

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

October 7, 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.

Prayer followed by 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.

R 15-118

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 – temporarily fill vacated positions.
2. Litigation – Dimond – Consent to Settle
3. Litigation – Affordable Housing Shared Service Agreement Amendment
4. Litigation – Imhof
5. Interlocal Phillipsburg High School/Phillipsburg School District – RE: Belvidere Road
6. Personnel - DPW new hires
7. Special Meeting – Schedule as requested by Statewide Insurance Company
8. Litigation – Township of Lopatcong vs. Town of Phillipsburg – Rate Expert
9. Potential Litigation – Request for reimbursement of medical expenses related to incident in the municipal building on May 28, 2015.
10. Contract – Banks

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, October 7, 2015.

Margaret B. Dilts, CMC

Public Comment:

Video Position: 34:27

Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Bill Wright – 173 Stonehenge Drive – Criticized the Mayor for what he said, how he said it and that he was not man enough to accept responsibility for his inability to lead the Township – shamed the Committee, the Township, the Community and himself. He asked for his resignation before a Recall Election was instituted.

Marla Endick – 10 Byron Drive – Comment related to Resolution of Censure of Thomas M. McKay. She recalled to the public, a report in the Express-Times, that a complaint alleged by Ms. Dilts that Mayor McKay and two Township employees made disparaging remarks about the Clerk and a Township Volunteer. June 3rd Councilmembers voted to hire an independent investigator to look into Ms. Dilts complaint. In the paper it noted that Council member did not read the complaint nor received a copy. She indicated that Mr. Vartan was the investigator hired by the Township and read his credentials that noted the rate was \$250.00 per hour. Recommendations of appropriate attorneys were provided to Council President Ciesla and she presented those to the Council as well as their rates. She announced that Mr. Carbone provided recommendations and noted that Mr. Carbone is representing Ms. Dilts in a litigation matter presently. She thought it inappropriate. She thought it was a continued witch-hunt and harassment of select officials and Township employees by Council, when complaints are brought by others, has to stop. She thought if actions being pursued based on the results of this investigation exposure to the Township will be the best case of litigation yet.

Juniper Leifer – 32 Jade Lane – Commented on the Resolution of Censure and addressed the majority of Council and said that if the pattern of political sabotage continues she felt it important to remind them it is inappropriate to use the legal system as an instrument of abuse and that the taxpayers of Lopatcong are sick of footing the bill for their staged political witch hunts. These contrived actions have reached critical mass she said. Actions are chasing out qualified employees and have clearly targeted the mayor and any Township employee who's willing to work cooperatively with the mayor. Council's consistent effort to discredit and harass employees have cost our Township greatly resulting in three recent resignations. First the tax assessor Kathy Degan. Council majority lead an effort to bring in an independent investigator that absolved her of any wrong doing and she has resigned. The Zoning Officer, Wayne Degan also Rice Noticed resigned recently after finding himself in the middle of a political game after issuing a warning to Councilman Belcaro's signs during a campaign. That was met with a legal challenge to the ordinance. Township CFO was promised a part-time employee to assist her in her job was Rice Noticed over trivial matters. She said their willingness to use their elected office for political retaliation is an uncompromising threat to the financial stability of this Township. She asked Councilman Belcaro not to vote on any actions against the mayor based on a questionable sham of an investigation. She asked him to do the right thing for the taxpayers of the Township.

John Betz – Stated to the Mayor that what he knows there is no reason to say or do what you did to any employee, any place, anytime. There's just no place for it but wished in this case to stick to the Resolution and not all the other stuff that is going on. He asked the mayor to not let this happen again.

Olschewski – Highlands Way – He laughed and said he wasn't sure what the Mayor said or did but thought he is doing a great job and should not step down but step it up. Asked why there were all these Executive Session Minutes on the agenda for two years ago. Is it appropriate to have two people approve minutes. Asked if the result of Mr. Imhof's suit.

Ryan Cary – Said he is an employment lawyer and does defense work and routinely represents private companies and public entities like this one. He has worked with the mayor to try and impress upon the governing body what is believed to be an exercise of poor judgment in targeting one of its members for unfair treatment. He said by virtue of his appearance here tonight they failed in that regard. There is no support for the process the Council has manufactured for the mayor. He said they reportedly asked for the New Jersey statute regulation, case or Township code provision that authorized the effort and the limitation on the mayor’s rights and none had been identified. He asked the Council to bring an immediate end to the baseless attack on the mayor.

Bob McFarlane – 375 Stonehenge Drive – He said he was embarrassed as a citizen of this Township. He went on to say that the Mayor has treated people with disgrace and thought it was not right nor should be stood for. He thought the Mayor embarrassed the office of mayor, embarrassed the Council and worked to come at odds with what goes on in this Township. Years have gone by and nothing like this has ever happened before and it is a disgrace and he said he was not in support of what the mayor stands for.

Mayor McKay closed the public comment period – motion by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Old Business:

Video Position:

Minutes – Approve Executive Session and Regular Session Minutes for July 1st and August 5th, 2015. Motion to approve by Council President Ciesla, seconded by Councilwoman McCabe.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider, Mayor McKay

New Business:

Video Position: 50:00

Resolution 15-127 – Censure the Mayor. Council President Ciesla made a motion to censure Mayor Thomas M. McKay and read allowed the resolution, seconded by Councilwoman McCabe.

R 15-127

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY, TO CENSURE MAYOR THOMAS M. MCKAY FOR HIS DEROGATORY, DISCRIMINATORY AND HARASSING WORDS AND ACTIONS.

WHEREAS, the Township of Lopatcong (Lopatcong) is committed to the principles of equal employment opportunity and anti-discrimination as embodied in Title VII of the 1964 Civil Rights Act, the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (NJ LAD); and

WHEREAS, Lopatcong maintains a zero tolerance policy against any and all forms and acts of workplace harassment, discrimination, retaliation, intimidation, bullying and violence by or among its employees, volunteers, appointees and elected officials; and

WHEREAS, Mayor Thomas M. McKay was found to have made derogatory, discriminatory and harassing statements about a Lopatcong employee and a Lopatcong volunteer by calling them “man-haters,” and by implying that they are homosexuals, for reasons known only to Mayor McKay; and

WHEREAS, in so doing, Mayor McKay, has impugned the reputation of his Office, marginalized its authority, and exposed Lopatcong and its residents to undue financial liability and public humiliations; and

WHEREAS, Mayor McKay has refused to accept responsibility publicly for his derogatory and discriminatory remarks and, instead, has deflected the blame for his actions to the actions of his victims; and

WHEREAS, Mayor McKay has heretofore failed and refused to apologize to his victims or the residents of Lopatcong; and

WHEREAS, this Council finds Mayor McKay's words and actions, as reflected in the August 24, 2015 report of Lee Vartan, Esq., Special Investigator to Lopatcong, to be hateful, despicable, and deserving of censure;

NOW, THEREFORE, BE IT RESOLVED:

1. The Lopatcong Township Council (Council) hereby censures Mayor Thomas M. McKay for his derogatory, discriminatory, and harassing words and actions expressed and committed in the workplace generally and directed at a Township employee and Township volunteer specifically.
2. A redacted version of the Special Investigation report will be attached to this Resolution of Censure as Exhibit "A".
3. A copy of this Resolution of Censure will be published as required by law, within ten (10) days of its passage.

CERTIFICATION

I, Phyllis Coleman, Deputy 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, October 7, 2015.

Phyllis D. Coleman
Deputy Clerk

Mayor McKay read his prepared remarks -

I was elected to mayor a year about a year ago. I took office this January. Since that time I worked to try and improve the township, its operations, its relations and when I discovered that was not being handled properly or efficiently I tried to address those issues. It is not my style to just sit by and offer status quo simply because the change is more difficult. It is not what our residents elected me to do to the contrary I believe you honor me with the office of mayor precisely because the residents have grown tired of the status quo and the perception of indifference that accompanied it. I know there are those who have taken objection to my efforts to effect change. I strongly believe that those on this council have taken great objection in that regard. I suspect there are those who would like nothing better than to try to find a way to force me out of office and now here we are. A portion of the council seeking to censure me specific to some manufactured process that does not appear to be identified in New Jersey statute or case law. I am the victim here. I firmly believe that I have been retaliated against because of my efforts to effect good change on behalf of the residents in Lopatcong. I would like nothing more than to tell you all of the reasons why I believe the recent investigation and the process are fatally flawed and indicative of the denial of fair treatment to me. I have repeatedly sought the advice of township counsel to determine, whether if I so speak I could expose the township or myself or others to liability. Unfortunately, labor counsel has advised that I could expose the Township and or myself and or others to liability if I say anything that could be identifiable with any township employee. The circumstances are such that it would be utterly impossible for me to detail what I believe the obvious failings in this investigation and process without saying

something that could arguably be identified by a township employee. As a result I believe I'm being denied my due process free speech and other rights in connection with this process. Nevertheless, I put the interests of the Township above my own and will greatly restrict my comments consistent with the labor counsels advice. I do offer the following brief points which I do believe demonstrate that I was not afforded a full and complete investigation in this matter. The complaint against me and others was premised on a singular allegation based on what an unidentified witness allegedly said was said by myself and others. The witness was never revealed to me. Nevertheless, when questioned the witness apparently rejected the allegations that you heard, overheard myself and others making inappropriate comments that should have ended the investigation. As no other witnesses were identified, anonymously or otherwise. Instead the investigation continued with the interviews of other identified mystery individuals. There's never been indication of who these mystery individuals were and how they were identified or why they, as opposed to others were selected for a subsequent interview. Moreover, I was never even told of, or given the opportunity to respond to any allegations coming from the mystery individuals. As a result, the investigation omitted any opportunity to discover potential bias of the individuals toward me or the other accused persons who have resigned since. I, one of the unidentified individuals apparently engaged in the spread of inappropriate rumor and yet there was no negative findings that concerns this person. This unknown individual is the only person who apparently said I said something inappropriate. When he or she was interviewed this individual was confronted with the fact that he or she was identified by another person as a source of inappropriate (inaudible) yet this individual has apparently found to be entirely credible claiming that I said something inappropriate. Several of the issues and concerns in connection with the investigation were not approved to be investigated at all. I expected such serious issues and events to be fully examined as part of affording all parties a full and complete investigation. I've never been given an explanation as to why all those topics were not examined. The complainants own lawyer apparently identified the investigator to use to perform the investigation what. This is but a snapshot of the facts that I believe demonstrate that I was denied a fully complete investigation in this matter. In seemingly every forum, but before this Township council we have the right in this country to know our accusers and to confront all of the allegations made against us. I was denied that right. Why? You should demand that answer from those who are now going to censure me. You should demand that they tell you who said the mayor said something inappropriate. The reality is that no member of the governing body can identify a single person who said I said something in appropriate. Are these standards that our governing body should hold itself to in carrying out its duties and responsibilities? Is this being consistent with the (inaudible) execution of their powers and responsibilities that you no doubt expected of them when you voted them into office? This is wrong and it does not take a law or legislature to know that. But I will not allow mean-spirited hate motivated political attack to silence me or cause me to abandon my efforts to effect good change for the residents of Lopatcong. In fact, I am more committed than ever to doing everything in my power to make Lopatcong a better place to live, work and raise your families. Thank you.

Donna Schneider – I just want to say I just got this resolution this evening and this is the first time I am reading it and there are some things I'm not particularly happy with in here but I won't go on with that. The, um, redacted copy that apparently they want to release with this, interestingly only shows the mayor's name and gives full disclosure of the mayor's, what this report alleges the mayor did but everything else is marked out. So this is geared toward the mayor and no other employee or the complainant. I feel if you are going to put this out about the mayor, you should put all the names in it as it is already in the newspaper anyway and leaked by someone. So, um, with that said, based on the likelihood of probably new litigation arising from this meeting, I will not be made part of this process whatsoever. I am only interested in getting back to this Township's business and the people's business. That's what my interest is.

Council President Ciesla – The only other thing I have to say is the censure, part of the censure, was actually based on comments that Mayor McKay made to the special investigator.

Mayor McKay - What was that comment?

Council President Ciesla – That was the man-hater comment.

Mayor McKay - That comment came about when he asked me how do people regard, in your opinion, certain people? And I said something like that. It wasn't what I said because I didn't say that to (inaudible). I know you don't care about the (inaudible). I understand.

Council President Ciesla - Part of it is like you said I don't find any joy in this because it is the year 2015 and I just cited laws that were passed in 1964 and 1972. This should not happen. This doesn't happen in workplaces any more. You are escorted out the door if you do and for history, June 2011 Teaneck Councilwoman Toffler was censured, December 2014 Mt. Arlington, Councilwoman Danchuk was censure, April 2014 in Bellville, NJ, Councilwoman Burke was censured, October 2011, in Paterson, Mayor Jones was censured, July, 2008 Hardwick, NJ, Committeeman Carzoni was censured, October, 2013, Emerson, NJ, Mayor DiPaola was censured and as part of Chapter 15 of Roberts Rules of Order.

Ryan Cary – May I speak?

Attorney Campbell – No there is a motion on the floor. There is a motion on the floor; we are not taking any comments.

Ryan Cary – Would I have a moment – can I have a moment after the motion?

Attorney Campbell – No, they are going to vote after the motion. You can have, there is public comment at the end of the meeting

Ryan Cary – I was here last meeting and the other attorney was allowed comment after the matter was addressed.

Attorney Campbell- There's a motion on the floor.

Mayor McKay – I think you should afford him the same motion.

Attorney Campbell – It is not appropriate under Robert's Rules of Order.

Ryan Cary – Why was it appropriate last meeting?

Attorney Campbell – There was not a motion on the floor at that point.

Councilwoman Schneider – After the motion he's saying. He's asking for after the motion.

Mayor McKay – After the motion, let him say his peace. All right do your vote and screw me over and then we'll go on.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider

ABSTAIN: Mayor McKay

Ryan Cary – Very briefly, I promise. I just want to because I believe Council President was addressing me specifically, I just want to have the opportunity to respond. I was present during those interviews and the only comment that anyone on this Council has pointed to in support of this is now a comment that we're claiming was made by the mayor in his interview. You know, you all know, because I've written to you in great detail, that that is completely out of context and that the way that it actually occurred, is contrary to any statement or belief by the mayor that he believed any complainant to have been of the protected category in issue in this matter. It is completely contrary and that is all that you are able to point to in support of what you are doing here tonight. Council President sites the laws and claims that those have been violated; you

clearly don't understand what are the standards that need to be met under those laws. Thank you.

Dimond Litigation – Approve consent for insurance company to settle Dimond Litigation.

Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call:

AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Mayor McKay

NAYS: None

ABSTAIN: Council President Ciesla

Resolution No. 15-120 – Authorize Mayor and Clerk to execute the Amendment to the Shared Service Agreement.

R15-120

RESOLUTION OF THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN AND THE STATE OF NEW JERSEY TO
AUTHORIZE MAYOR AND CLERK TO EXECUTE THE AMENDMENT TO THE
SHARED SERVICE AGREEMENT

WHEREAS, the Township Council of the Township of Lopatcong entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; and

WHEREAS, the Township Council of the Township of Lopatcong recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Township Council of the Township of Lopatcong has determined that it is in the best interests of the citizens of the Township of Lopatcong to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.

2. The Mayor and Lopatcong Township Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Township Council of the Township of Lopatcong hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Township of Lopatcong with Econsult Solutions, Inc.

The Township Council of the Township of Lopatcong hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Township of Lopatcong with the approval of the Township of Lopatcong's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Township Council of the Township of Lopatcong further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, Township of Lopatcong shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Township.
6. This Resolution shall take effect immediately.

CERTIFICATION

I, Beth Dilts, Municipal Clerk for the Township of Lopatcong, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Council at its October 7, 2015 meeting.

Beth Dilts
Municipal Clerk

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

Interlocal Service Agreement – Authorize Mayor McKay to execute Interlocal Services Agreement by and between Township of Lopatcong and the Town of Phillipsburg with regard to their respective roles, responsibilities and contributions relating to the widening and traffic control improvements on Belvidere Road. Mayor McKay said this has to do with the entrance to the fantastic new high school. Phillipsburg has already approved this.

Motion 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

Resolution No. 15-121 – Appoint Brian Race as Public Works Repairer as per Civil Service Certification of Eligibles and DPW Contract.

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING APPOINTMENT OF BRIAN RACE AS PUBLIC WORKS REPAIRER PER CERTIFIED LIST OF ELIGIBLES FROM THE CIVIL SERVICE COMMISSION

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorize the appointment of Brian Race as Public Works Repairer pursuant to Civil Service Commission Certified List of Eligibles No. PL150962; and

WHEREAS, Brian Race is promoted pursuant to the Dept. of Public Works Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Brian Race is hereby appointed Public Works Repairer pursuant to the Dept. of Public Works Contract.

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, October 7, 2015.

Margaret B. Dilts, CMC

Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Dulaine Contracting, Inc. – Authorize payment to Dulaine Contracting, Inc., for work completed on the Rt. 57 Pump Station Project in the amount of \$29,162.69. 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

Temporary Administrative Officer – Appoint Engineer Sterbenz Temporary Administrative Officer to prepare certified lists of property owners within 200 feet. Properties subject to development application – applicant has to provide notice to property owners within 200 ft. They get a list from the tax assessor of who those property owners are the names and addresses. Right now there is no tax assessor and someone has to step up. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Police Department SUV Purchase – Approve purchase of SUV's for the Police Department requested by Chief of Police. 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

Executive Session Minutes – Approve February 6, 2013, March 6, 2013, April 3, 2013, May 1, 2013, June 5, 2013, July 10, 2013, July 22, 2013, September 12, 2013, October 2, 2013, November 14, 2013, December 4, 2013, December 9, 2013 December 30, 2013. Motion by Councilman Belcaro, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: None

August 7, 2013- Motion by Councilwoman Belcaro, seconded by Council President Ciesla. Roll call vote:

AYES: Councilman Belcaro, Council President Ciesla

NAYS: None

January 6, 2014, February 5, 2014, March 5, 2014, March 11, 2014, April 2, 2014, April 8, 2014, May 7, 2014, May 12, 2014 May 16, 2014, June 4, 2014, June 11, 2014, August 6, 2014, October 1, 2014. Motion by Councilman Belcaro, Councilwoman McCabe.

Councilwoman Schneider – Looked through the minutes and looked at the content and she believes the content is not accurate and does not portray the meeting. Rice Notices were issued and the minutes don't reflect the Rice Notices being issued. She needs to pull out all her notes and minutes and probably piece meal this together. She stated these are not accurate and she would not approve, she thought they were not factual. Council President Ciesla asked why if she did not review them she knew they were not factual. Councilwoman Schneider said because she said she clearly remembered a Rice Noticed meeting and that is not stated in there. Attorney Campbell said they were drafted to the best recollection and remembrance of the Clerk. The Clerk noted these are not verbatim minutes. Councilwoman Schneider said even the recollection was not accurate. She continues to state she would have to go through her notes to see even if they were accurate or inaccurate. Attorney Campbell stated that she could go through the minutes and if she found something that needed to be added she could bring that forward as an amendment. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: None

July 16, 2014 – Motion by Councilwoman McCabe, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

September 3, 2014 – Motion by Councilwoman McCabe, Council President Ciesla. Roll call vote:

AYES: Councilwoman McCabe, Council President Ciesla

NAYS: Councilwoman Schneider

Planning Board Class III Member – Appoint Gary Woolf by motion of Council President Ciesla, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Best Practices Worksheet 2015/16 – Discussion by Mayor and Council.

Councilwoman Schneider – We, the best practices checklist inventory worksheet is a worksheet provided by the state that you need to fill out. There are a lot of questions on there about your internal controls, your manuals, your policies and what it does is, it scores you and you – it, it tells you (do you have something you'd like to say – you can come up and say it) okay it scores you and what it does is it gives you funding – it tells you how much funding you're allowed. What the state is going to give you based on your score – so if you get a very high score you are guaranteed 100% of the funding. If you receive something less than that, the percentages go down. So I have the fun time of putting this together and answering the questions and I was going to give you guys another revised copy of it because we have had some changes but for some reason my computer would not allow me to make changes to it so I have to change the document and put it in something that can be. Unfortunately, I ran out of time to do that but what I can tell you is right now our score, there are some things on here that can be changed. We have to forward this, what we need to do is our obligation to talk about this tonight, have a little discussion here in the meeting. This form does not have to be submitted to the state until October 16th. I don't agree with that it has to be in October when it is asking you about your year, you still have 2 1/2 months to implement policies but that's the state. What we have right

now is, right now a score of about 33. There is 50 questions on the form and it scores us on how many yes's, how many no's and then you got some non-applicable and things like that. So right now we are at a 33 and that's still, there's some changes that need to be made on those 33. I still think that maybe we can get a little bit higher score but it would require a lot of work on this township. There are things that could have been done over the past few years that could have given us a higher score and they're easy fixes and some of them are a little more detailed but we can get a higher score if we try a little bit harder and maybe we can get some folks here to help me out. There is one item on there that I would like to get council's approval on. One of the questions was do you have a Prompt Payment Law. We do have a Prompt Payment Law for paying our bills for our vendors what it does not say, is for contract construction related contracts and that's what the question on the form is asking is if you have that. We should have a written policy but we don't, so, I would like to ask council to authorize Katrina to help to assist us to change that verbiage to give us a yes answer. That's an easy fix for that.

Council President Ciesla asked is this was a new question this year.

Katrina - (Inaudible) a lot of times, just to interrupt slightly, this is what the state, what they think is a good idea. So, one year it was you shouldn't have longevity so that was the new question of the year and then everyone was scrambling around to change that so they could answer yes to that question. So, that is the point, that's what they want. This is there shtick is if you don't get enough things of what this year we think is important, we'll take some of your state aid. So, every year these questions are different so that is a policy that we maybe should have had but now the state is saying you should have it so it is not necessarily every year we've been answering no to this question it's a new question but every year there is new questions but that was an easy fix.

Councilwoman Schneider said there are a lot of new; I think there are five new questions this year. The rest are all from prior years, they keep putting the same questions on time after time and I was starting to look back at last year's form to see what we filled out because I did not fill this form out last year and I noticed it, uh, I believe, unfortunately, I believe we've answered a lot of questions incorrectly and, um, I am going to do a lot more work on this because I don't, I'm not going to put my name on this form with incorrect answers and the 2014 worksheet definitely has some answers we sent to the state that are absolutely incorrect. I believe that; so.

Council President Ciesla asked if we are going to get this number up because I know we've been all working today on trying to get – cause a lot of them are easy fixes.

Councilwoman Schneider said yeah and that's with the fixes I added those in and we still have a 33.

Council President Ciesla – The old one you gave said it was a score of 32 and you just said it was 33 that means you only changed one.

Councilwoman Schneider - Well no, some of those changed to no answers today when Beth and I had worked on some and I asked Katrina some of those changed to no's um, that we thought were yes, that I thought was a yes and it was a no, so, there are a lot of changes made today so with saying yes to some of those turning them from a no to a yes, and a yes to a no, we are at 33. We won't get 100% funding. What we need for 100% funding is to have answered 41 or more. 41 to 50 would be 100%. Right now we are at 80% so we are losing 20% funding this year on a lot of these things should have already been put in place and we've answered them for a few years now with a yes answer and they should have put in a no answer.

Council President Ciesla - Would you send us an updated spreadsheet and take a look at it an analysis too?

Councilwoman Schneider – Yeah, absolutely.

Council President Ciesla – So we can get it up okay thank you.

Councilwoman Schneider – Yeah, um, absolutely. If you can, if there's some documentation if you can show me proof of documentation I'll absolutely change it to a yes.

Councilwoman McCabe – And, actually isn't this something that a CFO and the Chief, but a councilperson doesn't do this form isn't that correct?

Councilwoman Schneider – Well, if you want to talk about, if you want to talk about that Maureen we can Rice Notice the employees because I will not be put in a situation right now where a law suit could occur.

Councilwoman McCabe said – No, but what I'm saying is you don't sign off – we don't sign off.

Council President Ciesla - We don't sign off.

Councilwoman Schneider – No, we do not and if you would like an explanation on that um, I actually.

Mayor McKay – In the past there a councilperson signed off on it.

Councilwoman Schneider – I would, uh, I'd actually like to do that. Um, were going to Rice Notice, I would like to Rice Notice the Clerk for next meeting so could have a discussion on this because we do need to, there's been a lot of going back and forth on who is responsible for doing this. It seems like we've all, I received the same answer from many people and it is certainly not supposed to be me that is doing it and it's not supposed to be the mayor that's doing it. So, um, before I go into anything else, we'll just Rice Notice, I'd like to Rice Notice the Clerk and um, for next meeting so we can discuss this and figure out our job roles and responsibilities are here.

Councilwoman McCabe - Is there a need to do a Rice Notice for that?

Councilwoman Schneider – Well, if you want to talk about employees don't you need a Rice Notice.

Councilwoman McCabe – No I don't want to talk about employees. We need

Councilwoman Schneider – Well, we need to talk about employees because that is what this is based on.

Councilwoman McCabe – How are we for one going to talk about their performance when you Rice Notice someone.

Councilwoman Schneider – Right so I would like to do that.

Councilwoman McCabe – This worksheet needs to be worked on in conjunction with the either CFO if we are getting a temporary one, or the mayor

Councilwoman Schneider – No.

Councilwoman McCabe – or the Clerk. I'm not rice noticing

Councilwoman Schneider – Right or the Clerk.

Councilwoman McCabe – for determining that someone has some issues with their work product. This is something that should

Councilwoman Schneider – This is actually what I'm trying to tell you so I would like to Rice Notice

Mayor McKay – It needs to be a Rice Notice.

Councilwoman Schneider – for next meeting. So I can say things freely without fear of another lawsuit being put on the town.

Councilwoman McCabe – I disagree your reason for Rice Noticing. We can vote this is fine.

Councilwoman Schneider – You disagree. Okay, Maureen, so, um, we don't have any job descriptions anyway so you want to continue down that path of having no job descriptions and this place is in turmoil because nobody knows what each other are doing because there is no definition of it.

Councilwoman McCabe – I just saw that you are not supposed to be doing it. That's what I know.

Councilwoman Schneider – Okay then, we can get no funding. Would you like that?

Councilwoman McCabe – It needs to be worked on by our CFO, Donna you understand that.

Councilwoman Schneider – Oh well, we don't have a CFO.

Councilwoman McCabe – Our Mayor. Last year we had our Mayor and our CFO doing this.

Councilwoman Schneider – I can tell you right now the mayor is not supposed to be doing this.

Councilwoman McCabe – Okay, well what about our Clerk and temporary CFO.

Councilwoman Schneider – Absolutely, which is why I'd like to Rice Notice because Maureen you have not been here this week and you have not been part of most of the conversation. I'm asking for a Rice Notice for next month

Mayor McKay – (Inaudible) about the Rice Notice.

Attorney Campbell – Council wants to send a Rice Notice they can.

Mayor McKay – Is it not appropriate given the circumstances?

Attorney Campbell – If someone wants to discuss someone's job performance you should Rice Notice them. If other members of Council feel that they want to discuss it.

Councilwoman Schneider – It's not, uh, there's no, this is not about being negative; it's about getting roles and responsibilities.

Mayor McKay – Everybody sue; that's what we're trying to avoid lawsuits.

Attorney Campbell – Whether other members of Council want to have that discussion is not up to you.

Councilwoman Schneider – So a Rice Notice has to be a vote and a majority vote?

Mayor McKay – I don't think so. Employees in here were Rice Noticed and I didn't know about it.

Attorney Campbell – Those employees asked to be here she sent that as a safeguard.

Councilwoman Schneider – Yeah, she did. She did

Mayor McKay – I didn't know about it.

Councilwoman Schneider – She did – we knew about those Rice Notices but it was not a council vote. Nobody voted on it.

Attorney Campbell- that was different because those employees asked to be in Executive Session. They asked to be here and I recommended we send them a piece of paper just acknowledging that they asked to be here and if you look, that Rice Notice was very different than most of the rice notices (inaudible).

Councilwoman Schneider – I didn't see it, so I don't know what they all look like. I've never seen one so I would like to get to the bottom of issues and get a clear definition of what needs to be done here and what doesn't so we are not put in this situation again where a councilperson is filling this out that shouldn't because I don't want to lose 100% of our funding.

Council President Ciesla – When did we first get this though?

Councilwoman Schneider – I'm not going to talk about that because again it's going to be the same situation. I will not bring this stuff up here.

Clerk Dilts – Well, if the CFO filled this out we would not be in this situation.

Mayor McKay - Were not going to talk about that

Councilwoman Schneider - That is not true

Mayor McKay - We're not going to talk about because it is going to get

Councilwoman Schneider - That is not true, that is not true, it is not true

Mayor McKay - We'll, were not going to talk about it, that's it because we'll get sued so just make the

Councilwoman Schneider - I'd like to make a motion to Rice Notice the Clerk for next month's meeting so we can discuss this.

Mayor McKay – Second.

Councilman Belcaro – I don't find a problem with that.

Mayor McKay – Discussion. Roll call

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

NAYS: Councilwoman McCabe

Councilwoman Schneider – In any case, we're still working hard for the next two weeks to reverse some of these no's to get them yes'. Do I want us to lose 100% absolutely not but if we can at least maintain any percent this year and know that next year we need do a better job in order to get the 100% that's what my goal is so.

Resident – (Inaudible)

Council President Ciesla – No public comment.

Councilwoman Schneider – Well, lately, it is the Energy Receipt Tax and lately the max has been \$948,000.00. So, if we don't get to 100% we're going to lose 20% of that.

Council President Ciesla – If we work hard, we can get there.

Councilwoman Schneider – We have a week

Mayor McKay – Only if it's truthful and accurate or I'm not signing it.

Councilwoman Schneider – Absolutely. It must be truthful and accurate. I won't put that I had anything to do with this if it is not truthful and accurate.

Councilwoman McCabe – This report is due October 16th?

Councilwoman Schneider – Yes.

Councilwoman McCabe – So we are Rice Noticing a Clerk for next month?

Councilwoman Schneider – Yes, we are because this does not have to be completed at this point by the Clerk.

Councilwoman McCabe – So, we are not handing it in on October 16th. We have to and again Maureen, we can talk about all of this. This will be in on October 16. Whether we get 80% or 100%. This will be filed.

Council President Ciesla – Did anybody contact the DCA to let them know we don't have a CFO?

Councilwoman Schneider – Yes, they are fully aware.

Council President Ciesla – Is there any extension?

Councilwoman Schneider – No.

Councilwoman McCabe – We can't put in any amendments after the 16th.

Attorney Campbell – The DCA said you can make a note if you don't have a CFO.

Councilwoman Schneider – That's exactly what I put in the comments – “No CFO since October 1st.”

Councilwoman McCabe – And we can't make amendments after October 16?

Councilwoman Schneider – No, but you can appeal it. You do have the right to appeal it. You do have the right to appeal it. So, if we feel we want to appeal it, we can do that. We have the right to do that. No they will not give you an extension. It is not because of the CFO.

Mayor McKay - Are you done?

Councilwoman Schneider – Yes, I believe that's all we need to do is discuss that.

Attorney Campbell – The only thing that is on the bottom of the spread sheet is for the Clerk who has to sign it saying that the Best Practices Worksheet was discussed in public session. That's all she is signing off on.

Councilwoman Schneider – Right.

Attorney Campbell – Which in most towns is, did everyone see it, did everyone look at it? Okay we're done so you've more than covered your obligation and Beth can sign that now with her license number.

Councilwoman Schneider – Yes, thank you. We don't need to have discussions Beth now, okay. Okay, thank you. I mean with the public.

1997 HME Fire Truck – Discussion on Fire Truck. Mayor McKay said that initially it was to attempt to sell with a broker but then he was told it had to be placed on a state approved website. It has been listed three times with different prices and has not been sold as yet. An ad must be placed in the legal section of the newspaper before listed on the auction website. Councilwoman

McCabe and Council President Ciesla thought consideration should be given to Oxford as this truck has not been sold to date. Council President Ciesla said she has periodically checked the website and the other trucks are not even being sold for the amount listed. Councilwoman McCabe said the experiment has run its course and it has been up since May/June and it is now October. She said Council needs to sell it to the town that wants it and get rid of the liability. The offer was for \$6,000 and suggested contact be made with Oxford. Councilwoman McCabe reminded everyone that the fire chief came in here and told the Council the price was too high. Mayor McKay suggested two more shots on the website and if it does not sell then it could be considered to give it to charity; selling it for \$6,000 with the other truck. Mayor McKay suggested listing it for \$25,000 and then again for \$15,000 – after that let it go. Councilman Belcaro said suggested we list two more times until the end of November and then talk with Oxford. Mayor McKay agreed. Motion to continue to attempt to sell the fire truck on the government auction website and continue to advertise it in the newspaper as required by law – offer \$25,000 and then \$15,000 – if it does not sell then negotiate with Oxford Township on December 1st, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilman Belcaro, Councilwoman Schneider, Mayor McKay
NAYS: Councilwoman McCabe, Council President Ciesla

Consent Agenda:

Video Positon: 1:42:47

2015 Holiday Schedule – pulled for further discussion. Day before Thanksgiving leave at 3:00 pm – DPW leave at 1:00pm. Day before Christmas and New Year’s Eve – Close. Mayor McKay thought some departments don’t receive this. Councilwoman McCabe said that would be a department under a contractual bargaining unit. Attorney Campbell said they have separate rights that are different and apart. Councilwoman Schneider disagreed that these days are not holidays. Councilwoman McCabe disagreed with Councilwoman Schneider.

Motion to accept the Consent Agenda absent the Holiday Schedule. Motion by Councilman Belcaro, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.
NAYS: None

Holiday Scheduled – Motion by Council President Ciesla made a motion to approve the schedule, seconded by Councilwoman McCabe. Discussion.
Roll call vote:
AYES: Councilman Belcaro (this has been a past practice and now it seems like retaliation against our employees – nothing short of that), Councilwoman McCabe, Council President Ciesla
NAYS: Councilwoman Schneider, Mayor McKay (only if we work something out where this other mystery department gets equal treatment).

Resolution No. 15-122 – Grant application and execute grant agreement with NJ DOT regarding Baltimore Street Road Improvement Project.

R 15-122

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO SUBMIT AN APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BALTIMORE STREET ROAD IMPROVEMENT PROJECT

WHEREAS, the NJDOT makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Township Engineer has recommended that the Township Council apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2016 Municipal Aid Program for the purpose of constructing improvements to Baltimore Street between Red School Lane and Strykers Road;

WHEREAS, the Township Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Township Engineer is hereby authorized to submit an electronic grant application identified as MA-2016-Lopatcong Township-00142 to the New Jersey Department of Transportation on behalf of Township of Lopatcong.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Lopatcong and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Council

On this 7th day of October 2015.

Clerk

Margaret B. Dilts

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

Margaret B. Dilts

(Presiding Officer)

Thomas McKay, Mayor

Resolution No. 15-123 – Authorize refund of sewer overpayment for tax year 2015 in the amount of \$231.96 on Block 116.04, Lot 7.

R 15-123

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT ON SEWER
PAYMENTS FOR TAX YEAR 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 mortgage company of the property owners listed below in the designated amounts representing an overpayment on sewer payments as follows for the tax year 2015.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 116.04, Lot 7	Wells Fargo 8480 Stagecoach Circle MAC COD X3800-03C Frederick, MC 21701	\$231.96

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 of the 2015 property sewer 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 is a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, October 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-124 – Authorize redemption of Tax Sale Certificate No. 2014-055 and Premium in the amount of \$3,051.39 on Block 115.11, Lot 6 C0446.

R 15-124

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER ON BLOCK 115.11, LOT 6 C0446

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on June 25, 2014, a lien was sold on Block 115.11, Lot 6 C0446, also known as 446 Lenape Lane in Lopatcong Township, for 2013 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2014-055 was sold to US Bank Cust as Cust for PC4 First Trust Bank for a Premium of \$800.00; and

WHEREAS, Performance Title, LLC, Wells Fargo Bank, escrow company for property owners, has satisfied the redemption amount on Certificate No. 2014-055 in the amount of \$2,251.39.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of October, 2015, that the Chief Financial Officer be authorized to issue a check in the amount of \$3,051.39 for the redemption of Tax Sale Certificate No. 2014-055 and Premium 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, October 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-125 – Authorize redemption of Tax Sale Certificate No. 2014-018 and Premium in the amount of \$65,859.91 on Block 86.05, Lot 7.

R 15-125

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER ON BLOCK 86.05, LOT 7

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on September 23, 2015, a lien was sold on Block 86.05, Lot 7 also known as 10 Plaza Road for 2014 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2015-018 was sold to US Bank Cust for BV001 Trust for a Premium of \$52,500.00; and

WHEREAS, American Home Title Agency, Inc., title company for new property owners, has satisfied the redemption amount on Certificate No. 2015-018 in the amount of \$13,412.91.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of October 2015 that the Chief Financial Officer be authorized to issue a check in the amount of \$65,912.91 for the redemption of Tax Sale Certificate No. 2015-018 and Premium to:

US Bank Cust for BV001 Trust
50 S. 16th St., Suite 1950
Philadelphia, PA 19120

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, October 7, 2015.

Margaret B. Dilts, CMC

Resolution No. 15-128 – Authorize refund of tax overpayment for 2015 on Block 95, Lot 11.07 in the amount of \$2828.33.

R 15-128

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT OF TAXES FOR
TAX YEAR 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 mortgage company in care of the property owners listed below in the designated amounts representing a duplicate tax payment for the tax year 2015.

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 95, Lot 11.07	Decker, Jeffrey D & Kathleen	\$2828.33

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 to:

Jeffrey D. & Kathleen Decker
1292 Strykers Road
Phillipsburg, NJ 08865

CERTIFICATION

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

Margaret B. Dilts, CMC

South Warren Municipal Alliance – Approve Mayor to execute contract with County of Warren and the Municipal Alliance Program.

Fire Company Memberships – Approve membership to Delaware Park Engine Co., No. 1 for Brad Polizzi, James Race, and April Bartlack and membership to Strykers Road Fire House No. 2 for Chris Jones and Nick Ozgar.

Council Reports:

Councilwoman McCabe – LAA held a meeting and are still working on their 501C3 and taking the necessary steps to complete the paperwork. Buildings and Grounds – Brian has interviewed for full-time and part-time positions.

This past month Service Electric was here for a public hearing on extending their term for another 15 years. They are actually the only ones to service the Township.

Mayor McKay put Councilman Belcaro and her on a committee to look at access to the new high school through Lopatcong Park. They spoke to different parties as well as the insurance company. This would allow people to come into the Lopatcong Park and have access to the gate by the football field. This has mixed reviews because the park will have to be maintained in the winter. DPW will do whatever has to be done for the Township but it should be noted that it is more work and the time taken to do that will take away from our streets getting done. The expense; salt, plowing which should be examined further without jumping into right away. Additionally, the high school maybe deciding to allow a drop off and if this is the case, there will not be a need for access through Lopat. Engineer Sterbenz has drawings that indicate this drop off and pick up. This is not a discussion to rush into. Let's let that high school open up and let's see how things pan out and see if it is necessary that we help. Then maybe we should reexamine it then.

Councilwoman McCabe said this censure was not an easy decision and like someone said you should look long and hard – but this was looked at long and hard. This is not an easy thing to do and contrary to Mayor McKay's comments that our objections are to his supposed changes – no. Our objections are to your bad behavior and to the disgrace that you are bringing onto your office, this Council and this town and, as stated by Marla, that we should expose the town, we could potentially expose this town to potential litigation, you're right, that's why we had to take this step and Juniper's words of do the right thing, we are doing the right thing because by doing

this and taking this step we are following the recommendations that were given on an investigation and it is our duty to protect this town and that is why that is a step that had to be done. There is no joy, there is no satisfaction. This isn't a political war. This is called protect the Township from bad behavior and if we don't say something to a mayor, the person in the highest position, the person who said he was the CEO of the this town in the beginning of the year and we don't take steps against him, well then, anybody, any employee of this Township can do whatever they want because now they have the example that we did nothing to our highest position person. So that's all I have to say on that – it is not an easy step to take, it had to be done. That's it, thank you.

Mayor McKay – Are you done?

Councilwoman McCabe – I'm finished thank you.

Mayor McKay – Mr. Belcaro.

Councilman Belcaro – Quick update on the pump station – two things pending right now – AmeriGas needs to come and pick up the propane storage tanks that were excavated by the contractor and JCP&L needs to disconnect the power. They cannot do the demo of the old pump station until that's done. We don't know when that is going to happen. To the comment that we had to pay Dulaine \$29,000. There is still approximately \$34,000 remaining plus \$5,000 in unpaid line items. Now, getting back to the credit on Baltimore Street we are looking at anywhere from \$12 to \$27,000 credit. Contractor is also due credit for excavating the propane tanks.

Councilman Belcaro – Lopatcong Township has a black cloud over it and it rolled in here about four years ago. Up until then, this town was quiet, business was conducted and the previous administration had done due diligent. The residents of this Township were satisfied up until four years ago. This black cloud came over. This group of people

Councilwoman Schneider – Is this politicking? Are you politicking on stage?

Councilman Belcaro – Excuse me, I'm speaking okay.

Councilwoman Schneider – Excuse me, I'll have you removed if you tell me to shut up again. I will have you removed – do not tell me to shut up.

Councilman Belcaro – Now, out of this black cloud came a group of individuals that turned this town up-side-down. It has divided; it has created a hostile/toxic environment. They have accused Planning Board members, Mayor and Council with baseless allegations. Baseless allegations. Nothing without a shred of evidence to back up any of their claims. We have delusional people in our audience in this town and these people have poisoned, now mind you, one or two drops will poison a well. This group of people, the RLL, which was instrumental in electing four people on this board today. It's not me – I'm not one of them. Two of them, and I'll let them speak for themselves, parted ways. They refused to be manipulated by this group of individuals. Now, the audacity is to have two more people from this group running for Council with the same mindset. We have lawsuits in the balance right now – it has cost taxpayers a couple hundred thousand dollars to defend a legal process and the lawsuits are piling up. This is the sediment in this Township – this is the people I'm speaking to around town. They're sick and tired of this negativity, these baseless attacks and the rhetoric continues. The beginning of this year, Councilwoman Schneider made a comment and we had a Greenwich Mayor and Council sitting in the audience, made a comment that we should be following the model of Greenwich Township. Where is Greenwich Township today? And that's the model we should be following huh? Now, this is the poison that's in this town. One or two drops will poison a well

and I asked the supporters of the RLL to really rethink what they're doing because the facts are the facts. The truth is the truth. There's been fabrication with no facts backing up their fabrication. There've been half-truths at best. They like to spin stuff around and it is uncalled for and I'd like to say to the individuals of this group – you have to look in the mirror and search your own heart cause it is wrong and it has to stop. This anger, this hatred in this town is specifically in this municipal building and around town, I'm not the only one saying this – I've spoken to a lot of people, they're sick and tired. We need to look at the hearts and I'll tell you this

Mayor McKay – All right. Lou, you're going way over

Councilman Belcaro – Hold on, I'm not done.

Mayor McKay – Way over Lou.

Councilwoman Belcaro – And I would say this.

Mayor McKay – You're going to be on the record.

Councilman Belcaro – I'm on the record.

Mayor McKay- Watch what you say.

Councilman Belcaro – The God I worship knows every heart and the motives behind the heart and one day we will all be held accountable for every word, every thought and every action that we do. Search your heart people. This stuff has to stop.

Mayor McKay – Lou, thank you for that Lou.

Councilman Belcaro – And, I will say one more thing. I took no pleasure in everything I've just said. All right I don't get my rocks off – I'm telling you the way I see it.

Mayor McKay – You're going to be censured for making a sexual remark. Come on Lou that was a sexual remark. Oh my God. See how it feels Lou when you make bullshit up like that. It doesn't matter. All right. I know – it's on the record too. Wow you just filled the whole world up there with all your stuff. I tell you what I worry about here and in response to him. I worry about the fact that New Jersey Monthly ranks this town 445 out of 510. We're in the toilet and that's in clerical data done by private research firms – it's not somebody coming in here giving you some line of nonsense. This is just how they do it. They check all the towns out and we're at the bottom and I don't want us to be there and I'm trying to institute things that will help us come back from that but I get nothing but resistance. When I came into this office nobody wanted to change a thing. We'll stay at 445 – that's what you're gonna get when you don't change a thing and that's all I have to say on that. Any person here that's come up with ideas or trying to do new things you got to let them try. You got to support them. You don't have the police throw them out of buildings and you do those kinds of things. You know, I came in here with the best of intentions, best of attitude. Before I came in here I don't think I had an enemy and I certainly didn't hate anybody. This place will turn you. Okay.

Phyllis Coleman – Who do you hate Mayor?

Mayor McKay – Oh, that's my own little secret.

Phyllis Coleman - Cause you don't like anyone in the municipal building, and you certainly don't like Beth and I.

Attorney Campbell – Phyllis it's not public comment.

Councilwoman Schneider – That's not what we should be talking about.

Mayor McKay – You've uh, you've insulted me in public. Oop – I'm gonna have to do something about that. Let's get a note. I'm playing the game – that's how you guys do it.

Council President Ciesla – We're public officials – we have a much higher standard (inaudible) people can say how much they hate us.

Mayor McKay - What? I still don't hate anybody, but I'm close. Um, I, you know, you know I've never treated people wrongly. I treat um right. If they did something bad I might go after them. I don't go after them if they didn't do anything and I never will. What now, we are still in the middle of Council reports. So, um, the next Council Report can be you Lori.

Council President Ciesla – School Board – I'll be meeting with the vice principal of the middle school this week to work on some communication issues across the community and also I have a meeting with the superintendent and a few other people on Monday to go over some budget issues. They are looking for some give and take across the board. It was announced at the PTA meeting last night that there will be no more community events held on the weekends because of the overtime for the janitors and the PTA I don't think can pay for that. So, I am going over to talk to Rainie because we do some of the things – the Township does some things for the school so we are just going to look at some of them – I'm meeting with the Finance Committee to see what is going on there.

Recreation – We are, now that Community Day is behind us, we are actively looking at the Dog Park. We are going to plan a meeting in October or November. Shade Tree needs volunteers. The EMS has started up as a paid operation; that was the last week in September that they started.

At the request of the insurance company there will be an Executive Session Meeting to go over what is happening in the Township with the lawsuits, the liability – explain to the Council what our liability is and that because we are employers that we need to make sure the laws and regulations are followed. The meeting will be scheduled in the third week of October.

Councilwoman Schneider – So, if we want to do 20, 21 or 22 and figure it out from there. Okay.

Council President Ciesla – Probably 6:00 would be good unless Statewide can't get here.

Council President Ciesla – A lot of things have been said up here. Emotions are getting high. We only have three more meetings. I have enjoyed my time here regardless. Since day one, when I came in here, it has not been pleasant. I did not do what I was "told" and basically every single meeting I don't think I ever go a meeting without being criticized – ever, ever but I still come and I do the job because I do love this Township and I put pride into my work and I will continue to do it until the day I stop. Now, as far as the censure. Does anybody want to do that-no? At the same time, we have to remember something, that this is a place of employment. If that happened to me at my workplace, whoever did it would have been escorted out with a box to their car and that's one of the things we have to remember is we first have to set precedent. There is not much we can do, the censure is basically, it's because it is an elected official thing but if we don't do that and then another employee does do it, they can come back to us and when we fire them, they can say we'll you didn't do anything and that, it is precedent, it is out there. You have to do that. When we, as Council people, carry the liability of this Township on our backs for our actions people can and will sue us and if not, just to get it in case you were

wondering, I brought this picture of my daughter okay just to show you how old she is. She graduated high school. We're 28 years apart. I just had a conversation with her and she is describing to me a situation on a personal level and she is telling me she feels uncomfortable in the presence of this particular man not, somebody she needs to deal with, so I told her don't be alone with him and like I said we are 28 years apart. It is the same advice that my parents gave me. When you feel uncomfortable in the presence of someone like that, don't be alone with them. What we have to realize that from a physiological standpoint and a biological standpoint, women are not physically stronger species. Women are routinely beaten, raped and murdered by men with their bare hands. They don't need weapons because of the force. If something like that happened to my daughter in the workplace, I would tell her to go to HR because since then, over time, lots of laws have been put into place to protect not only women, but all other diverse groups because they have been harassed and they have been discriminated against and you cannot, you cannot deny that. So, when it comes down to why, why are these laws in place, that's why they are in place. They are in place to protect people; our daughters, homosexual people, people of different races, anybody who is discriminated against and for us to not take that seriously, means we are not doing our jobs.

Mayor McKay – And you take Mr. Belcaro's overtly sexual remark that he just made as a problem?

Councilwoman McCabe – Are you out of line?

Mayor McKay – I'm not (inaudible)

Councilwoman Schneider – It's a question, it's not out of line.

Councilwoman McCabe – Don't answer it.

Mayor McKay – I want to know.

Council President Ciesla – And also other actions, like slamming the gavel when I was being quiet or something that we did in Executive where he got into my face – is not appropriate either and I could have censured him in February just like everybody said, but I didn't.

Mayor McKay – (Inaudible).

Council President Ciesla – I'm done.

Mayor McKay – Now, I've asked you a question. Is Mr. Belcaro's overtly sexual remark a problem for you?

Councilwoman McCabe – I don't think I would answer that.

Mayor McKay – You said any kind of remark in any way. I'm asking you, is it a problem for you or are you just going to let that go? See there you go.

Residents commented from the audience

Mayor McKay – I've just asked her because she is just spouting (inaudible).

Councilwoman Schneider – It is not public comment or anything right now.

Mayor McKay – (Inaudible) she might have. Um, all right the next one to give comments would be

Councilwoman Schneider – Me? Okay. All right. DPW – we advertised for a full-time Laborer and a part-time Laborer. Brian and I sat and we interviewed out of a potential candidates; four. We felt that all of them were really great candidates and it is hard to narrow it down. If we could have hired all four, we probably would but we can't but we have two things with this. For the full-time Laborer, I would like to offer the job and would like to have Council approve a full-time Laborer and his name is Rick and I have Kisselbach and I have his resume here so I can get his information but I would like to hire him as a full-time Laborer for \$20.00 per hour and all of the benefits that a full-time employee would get here. So I would like to make that motion, seconded by Councilman Belcaro.

Roll call vote:

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

NAYS: None

Councilwoman Schneider – As far as a part-time position, we had not really much interest in that and as we started thinking about and what is good for the Township, we actually are going to upgrade that to a full-time position. So we will be advertising in the newspaper for that position and if you have already sent in a resume, or know someone that has, we will keep those and also put those into the pool of candidates. So that will be in the newspaper. So we will not be hiring a part-timer this evening.

As far as the three employees that resigned very abruptly, we have been left in a very big turmoil in this building. What I'm trying to do for our CFO position, we are having a very hard time with that but right now we have a potential of someone who's willing or could be willing to work part-time and they are a certified CFO and I don't want to mention who that is. We need to contact the woman because there's some changes that maybe we want to make to see if she is willing to do a little bit more. So, we will contact her tomorrow and see if that comes to fruition but I guess I need to make a motion Katrina to

Attorney Campbell- If you want to do it all as one motion

Councilwoman Schneider – Yes a lot of them.

Attorney Campbell – cause I know you – your alternative on that particular issue so if you want to do A if not then B you can do that as one motion.

Councilwoman Schneider – Okay, so, I'd like to make a motion to hire a potential part-time CFO and if that, if Plan A fails, we will go to Plan B which is a company called The Canning Group where they have temporary CFO's that are willing to work part-time and I would like to approve if we need to go to that step up to \$150.00 per hour. So, I'd like to make that motion right now, seconded by Mayor McKay.

Roll call vote:

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

NAYS: None

Councilwoman Schneider – We've had some great employees who have stepped up and agreed to help the Township out. If we, when we do get a part-time CFO, we have Rachel Edinger who is our Tax Collector she is very knowledgeable in a lot of the CFO's roles and responsibilities – she can do payroll, she can do bank runs, she can do bank recs. She has a lot of knowledge in that so we would like her to assist the part-time person in getting all of the tasks done in the CFO's office entails. We would like to offer her \$50.00 per hour for her assistance. So a motion

for that too Katrina. A motion for Rachel Edinger at \$50.00 an hour to help out in the CFO's office, seconded by Mayor McKay.

Council President Ciesla – Can you explain that? It is only several hours per week.

Councilwoman Schneider – Sure it is only for a few hours per week. It is not going to alter her position as the Tax Collector. So, she will still be doing her regular job and she will be taking work home at times or working a little later hours at times but it, it is not a full-time but a couple hours a week to get the payroll and the checks going to pay our vendors.

Mayor McKay – And she will have a separate time card for this?

Councilwoman Schneider – Yes, separate time card.

Council President Ciesla – And the money from the prior CFO's salary will cover this?

Mayor McKay – In the budget.

Councilwoman Schneider – Yes, yes. The money we have the remainder of our CFO's salary. We also have the assistant's salary that we had in the budget that will more than cover our needs to do this. As we are doing that, I might as well put in there to advertise for a full-time CFO for Lopatcong Township. So, um, I'd like to make a motion to advertise. So, we'll do Rachel first.

Roll call vote:

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

NAYS: None

Councilwoman Schneider – Okay, next advertise for a full-time CFO for Lopatcong, seconded by Mayor McKay. Roll call vote:

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

NAYS: None

Councilwoman Schneider – Phyllis Coleman, who is our Deputy Clerk, she also offered to help with our purchasing. Phyllis has been helping with purchasing on and off I guess for a few years so we would like to, she's offered to help with our purchasing which is accumulating rapidly, so I would like to offer Phyllis Coleman at \$30.00 again, a separate time card and again, her hourly fee will come also out of the remaining CFO's salary. So Phyllis Coleman at \$30.00 per hour for purchasing, seconded by Mayor McKay. Roll call vote:

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

NAYS: None

Councilwoman Schneider – I'd like to advertise for a part-time tax assessor for Lopatcong Township. Motion for, seconded by Mayor McKay. Roll call vote:

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

NAYS: None

Councilwoman Schneider – Our Zoning Officer also has resigned. John Fritts has also been gracious enough to have interest in becoming our Zoning Officer. So, I would like to appoint John Fritts as our Zoning Officer at a pro-rated salary of the Zoning Official, seconded by Mayor McKay. Do you want me to continue with the other part of that? Okay. From that salary of the past Zoning Officer, we would also like to extend to Eileen Apple who is down in the Zoning

Department already would like, she has also agreed and very graciously to help out John Fritts. So she will get from that a pro-rata salary for her from that salary which is we said around \$500.00. It will be around \$500 for her to do that for the remainder of the year. So, I would like to have John Fritts and Eileen Apple as taking over for the Zoning area.

Mayor McKay – On an interim basis.

Councilwoman Schneider – No, John Fritts is appointed. Eileen until we see what happens.

Mayor McKay – Okay second. Roll call vote:

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

NAYS: None

Councilwoman Schneider- Also for the assessor as well as advertising, I would like to have Lou and I because we are on the Shared Service Committee, reach out to all of the surrounding Townships to see if there is any possibility of a potential shared service for the assessor. It is a great opportunity to do that because we are starting out at zero so maybe there is an assessor that is willing to come here part-time and share. So we are going to explore that possibility as well because you'd might as well while we have the opportunity to do that.

Council President Ciesla – Last year Maureen and I were on the Shared Service Committee and we were working on that and we had a few prospectives. Everybody kind of knew that tax assessor Degan was going to retire this year so we were kind of like, why don't we just wait until that happens. So they might still be interested if you want Maureen has all the notes.

Councilwoman Schneider- Okay if you want to send me over the information that would be great and we'll start reaching out to those folks. Okay thanks. I think I have all of my hires in there and all that stuff. I'll go on a last note of saying you know, we have two conflicting stories here tonight from two different attorneys; one says that the mayor actually said that, the other one says that the question was asked of what others perceive this particular employee as being. So it would be, it is really due diligence has not been done; I don't believe so. I think that there is a greater need for some investigation and if you were in the corporate world, hearsay and then a recant of a story would not have resulted in an immediate fire with a box to your door. They would have done a whole lot more than just what happened here. So I guess as far as lawsuits, piling up, wow there's a lot piling up not due to the mayor but a lot of other things that are going on in this Township so they are coming from everywhere. So we've got some things to do here. We've got some work to do and as I said, I'm here to get to the people's business and to worry about our funds, our tax situation, our debt situation and everything else that goes with this Township and that's all I have to say on that note. Thank you very much.

Mayor McKay- Thank you Donna. I don't know if I have a Council Report. You know what can I say, we've just heard that Mr. Belcaro can make comments anyway he wants and that's fine but if someone says somebody heard them, overheard them but they don't know who, they can't identify them, we don't know who their names are, but they may of said this but no they didn't and then when they come back they just say well it never happened and then they go rolling around looking for anybody who'll say anything that they can take out of context but they do a report on me. That's all I'll say about it. That's the way it works, this is Lopatcong. Um, payment of bills.

Engineer Sterbenz – Mayor authorized Engineer Sterbenz to survey and prepare mapping for that particular street. This is a street that we obtained DOT funding to improve – I'm going to be looking to do that project in 2016. Per your authorization, we did that surveying and mapping work so we are set up to move into the design phase once Council comes up with a game plan for

funding that project. The last meeting Council asked Engineer Sterbenz to look at the intersection of Buckley Hill Drive and Belvidere Road because that intersection was unsafe and potential for motorists to drive into Belvidere Road because it was not obvious that there was stop control in place. He felt that it was not obvious that there was a stop at that intersection. There is a couple problems; one there was an overgrowth of vegetation and trees and the Road Department subsequently had gone out and removed the vegetation to make the stop sign more visible. A stop bar should be installed at that location to make clear to the traveling public that they need to stop and not enter Belvidere Road. Once the work is completed the intersection should be safe for the public. Lastly, a request for traffic counts on Stonehenge Drive and that cost is \$1,000 for one week.

Mayor McKay asked that Engineer Sterbenz and Lou work on quantifying the wastewater availability for the November meeting. There will be a discussion on the Piazza Tract. He would like a presentation as Mr. Ritter's Report was not explicit as to what is good and what is not good. Engineer Sterbenz said there is a section in the Code that deals with sewer and he will bring clarification back to Council on the procedures.

Payment of Bills: \$1,266.725.95 Motion by Mayor McKay, seconded by Councilwoman Schneider to pay bills. Roll call vote:

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

NAYS: None

Department Reports: Motion to approve by Council President Ciesla, seconded by Councilman Belcaro. All in favor.

Audience Participation

Video Position: 2:35:54

Motion by Council President Ciesla, seconded by Councilwoman Schneider. All in favor.

Juniper Leifer – 32 Jade Lane – Came with prepared statement. Disappointed the actions moved forward against the Mayor. Talk about doing what is right and failed to do so. Not sure why the claims in the complaint moved forward and not even substantiated. Thanked Donna for being the only one to do the business of this community. Addressed serious issues and is keeping the checklist in order with the finances. Don't get caught with the Council majority when they are bickering back and forth. These guys are piling up lawsuits and investigations against people to hurt them. Took issues against Councilman Belcaro's comments on a group of residents who stood up against what she felt was an unfair deal, unfair inside deal. She said we all know who is on the right side here. She suggested to Councilman Belcaro to run a clean race.

Lee Rozycki – 56 Puddingstone Way – She noted that the secondary road coming through the park be the main focus – when she was on the school board that was a very major concern with parents. She asked the Council to work with the SDA and P'burg but make sure that is completed.

Jim Mengucci – Spoke about the new high school and the concerns for the safety of the children walking. He noted that the school officials are looking at all angles and to let them try and resolve the issues first. He told everyone to calm down.

Brian Weeks – Spoke to Council about plowing season coming up and the fact that he cannot get close to the curb because of the trees. He would like to have a letter prepared to be handed to the homeowners who need to have their trees trimmed.

Marla Endick – 10 Bryon Drive – Argued the process of the investigation and the attorney who recommended the names a blatant conflict of interest. Attorney Campbell disagreed with this. She also commented on the holiday schedule of employees.

Anthony Perlingero – 50 Kyle Drive- Had many notes but said he had been coming to the meetings since January and in March or April he stated to the Council that the meeting was the most unprofessional groups of people he had ever had the unfortunate pleasure of listening to. In the course of 2 ½ hours this evening, alone, he said our highest elected official use terms as getting screwed, bullshit, close to hating people. There have been accusations and comments regarding false reports filed to the State of New Jersey, insinuations of possible impropriety involving a respected law firm and licensed attorneys. Council sits up here and argues and fights amongst themselves sniping at each other. You are elected officials here to represent the people of this community whether you are republican, democrat, pro this or against that. It does not matter but as a citizen of this Township, as a taxpayer of this community, I expect Council to at least conduct themselves in a professional manner. I live in this town, before I moved here 18 years ago, I came to Council meetings to see what the town was all about, how the government worked. He asked them to come together and act as professionals.

Eric Johnson - 361 Stonehenge Drive – He thought this a tough meeting – a lot of emotions. He agreed with Lou on the black cloud over the Township. He said the black cloud started about 10 months ago – with the resistance of the Council to change. He said it is hostile for everybody including the audience. Spoke to officials at the high school and biking is encouraged.

Olschewski – Highlands Way – He felt the pledge was not justice for all – secret witnesses. Can censure someone when not substantiated in any way. People vote anyhow when the report said you never did it. We filed false reports to the state for a number of years, Donna indicated, he said. Executive meeting minutes have to be taken although Couns els advice said we did not.

Brad Decker 685 Belvidere Road – Issue regarding the site problem pulling out onto Belvidere Road from N. Second Street. Cars are parked on both sides of N. Second Street and present a problem for cars pulling out onto Belvidere Road. There should be some distance from the curb. Engineer Sterbenz will address the problem. There are statutory provisions he indicated to control the problem.

Motion to adjourn the meeting by Mayor McKay, seconded by Councilman Belcaro. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor