can't make a motion.

Councilwoman McCabe – Yeah, I understand that (inaudible). I can make a motion to have that reexamined.

Councilwoman Schneider – (Inaudible) table that.

Attorney Campbell – They are Mayor appointments so there is nothing Council can do to interfere with his appointments, however, if you feel that they are not valid or legal, Council can always request an opinion for the Planning Board attorney, from myself, from, that you have the authority to always get information but, um, you do not have the authority, in my opinion to reject his appointments. It's his appointments.

Councilwoman McCabe – Okay. Well, then I'd like to make a motion to have that reexamined by Planning Board Attorney by our Township Attorney, again, to insure that these appointments are proper.

Council President Ciesla – I'll second that.

Councilwoman Schneider – Should we get a quote? Is there additional fee for Katrina and the Planning Board attorney to do this?

Attorney Campbell – I have an hourly fee for my contract.

Council President Ciesla – But the litigation if we are wrong, could be huge, especially since there could be some development coming in this year if something happens with Ingersoll-Rand.

Councilwoman Schneider – Well, I'd just like to see how much it around, you know, how many hours of service this would be before we say yes to something. Could be three days, could be two weeks.

Councilwoman McCabe – Whatever money is spent on the attorney's pay would be a whole lot less than if we got sued or had litigation against the town and a member of Town Council, I want to make sure we are doing the right thing up here. I don't think there should be any question about that. If the appointments are correct than fine but I, I prefer to

Councilwoman Schneider – I wasn't questioning the validity I was just questioning the costs.

Councilwoman McCabe – I understand.

Mayor McKay – Any appointments that we made were made based on our best effort on determining the vacancies on these committees. Where we were given documentation substantiating that people were in fact appointed to committees. We have situations where people were appointed to a Planning Board in 2011 for a four-year term and appointed again in 2013 for a four year-term. Now which of those terms counts. I suggest it was the first one and that term is over. You can make argument on that and I'd love to see it. I'd love to see you know what other things you have to substantiate that you are, all these appointments were right. I asked for lists of appointments, I got so many different lists and then I got they didn't agree with the website, they didn't agree with each other and it was very hard for me to determine which appointments I have to make. So, what I did is, I determined that I would have to sit down and look at all of the resolutions from past re-org meetings to see if these appointments were actually made. Some cases, I couldn't substantiate it so, in these cases I kept asking show me can you just show me something that shows this happened. In some cases, I just didn't get it, so in those cases, I went ahead and made appointments. So, that's what it is. If there are legal reasons, that I made a mistake, you know, if there are documents that I have not seen, I welcome and I will reverse the appointment if the seat is not vacant and then that's always been the case so that's why (inaudible). What I want to do is put a lot of people that are interested in working and helping this Township into those positions, I think it is to all of our benefit to get fresh faces and new people workings here and that's all we're trying to do. That's it.

Councilwoman McCabe – You know what, experience stands for a lot. Um, this town has a history. If you don't know your history, you are bound to repeat it. I think that there would be nothing wrong with having the attorney, the Planning Board attorney to examine the appointments to make sure they are proper and if they are that's fine and we are all on board.

Council President Ciesla – So, we can just, you know, clear it all out, it will be great, then we'll know.

Councilwoman McCabe – Do we need to make a motion to

Clerk Dilts – You have a motion and a second. Are you ready for roll call?

Councilwoman McCabe – To appoint the Planning Board Attorney and/or the Township Attorney to review these appointments to the Planning Board as well as the environmental.

Mayor McKay – I question the need for the Planning Board Attorney because the Planning Board Attorney has nothing to do with the appointments.

Councilwoman McCabe – Well, it's the Planning Board so he would know specifically.

Clerk Dilts- And he is the expert in the Municipal Land Use Law.

Attorney Campbell – I believe in the memo I gave you, I said if you disagree with me, but I recommended you contact the Planning Board Attorney, cause I've already given you my opinion.

Mayor McKay – Okay, well thank you for that and, um, if you feel that both attorneys would be beneficial, then I certainly not stand in the way of doing that.

Council President Ciesla – I would think that Katrina would have minimal work at this point because she has already put in a lot of work.

Attorney Campbell – I can just provide my information in addition to whatever is provided by the Planning Board Attorney.

Councilwoman Schneider – Wouldn't you just need the Planning Board since Katrina did do all of the leg work in looking at this?

Attorney Campbell- Well, I did it in two days. I was asked this two days ago, so, I'll look a little more and see if there is anything else.

Mayor McKay – You know, and what I expected on this too, is you're going to check documents and not take somebody's memory or (inaudible) so give me documents that show all these things happened and then we'll be sure.

Attorney Campbell – No problem

Mayor McKay – Okay roll call.

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

NAYS: None

Mayor McKay – I have no Council Report since I've only been in office for three hours.

CFO Rossetti – (Inaudible).

Engineer Sterbenz – Happy New Year to the Mayor and Council and the staff here and the residents of the Township. I look forward to working with everybody again in 2015 and personally congratulated Tom on his election and look forward to working with you and establishing a working relationship.

Mayor McKay – Motion to approve Department Reports. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call.

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

NAYS: None

Mayor McKay – Well have public comment.

Public Comment:

Bruce Hall – 187 Stonehenge Drive – 35 year resident and current member of Lopatcong Planning Board, Lopatcong EDAC Committee, Lopatcong School Board. I'm a member of the Zoning Board, former Chairman of the Rent Leveling Board and longtime member of the Community Day activity and former Lopatcong liaison to the Warren County Planning Commission. He presented information and had questions and concerns as to why Mayor McKay did not acknowledge his term on the Planning Board.

Councilwoman McCabe – Thanked Bruce for his concerns and thanked him for all his services.

Anthony Perlingero – 50 Kyle Drive – He expressed that there was a lot of things that disturbed him about the meeting from professionalism to bickering and is not pro one side or the other. Council would be opening themselves up for a major lawsuit by not relying on Counsel and thought this reckless and a danger for both Council and all residents.

Juniper Leifer – 32 Jade Lane – Congratulated Tom. It was a little bit hairy but could have been worse. Proud of all of them and asked Ms. McCabe to come a long a little bit too and bury the hatchet.

Lee Rozycki – 56 Puddingstone Way – Disagreed with previous resident on Councils professionalism.

Diane Hall - 187 Stonehenge Drive – Addressed three things. Acknowledged Tom’s difficulty in stepping in. She was concerned that prayer and the Pledge of Allegiance was done at 7:00 and not done for the public and keeps the meeting the way it was supposed to be. Resolution No. 1 – and Resolution No. 5 – concerned with letting Katrina go. Resolution 21 – following the letter of the law regarding appointments.

Brian Weeks – Since you brought up the truck – they figure the end of this week or middle of next week. Invited Mayor to the garage to say hello.

Marla Endick – 10 Byron Drive – Congratulated Tom. Addressed Council on her ability to serve on the EDAC Committee.

Eric Johnson – 361 Stonehenge Drive – Congratulations is looking forward to continued work on the Recreation Commission.

Robin Wodzisz 3 Greystone Avenue – Thanked the Mayor for reappointing her to the Recreation Committee and looking forward to continued service.

Mayor McKay – Reason here is not to line his pockets and not to build a power base but to get things going in this town again. Motion to adjourn. Motion by Council President Ciesla, seconded by Councilwoman McCabe. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor