

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

May 6, 2015

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

Motion to come out of Executive Session by Councilwoman Schneider seconded by Council President Ciesla. All in favor.

Attorney Campbell reported that Council was in Executive Session for approximately 35 minutes. Topics of discussion were personnel matter requested by employee, contractual and public safety regarding emergency squad, contractual regarding the USDA Rt. 57 Pump Station Project Baltimore Street and litigation regarding Imhoff vs. Twp. of Lopatcong. The minutes of Executive Session will be made available at such time as the need for confidentiality no longer exists.

R 15-70

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:

1. Personnel Matter – requested by employee.
2. Contractual protection and safety of public – Phillipsburg Emergency Squad
3. Contractual – Dan Madden, Sewer Engineer – USDA Rt. 57 Pump Station Project – Baltimore Street.
4. Litigation – Status of Imhoff vs. Twp. of Lopatcong litigation settlement

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, May 6, 2015.

Margaret B. Dilts, CMC

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

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.”

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

Public Comment – Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Councilwoman McCabe – Asked to table Item No. 2 – not enough information on this yet and would like to Rice the tax assessor in order to have a thorough discussion on the issue.

Marla Endick – Asked if the matter was on the agenda and the public is here and it's on the agenda, if someone wants to make a comment on Item No. 2 they can make a comment, correct?

Gena James – 220 Strykers Road – Question on Agenda Item No. 2 under New Business – Resolution 15-73 – is this just to support this legislation and speaking on her behalf that the school board should have been notified this item was going to be on the agenda.

Eric Johnson – 361 Stonehenge Drive – Asked if No. 8 was the same truck being sold by auction.

Mayor McKay asked to close the public comment on agenda items only. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Old Business:

Video Position – 10:00

Minutes – Approve Executive and Regular Session Minutes for March 4, 2015 and amend effective date on how the meeting minutes are to be prepared from April 1st to March 18th. Councilwoman Schneider asked to have further explanation of amending the effective date of the preparation of the outstanding minutes. Motion to approve the minutes by Council President Ciesla, seconded by Councilwoman McCabe. No further discussion Mayor McKay asked for a vote:

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

NAYS: None

Minutes – Mayor McKay explained the changes that have occurred with the preparation of the meeting minutes and the Clerk has asked if Council would like to have the minutes summarized from March 18th instead of starting the practice for the April 1st meeting minutes. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider, Mayor McKay

Tax Assessor Report – Report of independent assessor concerning resident's complaints.

Motion to table by Councilwoman McCabe, seconded by Council President Ciesla.

Councilwoman McCabe stated that she would like the tax assessor to be Rice noticed in order to gain a better understanding of the matter. The report was only put out today and it raised more questions said Council President Ciesla. Mayor McKay said the report was put out as soon as it was received. Discussion took place between Council, Attorney Campbell and Attorney Artigliere, counsel for the tax assessor. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider, Mayor McKay

2015 Budget Presentation – CFO Lorraine Rossetti explained the budget through a power point presentation. CFO Rossetti explained that \$23.9 million was spent to support governmental functions in 2014; \$13 million to the school, \$6.4 million to fund County and \$4.4 million to fund Lopatcong operations. For 2015 the local budget is \$7,279,000.00. The state requires a balanced budget; anticipated revenues equal the appropriations.

2015 Budget Hearing – Motion by Council President Ciesla, seconded by Councilwoman Schneider to hold a hearing on the budget. All in favor.

David Larimer – 809 Rugby Road – It appears that approximately \$30,000 from the budget that was introduced approximately five week ago. Is that accurate and can you explain what the cuts

were? There was an article in the Express-Times looking at refinancing debt service. Has that been investigated and has that been incorporated into the budget.

Olschewski – Highlands Way – Lorraine mentioned that we are purchasing two SUV's and he was unaware that is happening or has been discussed or presented or.

Motion to close the hearing by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Resolution 15-71 – Amend the budget. Lorraine explained by consensus of Council to make several changes made to the Budget. Motion to accept the amendment to the budget by Councilwoman Schneider, seconded by Councilwoman McCabe. Councilman Belcaro asked the percentage of the increase. He requested Council consider decreasing the capital budget by one penny. A discussion ensued between Council members. Attorney Campbell recommended to Council to vote on the amendment unless you are ready to change it tonight, vote on it tonight as it is and if you choose to amend it again, then the hearing will have to be pushed out but if you come back, and Lou sits down, and there is no amendment to be made, then you are no further back then you were before. You'll have your hearing next month just as you planned. If there are further amendments to be had, then you'll be pushing your date back. Auditor Dave Evans explained the procedure. Councilman Belcaro asked to cut \$50,000 from Road/Paving and another \$25,000 from Police Cars for this year. Motion by Councilman Belcaro, seconded by Councilwoman Schneider to amend the amendment. Further discussion by Council. Roll call vote:

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

NAYS: None

Joint Meeting between Pohatcong/Lopatcong Councils – A suggestion to cancel upcoming meeting with Pohatcong on the Common Sense Shared Services Act. Mayor McKay said Mayor Kern said he decided the meeting should be postponed and his sub-committee members will be reaching out to our sub-committee members. Mayor McKay said the vote will be that the meeting is being postponed until the committees can meet. Council discussed the matter. Mayor McKay made the motion to cancel the meeting, seconded by Councilwoman Schneider. Councilwoman McCabe disagreed with cancelling the meeting. Roll call vote:

AYES: Councilwoman Schneider, Mayor McKay

NAYS: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

COAH Issue - Mayor McKay reported on the fact that almost \$300,000 of COAH funds were according to COAH misspent. Council agreed to seek proposals to look into what happened. Two proposals were submitted. Council President Ciesla asked if anyone called and received the Auditor's Report prepared by our auditors and based on the proposals received, there would be duplication of the work. Mayor said the report did not address where the money went and whose fault it was. The idea of this report is to get a complete picture. Council President Ciesla explained the COAH Program and the issues the township faces with regard to the COAH funds that were overspent. A discussion ensued regarding the proposals submitted. Mayor McKay made a motion to accept Mr. Morrison's proposal, seconded by Councilwoman Schneider. Roll call vote: Auditor Dave Evans said the amount is \$254,000. They were engaged in 2012 to reconcile township records to the reports that were filed with COAH. It was determined at that time that the administrative fee was exceeded due to the salaries being charged to the COAH account. They then discussed this with the governing body in closed session. From there a proposal was made to donate the land to satisfy the administrative costs and that's the last that was heard by the auditors.

AYES: Councilwoman Schneider, Mayor McKay

NAYS: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

Council President Ciesla made a motion to give the auditor's report to Beth to make copies of it for everyone and discuss in the Executive Session at the next council meeting and if that point in time folks don't feel it is enough, then maybe then we can go forward, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS:

Council President Ciesla said she didn't know if I need to make a motion for this but I want to call Trenton, I want to go down there and I want to fight for this town, I don't want to fight against this town. I want a, you know, to resolve this without (inaudible). Mayor McKay told her you can go down to Trenton and you can fight with them because somebody in this town overtook money that was supposed to go to the poor and spent it on administrative services and you tell Trenton that. Council President Ciesla indicated she would. I'll tell them (inaudible). Mayor McKay said you can do whatever you want and that's fine and please don't mention any of us, you are on your own.

Resolution No. 15-78 – Authorize change of scope of work regarding Rt. 57 Pump Station project – Baltimore Street repaving under the USDA loan/grant. Mayor McKay said they were looking into alternatives for the repaving the ditch on Baltimore Street and whether it would be advantageous for Council to continue with the present plan to mill down and pave only that portion of the road that was dug up to replace the sewer lines or advantageous to pave Baltimore Street curb to curb. Motion by Council President Ciesla, seconded by Councilwoman Schneider.

R 15-78

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING CHANGE IN THE SCOPE OF WORK FOR THE
RT. 57 PUMP STATION PROJECT

WHEREAS, Mayor and Council authorized a change in the scope of work regarding the paving of that portion of Baltimore Street wherein the street was dug up to replace sewer lines; and

WHEREAS, the cost of repaving a portion of Baltimore Street was built into the USDA loan/grant; and

NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council hereby authorize the Sewer Engineer Dan Madden to contact the USDA to look into whether Baltimore Street can be repaved in its entirety and the cost be built into the USDA loan/grant.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 6, 2015.

Margaret B. Dilts, CMC

Mayor McKay asked for a roll call vote:

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

NAYS: None

New Business Consent Agenda:

Video Position: 1:50:39

Mayor McKay asked for a motion to move Items 1 through 7 and then 11, 13 and 15. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Councilwoman McCabe Items 8, 9, 10, 12, and 14 should be pulled out and discussed.

Resolution No. 15-72 – Supporting the Transparent Tax Act of 2015.

R 15-72

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY SUPPORTING THE TRANSPARENT TAX ACT OF 2015

WHEREAS, Assembly Bill No. A-4325 supplementing Chapter 4 of Title 54, R.S. 54:4-65 and designated the “Transparent Tax Act of 2015” is being considered for adoption by the New Jersey State Assembly; and

WHEREAS, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purpose of any other special district on behalf of which the municipality collects property taxes; and

WHEREAS, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and

WHEREAS, A-4325 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets; and

WHEREAS, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county and each school and fire district; and

WHEREAS, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, hereby supports Assembly Bill A-4235 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate and the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerk’s Association of New Jersey and all Warren County Municipalities.

INTRUDUCED BY: Councilwoman Schneider

SECONDED BY: Council President Ciesla

ROLL CALL: Mayor McKay, Council President Ciesla, Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider

APPROVED: 5-0

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, May 6, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-73 – Supporting S-2658 Legislation to Limit Tuition Rates Charged by School Districts.

R 15-73

RESOLUTON OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY IN SUPPORT OF S-2658 LEGISLATION TO LIMIT TUITION
RATES CHARGED BY SCHOOL DISTRICTS

WHEREAS, in 2010, the New Jersey Assembly passed a two (2) percent property tax cap by a vote of 73-4 in favor; and

WHEREAS, in 2010, the New Jersey Senate passed a two (2) percent property tax cap by a vote of 36-3 in favor; and

WHEREAS, Governor Christie signed this overwhelming bipartisan legislation into law on July 13, 2010; and

WHEREAS, this legislation has allowed for property tax stabilization throughout the State; and

WHEREAS, certain boards and commissions currently are exempt from this two (2) percent cap; and

WHEREAS, governmental entities forced to pay higher rates than two (2) percent are forced to cut already lean services to make up for higher increases; and

WHEREAS, S-2658 eliminates one exemption by creating a limit of two (2) percent on increases in tuition rates charged by school districts to sending districts.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong strongly urge the Legislature to support and pass S-2658; and

BE IT FURTHER RESOLVED that we urge Senator Teresa Ruiz to allow this bill to be discussed and released at the Senate Education Committee; and

BE IT FINALLY RESOLVED that copies of this Resolution be forwarded to Pohatcong Township, Greenwich Township, Alpha Borough and Bloomsbury Borough.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, May 6, 2015.

Margaret B. Dilts, CMC

Municipal Building AC Quote – Approve quotation for work to be completed on the AC System in the amount of \$5375.00 by H.T. Lyons.

Norwescap 15th Annual Frolic – Donate individual pool pass to Norwescap's 15th Annual Frolic in the park fundraiser.

Resolution No. 15-74 – Authorize redemption of Tax Sale Certificate No. 2014-058 on Block 116.04, Lot 7 in the amount of \$429.44.

R 15-74

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 116.04, LOT 7 IN THE AMOUNT OF \$429.44

WHEREAS, at the Lopatcong Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 116.04, Lot 7 also known as 14 Sundance Street for 2013 delinquent sewer taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2014-058 was sold to Stuart Lasher for 16% interest; and

WHEREAS, Wells Fargo Home Mortgage, mortgage company for property owners, has satisfied the redemption amount on Certificate No. 2014-058 in the amount of \$429.44.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of May 2015 that the Chief Financial Officer is authorized to issue a check in the amount of \$429.44 for the redemption of Tax Sale Certificate No. 2014-058 to:

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

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 6, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-75 – Authorize refund of tax overpayment on Block 86.08, Lot 4 in the amount of \$2,628.45.

R 15-75

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT ON A TAX PAYMENT FOR 2015

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 owner listed below in the designated amounts representing an overpayment of a tax payment as follows for the tax year 2015.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
86.08	PNC Mortgage For 19 Highlands Way	\$2,628.45

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

PNC Mortgage
Attn: Tax Refund Dept.
P.O. Box 1804
Dayton, OH 45401

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, May 6, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-76 – Authorize change fund for pool gate office, snack bar and recreation program in the amount of \$450.00.

R 15-76

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING CHANGE FUND FOR POOL GATE/SNACK BAR AND RECREATION PROGRAM

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey want to make available a small quantity of currency for Pool/Snack Bar and Recreation Program; and

WHEREAS, these funds are to be carried on the municipality's balance sheet as an asset and checks are to be written on the general checking account.

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 this change fund in the amount of \$400.00 for Pool Snack Bar/Gate Office and \$50.00 Recreation Program.

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, May 6, 2015.

Margaret B. Dilts, CMC

Recreation Program – Approve application fees - \$325.00 per child full-time, \$225 part-time with daily fee of \$5. Non-resident additional fee \$25 per child.

Prepared Bid Documents Roadway/Sinkhole – Approve Engineer Sterbenz prepare bid documents for road and sewer work in the event of another roadway collapse related to a sinkhole.

Rt. 57 Pump Station Project – Authorize payment to Dulaine Contracting for work completed on the Rt. 57 Pump Station Project in the amount of \$56,237.58.

Items Requiring Further Discussion:

Video Position – 1:52:38

Resolution No. 15-77 – Authorize Township to sell 1997 HME Central State Rescue Pumper on GovDeals pursuant to State Contract A-83453/T2581 in “as-is” condition. Mayor McKay – Had been talking to a Pennsylvania outfit that does this type of thing and deals just with fire engines, however, their relationship with New Jersey is far as being approved vendor, is tenuous so he thought it best to go to GovDeals because they have the contract with the state. Motion to approve the resolution by Mayor McKay, seconded by Council President Ciesla.

R 15-77

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Township is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township Council.
2. The sale will be conducted online and the address of the auction site govdeals.com
3. The sale is being conducted pursuant to Local Finance Notice 2008-09.

4. A list of the surplus property to be sold is as follows: 1997 HME Central States Rescue Pumper, VIN #44KFT4287V WZ18547 and the odometer reading is below 24,100.
5. The surplus pumper as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Township reserves the right to accept or reject any bid submitted.

BE IT FURTHER RESOLVED, the Mayor, Township Clerk, Township CFO and Chief LaFord are authorized to execute all documents with Gov.Deals.com.

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, May 6, 2015.

Margaret B. Dilts, CMC

Mayor McKay asked for roll call:

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

NAYS: None

Recycling Tonnage Grant – Approve Linda Gabel, Certified Recycling Professional prepare and submit our Recycling Tonnage Grant and Resolution for 2014 for a fee of \$500.00.

Councilwoman Schneider said the township has to file a tonnage grant with the county and a report to the state which includes anything recycled by the businesses within the township and has to be submitted by a certified recycling professional. Lyn Gabel from Hope Township has agreed to prepare and submit the report to the state for \$500.00. Motion to approve by Councilwoman Schneider, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

LAA Bylaws – Distribution of assets upon dissolution of LAA. Motion to approve by Mayor McKay, seconded by Councilwoman McCabe. Council held a discussion regarding the procedures for payment of bills. Roll call vote:

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

NAYS: None

Resolution No. 15-79 – Approve Environmental Committee request to join ANJEC to include training at a cost of \$350.00. Motion by Council President Ciesla, seconded by Councilwoman Schneider.

R 15-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVE MEMBERSHIP TO THE ASSOCIATION OF NEW JRESEY ENVIRONMENTAL COMMISSIONS

WHEREAS, the Environmental Commission requested they join and support the New Jersey Association of Environmental Commission; and

WHEREAS, ANJEC members who serve on municipal committees shall receive email alerts, information and funding opportunities and a whole host of other informative materials.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize membership in ANJEC for the members of the Environmental Commission and training opportunities at a cost of \$350.00.

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 a meeting held on Wednesday, May 6, 2015.

Margaret B. Dilts, CMC

Mayor McKay called for a vote:

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

NAYS: None

Relay for Life – Approve request for Mike Nardella to place purple ribbons outside of the municipal building and at the Lopatcong Park and place signs throughout the town advertising “Relay for Life of Phillipsburg” to be held on Saturday, June 6 at 2:00 pm at the Phillipsburg High School Football Stadium. Motion by Mayor McKay, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Council Reports:

Video Position – 2:07:50

Councilwoman McCabe – EDAC meeting was not held in April but is scheduled for the end of this month. Shared Service meeting was held with Pohatcong and stated that shared services is an important for this town that we try to examine where possible we can save money. The Senior Citizen discount list will be put on line showing the businesses offering discounts to seniors. A scam alert will also be listed.

Council President Ciesla – Movies at the pool and dances were posted on the website. Movies are geared towards younger children but the Recreation Commission wants to select a movie geared more toward adults and show it at the pool and hold babysitting services at the pavilion.

Community Day is scheduled for August 15th to include vendors, rides and other activities. There is a plan going forward for an “Eats and Beat’s Night” to showcase the restaurants in the area along with some music – something similar to the Corks and Forks nights.

Extensive dog park research is being conducted and also research for grants to help establish a dog park.

The increase to the Board of Ed budget will be a little over 2%; about \$119.00 per average homeowner.

Shade Tree Chair and Vice-Chair both quit. Four people remain but the ordinance calls for five. The next meeting is set for May 14th.

LAA bylaws were changed and they are working to establish a 501C3. The baseball clinic is set for May 17th at the park. The cost is \$10 per child this year. St. Luke’s had reached out to the mayor and he referred them to the LAA president because they want to donate \$10,000 a year for the next 3 to 5 years to help out with park improvements and also provide training and clinics for compression testing. They want to provide trainers on the field and for basketball and wrestling. They will provide materials such as dirt and labor to maintain the fields. Batting cages and dugouts are some things they’ve talked about.

For technical – some of the yearly costs have already been paid for the year – web hosting, email, purchased two computers – at this point is Council going to officially hire Nisivoccia for 2015. Councilwoman Schneider will reach back out to him to see where his rates stood as she did ask him to reconsider them.

Councilman Belcaro – Reported that the contractor has completed the base course. The final restoration will occur after the pump station is operational. The contractor will make a cut five feet across and lay the final course. The telephone pole has been installed. JCP & L put their transformers on there. The only thing they are waiting for is the contractor to hook it up from the pole to the motor. The force main has been laid under Rt. 22/Roseberry Street and is complete. A small amount of gravity sanitary sewer lines that need to be installed – that will be done after the test. The test will be done within a week or two and I think within a month, this whole project will be completed.

An infiltration and inflow test (smoke test) should be done. Smoke bombs will be sent down into the sewer and fans will blow the smoke and if there are any cracks in the sewer lines, it will show where it is coming from – every gallon of water going to P'burg costs the town money. Illegal sump pumps are also a problem. When this test is scheduled, the residents will receive a notice. The USDA grant money will pay for this test.

Just as an FYI to the public that May 4th there was a helicopter flying around the area checking out the overhead wires.

Also, discussed running a meeting more efficiently. Arguing and going off-tract is really counterproductive and there is a need to minimize that. This would save time. Public comment is five minutes and that should be upheld.

Councilman Belcaro asked the mayor to remove him from the Finance Committee and put Council President Ciesla in his place who is more suited to be on the committee and asked him to further consider him where he felt his strengths are; DPW, Bldgs. and Grounds, Construction/Roads – just a consideration. Mayor McKay noted he would take under advisement.

Councilwoman Schneider - Had a change/addition to last month's funding from Clean Communities Grant to fund a show for the middle school. Council funded one show for \$700 for Jay Manquida. The school asked that he put on two shows because of the volume of the kids. To do another show there would be an additional \$500 fee. Motion by Councilwoman Schneider to fund the additional show for \$500, seconded by Council President Ciesla. Council was all in favor. The Illusion Maker made a request to perform two shows for the elementary school for a total of \$1350.00. Councilwoman Schneider made a motion to approve the funds for two shows for the elementary school, seconded by Council President Ciesla. Council was all in favor.

Councilwoman Schneider reported that a joint meeting was held on April 14th to discuss with Pohatcong possibly Sharing Services. A discussion was held regarding the four legislative appointments; collector, clerk, assessor and chief financial officer. The chief financial officer will put together a spreadsheet on the job descriptions, salary information, etc.

Councilwoman Schneider said that as councilperson you need to be versed in a lot of the roles. She said everyone should be involved in Finance and if not really your strong point, which is the most important in the town, she felt that staying on the committee you will learn. She is glad to be liaison for the DPW and the mayor expressed that he wanted everyone to experience the different departments.

Councilwoman Schneider expressed that Mayor McKay has brought forth decorum and shot down trying to make the meetings more manageable and now that it is coming from yet another person, everyone should understand that this does need to be done and what he did originally is accurate, that there needs to be control over the agenda, communication and decorum from the dais.

Councilwoman Schneider received a call from a resident about an easement/right-of-way. A battle has been going on with the township as to whether it is an easement or whether it is a right-of-way. There are trees there that a neighbor planted and have grown onto the township's property and he wants council to act on the ordinance and take care of the situation appropriately. Council said it was an easement and anything could be put there and he is saying it is a right-of-way but he is asking Council to write him a letter explaining what our stance is on this matter from our attorney. Mayor McKay said he felt the trees were planted on township right-of-way. Attorney Campbell asked Paul if it is the township's land or the township's right-

of-way. Paul confirmed it is the township's right-of-way. Attorney Campbell said the township has the right to say you can't plant here because you are blocking either the road or site but it is actually the property owner's land so it is not township land. Mayor McKay said but it is in the right-of-way so any citizen has the right to walk there. Attorney Campbell said no they don't have the right – it is a misconception I have in almost every town I've represented. Paul said the trees are in the 60ft. right-of-way – it's Park Avenue. They are not on the adjacent property of the resident who put the trees in. The trees are located on the frontage of the Darden property. Attorney Campbell will address the matter.

Mayor McKay – 56nd Annual Conference was held in late April but the Mayor did not attend due to the condition we are in he said.

The DOT has granted the township \$100,000 to repave Second Street. Council President Ciesla confirmed that this was the application submitted last year. Engineer Sterbenz said once we get the grant agreement it will fix the start date for the two year period the Council would have to award a construction contract for the project.

Councilwoman Schneider and Mayor McKay met with the hospital a few days ago and they are very interested in helping the town; specifically with the LAA regarding the condition of the fields and sports medicine type help and agreed to do Metrix on the kids. So he thanked the hospital for its kindness.

Thanked Aqua New Jersey for the reasonable approach to the negotiations he held with respect to payment for the costs associated with the Wordsworth Lane sinkhole. They agreed to cover almost all of the costs.

Mayor McKay asked for a vote to approve a personnel matter discussed in Executive Session to which he stated he could provide no further information as the matter is confidential except this was a request by an employee. Mayor McKay made a motion to approve, seconded by Council President Ciesla. Roll call vote:

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

NAYS: None

Mayor McKay asked Clerk Dilts to call the Senior Center and ask them if they wanted to use the pavilion.

Mayor McKay indicated that he is still working on selling the fire engine.

CFO Rossetti – Resolutions to add to the temporary budget.

R 80A

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPROVING THE EMERGENCY ADDITION OF OUR TEMPORARY MUNICIPAL BUDGET FOR YEAR 2015

WHEREAS, an emergent condition has arisen in that the Township of Lopatcong is expected to enter into contract, commitments or payments prior to the 2015 budget adoption and no adequate provision has been made in the 2015 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose to add to the temporary budget; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey with not less than two-thirds of all the members thereof affirmatively concurring, that in accordance with provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$1,376,005.00 as follows:

10510120	Postage	\$1,000	10520220	Environmental	\$2,000
----------	---------	---------	----------	---------------	---------

				OE	
10511010	Mayor & Council S&W	\$1,000	10526420	OE Fire Companies	\$8,000
10512020	Admin OE	\$2,500	10527510	Prosecutor S&W	\$3,000
10513010	Finance S&W	\$7,500	10529010	Roads S&W	\$25,000
10513020	Finance OE	\$5,000	10529020	Roads OE	\$28,000
10513520	Audit Serv OE	\$10,000	10529120	Senior OE	\$2,000
10514510	Collection S&W	\$10,000	10531010	Building & Grounds S&W	\$1,000
10514520	Collection OE	\$2,500	10531020	Building & Grounds OE	\$15,000
10515010	Assessment S&W	\$10,000	10534010	Animal S&W	\$2,500
10515520	Legal OE	\$10,000	10537310	Pool S&W	\$10,000
10516520	Engineering OE	\$10,000	10537320	Pool OE	\$15,000
10518010	Planning S&W	\$1,000	10543020	Electricity OE	\$5,000
10518320	Planning OE	\$15,000	10544020	Telephone OE	\$5,000
10518510	Zoning Brd. S&W	\$1,000	10544820	Fire Hydrant Service	\$10,000
10518520	Zoning Brd. OE	\$500	10544920	Water	\$2,500
10519610	Bldgs. S&W	\$20,000	10546020	Gasoline	\$15,000
10519620	Bldg. OE	\$2,000	10547120	PERS	\$142,475
10520110	Rent Leveling S&W	\$500	10547520	PFRS	\$321,305
10522520	Unemployment Insur	\$2,000	10649010	Court S&W	\$45,000
10524020	Police OE	\$15,000	10693520	Bond Interest	\$172,020
10525210	Emergency Mgmt. S&W	\$500	10692520	Bond Principle	\$145,000
10520320	Shade Tree OE	\$2,000	10693620	Note Interest	\$21,080
			10693720	Note Principle	\$251,125

2. Said emergency temporary appropriations will be provided for in the 2015 budget.
3. That one certified copy of the resolution be files with the Director, Div. of Local Government Services and the CFO for her records.

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, May 6, 2015.

Margaret B. Dilts, CMC

Council President Ciesla made a motion to amend the introduced budget, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

R 80B

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

WHEREAS, an emergent condition has arisen in that the Township of Lopatcong is expected to enter into contract, commitment or payments prior to the 2015 budget adoption and no adequate provision has been made in the 2015 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose to add to the temporary budget; and

WHEREAS, the total sewer emergency temporary appropriation resolutions adopted in the year 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$200,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey with not less than two-thirds of all the members thereof affirmatively concurring, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$200,000.00 as follows: 7650120 Sewer operating other expenses \$200,000.00
2. Said emergency temporary appropriations will be provided for in the 2015 budget.
3. That one certified copy of the resolution be filed with the Director, Div. of Local Government Services and the CFO for her records.

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, May 6, 2015.

Margaret B. Dilts, CMC

Mayor McKay made a motion, seconded by Council President Ciesla. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.
NAYS: None

Engineer Sterbenz informed the council that there was a preconstruction meeting for Reservoir Road drainage improvements. The work will begin in the next few weeks. The DOT approved all the work that was completed on South Third Street. The contractor has a few punch list items to address and once done, the project will be closed out.

Juniper Leifer – Environmental Commission will hike the Marble Hill Trails on June 6th and asked for the flyer to be posted on the website.

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

Payment of Bills – Total is \$1,392,123.76. Motion to approve by Mayor McKay, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.
NAYS: None

Audience Participation – Video Position – 2:45:16 – Motion to open the floor for public comment by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Olschewski – Highlands Way – Maureen is here for three years and should resign because she knows little. Questioned Lori who stated the IT professional was paid \$11,000 for hosting email – being robbed – maybe I pay you if you do something for me, I don't know what it is. Told Lou they had a discussion a little while ago in regards to raising taxes because of building a surplus – now-a-days you seem to be not wanting to and the residents can thank you for enduring the roads. Kathy and her attorney and why she has to pay for it and instead of letting her know and pull this off the agenda way ahead of time. Olschewski questioned Councilman Belcaro as to

why the truck wasn't being housed inside one of the fire houses. Councilman Belcaro there is no empty bays in any of the firehouses. In regards to COAH, absolutely shameful that Belcaro, Ciesla and McCabe don't want any auditors, anyone fresh looking at anything, it's a little, I don't know, not like it at all that much. Mrs. Ciesla he said I have a stack of emails from the State and whatever you said here, is all made up.

Diane Hall – 187 Stonehenge Drive – Just for information that as of March 2015 COAH has been disbanded and is in the Supreme Court.

Councilwoman Schneider – It does not matter what COAH is doing right now and it is not entirely disbanded, it's being discussed. It has to do with when it happened, the date it happened not now.

Dave Larimer – 809 Rugby Road – Just one thing about the budget – thanked everybody for listening to the taxpayers.

Bill Tagger – 15 Plaza Road – Again, speaking as a member of the School Board, I would appreciate if you had something like the tuition rate thing on the agenda that you would at least reach out and talk to somebody whether the board president or somebody else. There are a lot of issues associated with this tuition cap. What is in the bill is not even what the New Jersey School Boards Association supports. LAA – if any changes made in the structure of the LAA from a school district perspective, they are concerned about insurance and from a personal perspective, is very concerned about decorum and there has just got to be some way that the sniping back and forth can stop.

Gena James – 220 Strykers Road – Bickering back and forth needs to end. Fire Truck issue came up again tonight and she understands that a lot of money was saved on the purchase of the new truck but also knows that looking at other such fire truck websites that we could have gotten a brand new truck for \$100,000 less. Safety issue with Warren Heights – walking access onto Strykers Road adjacent from the school driveway is being used by cars going up that access.

Eric Johnson 261 Stonehenge Drive – Not 100% sure about the five minute thing – should look into the ordinance. Capital expenses are \$100,000 more than last year but it really isn't he thought because numbers are just shifted around. Baltimore Street – suggested looking into recycling asphalt. 2015 pool rates stayed the same except for early bird rates and twilight rates. He didn't think more research was necessary but better tracking in the gate office. Wants to have a child pass. He suggested three and younger free. March 4th he suggested the sewer credit of \$35 for pool owners be increased because the sewer rate has increased. Over a year and a half ago traffic studies were done on the Stonehenge Drive intersection and asked where that stands.

Resident – Asked about property that is landlocked off of Strykers Road – interested in purchasing the property. Attorney Campbell addressed the issue stating the township took title InRem Tax Foreclosure. The only thing the township can do is sell it at a public auction and because it is an undersized lot, it has to be offered to all the adjacent property owners. She continued to discuss other options with council because there are more properties that were also foreclosed on that the township now owns.

Mayor McKay asked for a motion to come out of public comment, seconded by Councilwoman McCabe. All in favor.

Motion to adjourn the meeting by Council President Ciesla, seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor