

TOWNSHIP OF LOPATCONG
COUNCIL MEETING
5:30 PM

December 30, 2015

The Regular Session of the Council Meeting of the Lopatcong Township Council was called to order 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. Also present was Attorney Campbell and Engineer Sterbenz. Councilman elect Joseph Pryor was present for the Executive Session.

Motion to come out of Executive Session by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Attorney Campbell stated that Council was in Executive Session for approximately 2 hours and 20 minutes. Topics of discussion were Personnel - interviews for CFO position, Personnel – interviews for Tax Assessor, Personnel – appointment of the Judge, Fire Truck – offer from Oxford Township, Personnel – shared service Pohatcong Court, Contract – LAA Contract, Personnel – Harassment Training/Quantum Services, Personnel – Employee Handbook Policy, Personnel – Social Media matter, Contract – Banks. No. 10 was discussed briefly but will be carried along with No. 12, No. 13 as they were not discussed.

R 15-148

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

1. Personnel - Interviews for CFO position
2. Personnel – Interviews for Tax Assessor position
3. Personnel – Appointment of the Judge
4. Fire Truck – Offer from Oxford Township Fire Chief
5. Personnel - Shared Services - Pohatcong Court
6. Contract – Lopatcong Athletic Association
7. Personnel – Harassment Training/Quantum Services
8. Personnel - Employee Handbook Policy – Revise to include policy to change locks on office doors and possibly file cabinets when employees terminate employment.
9. Personnel - Social Media Matter – proposed letter
10. Personnel - Municipal Business – Council’s involvement
11. Contract – Banks
12. Personnel - COAH Administrator
13. Personnel - 911 Coordinator

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.

NOW, THEREFORE, BE IT 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, December 30, 2015.

Margaret B. Dilts, CMC

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

Mark Peck – Attorney with Florio, Perrucci Law Firm. He represents STAG GI NJ No. 4 on the New Business Agenda. Sent a letter regarding a Developer’s Agreement.

Joseph Baumann – OPUS Investments – is here to answer any questions with regard to the Redeveloper’s Agreement.

Olschewski – Highlands Way – No. 9 Executive Session – not sure why an Executive Session item. Asked for an explanation on the Recreation Ordinance. Also, asked for an explanation on the application regarding STAG GI, NJ.

Motion to close Public Comment by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Old Business:

Minutes – Approve Minutes of Executive Session and Regular Session for October 7 (with edits), October 21st, November 12th and December 2, 2015. Mayor McKay noted that Council did not receive the minutes of November 12th. November 12th minutes will be placed on the January 6, 2015 agenda. Mayor McKay asked for further edits to the October 7th – change the word clerical to empirical data. Motion to approve all minutes except November 12th. 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

Ordinance No. 2015-14 – Second reading and public hearing to Amend, Revise and Supplement the Code of the Township of Lopatcong to make revisions to requirements outlined in Chapter 53 entitled “Recreation Committee”. Mayor McKay asked why the change. Councilwoman McCabe noted these types of appointments were used for political purposes and the change will prohibit that. Mayor McKay asked who is presently the chair on that committee. She noted the point of the change was to remove the mandated position that a council person must sit on the committee. Mayor McKay stated that the change would affect the balance of Executive versus Legislative. Councilwoman McCabe said what we discussed last meeting and agreed on and voted on was the changes; paragraphs A and B. Mayor McKay stated he wanted better clarity for the record, they know what has happened. Motion to open for public hearing. Motion by Council President Ciesla, seconded by Councilwoman Schneider. All in favor.

Mr. Olschewski – I understand we are spending money on this right. Do we know how much?

Council President Ciesla - \$80

Councilwoman Schneider – How many hours has Katrina spent on it?

Attorney Campbell – I didn't spend any (Council talking over each other)

Mr. Olschewski – It is my understanding that it was Mayor with Council consent. As far as I understand it, the Council always had the power more or less to say no to any appointment made. I'm not sure

Council President Ciesla – That's not the major reason for the change. It had to be a Council person that sits on the committee (inaudible Council talking over each other).

Mr. Olschewski- What would be the downside

Council President Ciesla – So, this way you could be on it now in that place instead of a Council member.

Mayor McKay – How do you know no one wanted to be on it?

Council President Ciesla – Everybody I asked.

Inaudible - Council talking over each other.

Council President Ciesla – You want to be on it.

Councilwoman Schneider – Nobody asked.

Mayor McKay – I think you do.

Council President Ciesla – Go for it, you can have it.

Mr. Olschewski – I would appreciate it if you are spending the tax payers money, our money, that it actually benefits the public in some way or another. I do not see how a motion like that would benefit the public and that is what you guys are supposed to be here for, the public, right? And expending the taxpayers money without really having a benefit from it, I'm not sure that that is, at this time, when money is tight

Council President Ciesla – The benefit is you can take that seat. It doesn't have to be a member of Council. If they want it to be it can but it doesn't have to be. That's the benefit to the public.

Mr. Steinhardt – As a member of the public I want to thank Council for taking a position that would take a seat that was otherwise previously dedicated to a Council member and making it available to everybody else, so all of us residents could have yet another representative voice. It makes perfect sense to me, the fact that you might have tied up other things with it. I understand what you are doing as a means of (inaudible) amendments to another wise (inaudible) change to me. As I said, as a resident I certainly support making as many boards and commissions available for residents to sit on as opposed to elected Council members. So it certainly makes sense and in terms of the \$80, I'm going to put to you guys ten minutes it took to figure out what to do with the minutes if you divide that by how much you are paying Katrina, it seems to me kind of silly that you wasted that much time just talking about minutes and two of you didn't vote on it, voted no anyway which strikes me, like if you spend another ten minutes or voted on it independently, if you would have voted yes we'd spend another \$80 still playing with the minutes. As a resident who spent \$30 or \$40 sitting here listening to you debate this I would hope maybe you could call it, take a vote. Thanks.

Mayor McKay – Okay, any other pearls of wisdom from the audience? Okay we will close down the public hearing. Motion to close down public comment on this matter. Motion by Council President Ciesla, seconded by Councilwoman McCabe. All in favor.

ORDINANCE NO. 15-14

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, December 30, 2015 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF LOPATCONG TO AMEND CHAPTER 53, “**RECREATION COMMITTEE,**” SECTION 1, “**COMMITTEE CREATED; TITLE; MEMBERSHIP; TERM; VACANCIES.**”

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey Monday through Friday 9:00 am to 4:30 pm.

Margaret B. Dilts, CMC

Motion to adopt by Council President Ciesla, seconded by Councilwoman McCabe. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla

NAYS: None

ABSTAIN: Councilwoman Schneider, Mayor McKay

Ordinance No. 2015-15- Second reading and public hearing to Adopt the Amended and Restated Redevelopment Plan for the Former Ingersoll Rand Property Commonly known as Block 100, Lot 1 and Block 101, Lot 1 on the Tax Map of the Township. Motion to hold a public hearing. Motion by Council President Ciesla, seconded by Councilwoman Schneider. All in favor.

Mr. Steinhardt asked why the abstention on the vote on Ordinance No. 2014-14. You guys both abstained rather than vote yes or no. I’m curious as what the basis for the abstention.

Mayor McKay – Abstention, I don’t see the reason for it and it wasn’t given adequately. Maybe down the road I’ll get better reasons.

Mr. Steinhardt – So you’re abstaining as opposed to voting no.

Councilwoman Schneider – I’ll answer it because I’m not opposed to opening up the seat to another resident in the Township I am opposed to the changes for the sake of political reasons. So I agree with some of it but not all of it, so I didn’t want to say no to the entire thing.

No comments on the Ingersoll Rand matter. Mayor McKay asked for a motion to close public comment. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

ORDINANCE NO. 2015-15

SECOND NOTICE OF AN ORDINANCE

NOTICE is hereby given that a regular meeting of the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey, held on Wednesday, December 30, 2015 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

ORDINANCE OF THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN, NEW JERSEY ADOPTING THE
AMENDED AND RESTATED REDEVELOPMENT PLAN FOR
THE REDEVELOPMENT AREA LOCATED ON THE FORMER
INGERSOLL RAND IN THE TOWNSHIP.

Said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Lopatcong Township Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey Monday through Friday 9:00 am to 4:30 pm.

Margaret B. Dilts, CMC

Motion to adopt this Ordinance by Council President Ciesla, seconded by Councilman Belcaro.

Mayor McKay – Asked that the changes to the Redevelopment Plan were made.

Engineer Sterbenz – Just for the record, I worked with Mr. Ritter in putting together the plan and considered my input and incorporated my input into the Redevelopment Plan that you are reviewing tonight and I'm satisfied with the Redevelopment Plan that he prepared through all those efforts. The Planning Board also reviewed this last week and made a positive finding on the plan at the meeting.

Attorney Campbell – There were three small typographical changes that you asked me to make which I made the next morning and sent to all of you.

Mayor McKay – So now do your roll call.

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

NAYS: None

Coordinated Health Performance Guarantee – Authorize release of Cash Portion of Performance Guarantee held on Coordinated Health, Block 85, Lots 5 and 5.02 in the amount of \$93,321.60 as recommended by Engineer Sterbenz and approved at the November 12th meeting. Clerk Dilts informed the Council that Temporary CFO, Christine Rolef, asked that this particular item be placed back on the agenda for the check itself to be released in the amount of \$3,321.60. Motion to approve by Council President Ciesla, seconded by Councilwoman Schneider. Roll call vote:

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

NAYS: None

Attorney Campbell – Council had two items on the Executive Session Agenda that require action.

CFO Candidate – Motion to authorize Donna to make an offer to the CFO candidate which was discussed in Executive Session and if that person accepts the offer then next meeting a Resolution will be done detailing the salary, the hours, and other job duties. Motion by Councilman Belcaro, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Tax Assessor Candidate – Motion to authorize Donna to make an offer to the Tax Assessor Candidate that was discussed in Executive Session and if they accept then a Resolution will be drafted detailing their hours of employment and salary which will be on the agenda for next meeting. Motion by Councilwoman McCabe, seconded by Councilman Belcaro. Roll call vote: AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.

NAYS: None

New Business:

Video Position: 22:44

Resolution No. 15-149 – Authorizing Execution of Redevelopment Agreement with OPUS Investments Limited Liability Company relating to the Redevelopment of the Property Commonly known as Block 101, Lots 1 and 1.01 on the Tax Map of the Township.

Attorney Campbell – Before you go out to vote on that I just have a couple of things for Council. You were all given a hand delivered memo from my office on November 12th with comments from Mr. Lavery. There are a couple of recommendations for changes. You also received from Mr. Bauman's office, this week, a clean copy which has actually already been executed by OPUS in the hopes that you will accept it as is and they will be done. Unfortunately, I have one or two little typos, so I just wanted to go over with you, is Mr. Sterbenz, actual found on Page 27 just two typographical things that he would like corrected and that is in Section 10.06 in the body of the paragraph there is a reference to 11.07 and it actually should be 10.07 and then Subsection D of that same paragraph one other place it says 11.06, it should just be 10.06. The only other recommendation from our office is on Page 31, the very last sentence.

Council President Ciesla – What section is that?

Attorney Campbell – That is Section 12.01, Subsection C. The very last sentence, half way through it actually, where it says, “it shall not be an event of default as long as the defaulting property is proceeding with due diligence to remedy the same as soon as practical”. In Mr. Lavery's letter he recommended that one sentence be struck. There is a period for curing and he just thought this muddled that curing period a little bit, so it is his recommendation that that be taken out but everything else, he thought as long as you read the memo he provided you, and you have no questions or comments, he has nothing, no other recommendations for changes. Just to let you know since the last time you saw the copy you got on the 12th, the only changes that were made other than removing some of the things that were in the letter that we had, we did not even tell Mr. Baumann and he knew to remove some since the first draft. Section 2.04, approval of the Financial Agreement, is different from when you saw it the first time. And also on Page 20, Section 7.01, I'm sorry 7.02 Section E, dealing with the Financial Agreement, and basically all it says is that because you haven't executed that Financial Agreement, if you don't, then the developer can't go forward and therefore will terminate this agreement and they will be allowed to terminate this agreement. So had you'd been doing that all at once, they probably wouldn't of put that section in there, but as we discussed, that Financial Agreement, you'd want to take a closer look at so this allows you to do this first but not be obligated to do the Financial Agreement. But knowing that if you don't do the Financial Agreement or at least negotiate a Financial Agreement, that they have the opportunity to cancel the Developer's Agreement.

Mayor McKay - All right now that Financial Agreement is now in Mr. Lavery's hands.

Attorney Campbell – I believe so, I know Mr. Draikiwicz and Mr. Lavery are working together so I will double check, so, that's it.

Councilwoman Schneider – Okay, so, how do we proceed with the resolution to just make changes?

Attorney Campbell – So as long as, so, the reason I said this before you made your motion, is I would recommend that someone, this resolution with those three changes that I've just suggested and then (inaudible).

Mayor McKay – Okay, so, motion to approve R15-149 with your changes.

Motion by Council President Ciesla, seconded by Councilwoman Schneider.

Roll call vote:

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

NAYS: None

Lopatcong Athletic Association Contract – Council President Ciesla – The LAA is in the process of forming into a non-profit organization. Part of what they want to do is they want to get things established properly. A lot of other towns have two separate organizations for their Athletic Associations that necessarily don't have a contract nailing some things down. They came up with a list of items; they came over to our attorney to put it in contractual form. We just went over some things in Executive, some changes we wanted to make. Katrina is going to put those changes in, send it back to the Council; they'll look at it again. On the January meeting, if they're good with what's in there, they're going to send it back to the LAA who is going to look at it, see if they're happy with it and then once the LAA is in the position to sign a contract as a non-profit, they'll be executing that contract. They have an official agreement between the two entities.

Resolution No. 15-150 – Approve payment for clothing allowance to qualified Township Volunteer Firemen who attended and answered at least 40% of the fire duty in 2015 in the amount of \$175.00.

R 15-150

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ESTABLISHING A CLOTHING ALLOWANCE FOR QUALIFIED ACTIVE MEMBERS FOR THE YEAR 2015

WHEREAS, the Mayor and Council created Ordinance 2014-14 to establish yearly a clothing allowance for qualified active members of the Township's Fire Departments; and

WHEREAS, the amount shall be fixed from time to time a clothing allowance for damage and loss sustained in the line of fire duty provided the member attended and answered at least 40% of the fire duty during the preceding 12 month; and

WHEREAS, Mayor and Council decided the amount for the 2016 Budget would be \$175.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall fix a dollar amount of \$175.00 for the 2016 Budget to be paid to every qualified active member of the Fire Department.

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, December 30, 2015.

Margaret B. Dilts, CMC

Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Mayor McKay asked for discussion. Council President Ciesla – We just implemented this last year, this is the first year we are doing this. We had eight who made it. I want to say thank you to those eight for putting in the amount of time and hopefully, this will encourage more people to make more calls. Roll call vote:

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

NAYS: None

STAG GI Developer's Agreement – Authorize Township Attorney to prepare Developer's Agreement for STAG GI New Jersey, LLC on behalf of Berry Plastics Block 99, Lot 2 with regard to application before the Zoning Board of Adjustment.

Engineer Sterbenz – There is an application before the Zoning Board at this time for this project. The property owner is looking to expand an existing industrial facility on that site by 150,000 square feet. There is also extensive site improvements proposed as part of the project. The application, I should actually say, the hearing on this application is going to continue on January 13th. The applicant would like to start getting their work done as soon as they possibly can. It is a very tight time schedule, as their attorney said before, and they've requested that they be allowed to start work without a permit that's needed for some of the off-tract improvement work and this is the sewer work on the project. It was my suggestion that we have a Developer's Agreement put together to indicate how that is going to work. This is not something that is uncommon. I've seen this at other municipalities but their needs to be an agreement to really stipulate what, you know, how this would take place and also indicate that the applicant will be accepting some risk in moving forth. We would not be accepting the risk, the applicant would. There will be no CO issued until the permit issued for the off tract work and the work is ultimately completed. That all needs to be spelled out. So, the applicant, as indicated before, is anxious to get this agreement in place so that they could start the work once they get the approvals and meet some of the other conditions that are going to be set forth by the Board and the approval.

Councilwoman Schneider – Paul do we know what, do they have any idea what their using the 150,000 square feet for.

Engineer Sterbenz – It is an expansion of their manufacturing operation on the site which is the Berry Plastics use. It is very substantial. The current building size on the site is about 87,000 square feet so they are building an addition that's almost twice the size of the existing space. It is very substantial, so it is going to be, if approved by the Board, it's going to be a very substantial rateable for the Township.

Councilwoman Schneider – Is it going back or towards the solar panels.

Engineer Sterbenz – It is paralleling the rear property line and going southward toward the solar panel site.

Attorney Campbell – Just so Council's aware of what you are being asked tonight, is just to authorize me to work on the Developer's Agreement. You are not authorizing work. So, I will finish it and bring it back and you would still have the opportunity to review it, approve it and make changes to it so you are not asking to sign the Developer's Agreement because you haven't seen it yet, because you haven't authorized me to work on it.

Mayor McKay – Motion to authorize the Township Attorney to prepare the Developer's Agreement by Council President Ciesla, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council

President Ciesla, Mayor McKay.

NAYS: None

Morris County Co-op – Approve payment to Morris County Co-op for \$1100.00 for 2016 membership. Motion by Councilwoman Schneider, seconded by Council President Ciesla. Roll call:

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

NAYS: None

Space Farm Zoo and Museum – Approve services for Deer Carcass removal at a rate of \$40.00 per deer for 2016. 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. 15-151 - Risk Management Consultant – Reappoint Budd Agency as Risk Management Consultant.

R 15-151

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

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

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

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

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

1. The Township of Lopatcong hereby appoints Jack Budd its local Risk Management Consultant.
2. The Township of Lopatcong and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2016 in the form attached hereto.

TOWNSHIP OF LOPATCONG

ATTEST:

Thomas M. McKay
Mayor

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, December 30, 2015.

Margaret B. Dilts, CMC

Motion to approve by Councilman Belcaro, seconded by Councilwoman McCabe. Discussion: Councilwoman McCabe – Note that Budd Agency was our agency for this year. They have done a great job. We found some holes that we needed to make sure that we added on to our policy and we were renewed for next year. Obviously, we are going to have an increase. Clerk Dilts reported approximately \$17,000 increase.

Council President Ciesla - \$17,000 total on liability and workmen's compensation.

Roll call vote:

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

NAYS: None

Risk Management Consultant Agreement – Authorize Mayor McKay to execute Risk Management Consultant's Agreement required by municipal insurer for 2016. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call vote: AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.

NAYS: None

New Jersey Housing and Mortgage Finance Agency – 20 Overlook Drive – Grant Hardship Waiver to sell income-eligible home known as 20 Overlook Drive, Stewartville, NJ. Affordability and deed restrictions shall remain on subject property.

Attorney Campbell – This is a COAH unit. The Township received a letter from the housing and mortgage finance authority who are the people who oversee that. They are the housing affordability service that administers these units. The letter sent basically says they have marketed this unit at the income levels that it requires. They have not been able to find someone who meets the income level and still has good enough credit and down payment to buy a house or wants to buy this house so what the owner is required to do under their deed restriction is to go through them and to come to you so the municipality has three options. You can buy the unit itself, otherwise you lose it for \$59,000; you can find someone that is income eligible to put into this unit or you can waive the right for this unit to go to someone who might not meet, so for example, this is a low income. They will try to put a moderate income eligible person into it. All the deed restrictions still apply. It is still a COAH unit. When the person sells it, the same restrictions still apply to them. They can only make 5% where you and I can sell it for whatever the market will bear and they have to find someone on the list when they sell it, so it's just a onetime exemption. This is the second time you've been asked to do this and a lot of municipalities are being asked to do this but you are not losing any COAH unit and this is coming from the people who administer, they are the authority in Trenton that does this so they are asking.

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

Resolution No. 15-152 – Appoint Valentine DeSanto provisionally as Plumber pending Civil Service Procedures.

Mayor McKay – Is this Plumbing Inspector

Clerk Dilts – This is Plumbing Inspector/Plumbing Sub code Official. Our previous plumber has resigned his position and John Fritts is recommending Mr. DeSanto who will have to go through the Civil Service procedures. So this is a provisional appointment.

Councilwoman Schneider – Is there a way to let Council know when someone resigns like the plumber because I had no idea until I got the agenda that this guy, that our current has resigned.

Clerk Dilts – Yeah, I didn't get too much notice myself, but yes.

R 15-152

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING APPOINTMENT OF VALENTINE DESANTO AS PLUMBER PART-TIME PROVISIONALLY IN THE CONSTRUCTION DEPARTMENT PENDING CIVIL SERVICE COMMISSION PROCEDURE

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorize the appointment of Valantine DeSanto provisionally part-time in the Construction Department pending successful completion of the Civil Service Commission procedure; and

WHEREAS, Valantine DeSanto will be paid a salary according to the Township Salary Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Michael Patricia is hereby appointed Sergeant in the Police Department provisionally pending successful completion of Civil Service Exam ranking number one and shall be paid pursuant to the Collective Bargaining Agreement.

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, December 30, 2015.

Margaret B. Dilts, CMC

Motion to appoint provisionally by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call vote:

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

NAYS None

Mayor McKay – We have one other thing that I guess we could add on. Excuse me I'm going to my other agenda.

Resolution 15-153 – Authorizing the transfer of appropriations of the 2015 Lopatcong Township Municipal Budget During the Last Two Months of the Year as per N.J.S.A. 40A:4-58 in the amount of \$218,884.04.

R 15-153

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF APPROPRIATIONS OF THE 2015 LOPATCONG TOWNSHIP MUNICIPAL BUDGET DURING THE LAST TWO MONTHS OF THE YEAR AS PER N.J.S.A. 40A:4-58

WHEREAS, it has become necessary to expend an amount in excess of the respective items appropriated in the 2015 Lopatcong Township Municipal Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, as per N.J.S.A. 4-58 that the Mayor and Council of the Township of Lopatcong authorize the Chief Financial Officer to make the following appropriation transfers:

CURRENT FUND:

From:

To:

Bldg. Subcode Insp. O/E	\$6,500.00	Admin. O/E	\$8,500.00
Bldg. Subcode Insp. S/W	\$11,628.90	Bldg. and Grnds. O/E	\$11,750.00
Environmental Commission O/E	\$3,500.00	Computer Services	\$5,500.00
Financial Admin. S/W	\$4,149.29	Electricity	\$17,200.00
Fire Hydrant Service	\$2,500.00	Employee Group Ins.	\$30,500.00
Gas	\$5,250.00	Financial Admin. O/E	\$1,325.00
Gasoline	\$26,990.00	Fire Companies	\$7,300.00
Grits/Rock Salt	\$18,000.00	Garbage and Trash Removal	\$825.00
Human Resource Education	\$1,500.00	Lawn Maintenance	\$9,700.00
Interlocal Mun. Court Services	\$18,800.00	Legal O/E	\$59,800.00
Mayor and Council S/W	\$2,000.84	Municipal Court S/W	\$19,489.03
Municipal Clerk S/W	\$4,969.84	Parks and Playgrnds. O/E	\$260.00
Parks and Playgrnds. S/W	\$4,716.75	Planning Brd. Misc. O/E	\$1,600.00
Planning Board S/W	\$1,991.10	Police Dept. S/W	\$2,084.65
Pool O/E	\$37,500.00	Postage	\$1,600.00
Pool S/W	\$15,200.00	Prosecutors Office – Lopatcong S/W	\$433.26
Road Maintenance	\$15,387.32	Rent Board O/E	\$900.00
Senior Citizen O/E	\$5,000.00	Rev. Admin. (Tax Coll.) O/E	\$25.00
Shade Tree Comm. O/E	\$2,500.00	Road Maintenance S/W	\$25,793.83
Social Security	\$7,000	Unemployment Ins.	\$8,400.00
Tax Assessor S/W	\$13,400.00	Worker Comp. Ins.	\$3,395.00
Tax Assessor O/E	\$4,000.00	Zoning Brd. Of Adj. S/W	\$2,111.36
Telephone	\$2,100.00		
Water	\$2,500.00		
Zoning Officer O/E	\$1,800.00		
TOTAL	\$218,884.04	TO:	\$218,884.04

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, December 30, 2015.

Margaret B. Dilts, CMC

Motion by Councilwoman Schneider, seconded by Council President Ciesla. Discussion. Roll call vote:

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

NAYS: None

Phillipsburg High School Roadway Project – Approve payment of \$625.00 to Warren County Soil Conservation District for permit for the Phillipsburg High School Roadway Project. Motion by Councilwoman McCabe, seconded by Council President Ciesla. Discussion. Roll call vote:

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

NAYS: None

Delaware Park Engine Co. No. 1 – Approve payment to Delaware Park Engine Co., No. 1 for Kira Hendricks as recommended by Fire Chief Pisciotto. Motion by Council President Ciesla, seconded by Councilwoman McCabe. Discussion. Roll call vote:

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

NAYS: None

South Warren Municipal Alliance Grant – Approve Mayor McKay to execute Grant Agreement documents for South Warren Municipal Alliance for 2016/17 grant years. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Discussion. Roll call vote:

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

NAYS: None

Resolution No. 15-154 –South Warren Municipal Alliance 2016/17 Grant.

R 15-154

FORM 1B

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ON THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014-JUNE 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the South Warren Municipal Alliance grant for fiscal year 2016-2017 in the amount of
2. DEDR \$7,584
Cash Match \$2,275
In-Kind \$5,688
Total \$15,547
3. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Thomas M. McKay, Mayor

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, December 30, 2015.

Margaret B. Dilts, CMC
Clerk/Administrator

Resolution No. 15-155 – Appoint Municipal Judge William Mennen who is presently serving as our municipal judge. He was appointed by the judiciary when Judge Jones moved up to the Superior Court. He's been here for some time satisfactory performing and so Mayor McKay appointed him for a three year term.

R 15-155

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING WILLIAM MENNEN AS JUDGE FOR
LOPATCONG MUNICIPAL COURT FOR A THREE YEAR TERM
2016-2018**

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint William Mennen as Judge for the Township of Lopatcong; and

WHEREAS, William Mennen has been appointed for a three-year term; and

WHEREAS, the term shall expire on December 31st, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that William Mennen is appointed to a three-year term as Municipal Judge for the Township of Lopatcong through December 31st, 2018 at a salary established in the Salary Ordinance.

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, December 30, 2015.

Margaret B. Dilts, CMC

Motion by Councilwoman McCabe, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

1997 HME Fire Truck – Mayor McKay reported that we are selling the fire truck and panel truck to Oxford Township for \$4500.00. Brian Weeks reported that the DPW has taken the panel truck. Council President Ciesla said that will be the fire truck for \$3500.00.

Attorney Campbell – Just to be clear which ever they decide to sell, if what they decide to sell it for, you have to do it by ordinance which requires first and second reading. You can't do first reading in 2015 and second reading in 2016. It will be on the agenda for first reading in January. The reason it is being discussed tonight is so Oxford knows it was discussed and there is a consensus. Also there is discussion about where to store it. In the meantime I will reach out to them about what the ground rules are. Motion by Council President Ciesla, seconded by Councilwoman Schneider.

Mayor McKay made a motion to authorize Katrina to reach out to Oxford on the truck we got first, we got second. Roll call vote:

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

NAYS: None

Council Reports:

Video Position: 43:00

Council President Ciesla – For Recreation – The next event we have is our Eats and Beats which is a sampling of food from restaurants in the region along with a DJ with some music. We're set for – it is at the Delaware Park Fire Station on January 24th, it is a Sunday from 5 to 9. We will be putting out information on the cost of that very shortly. Snow date is 1/31 from 5 to 9. Three of us, our terms are expiring on the Recreation Committee but all three of us have committed to finishing up this event and I don't, I just need to get approval to apply for the liquor license. The Fire Department is asking us to apply for the liquor license.

Council President Ciesla made the motion, seconded by Councilwoman McCabe.

Mayor McKay asked if there was discussion on the liquor license.

Clerk Dilts – It is a Social Affairs Permit.

Mayor McKay asked for a roll call:

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

NAYS: None

Animal Control – Animal licenses are due 1/30. There is a two dollar late fee for each month you are late per dog. Summons will be issued in June of 2016.

Shade Tree- We have one member, Matt. Another member resigned and at least two more members are necessary to have quorum to meet. I think at this point, the matter that was put before them needs to come back to Council. Councilwoman Schneider confirmed if this is the same matter they had been speaking about before.

LAA – Contract changes will be reviewed again by Council at 1/6.

Council President Ciesla made a motion to send a reminder letter to all members on committees on our Social Media Policy, seconded by Councilwoman McCabe. Discussion. Roll call vote: AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Ciesla, Mayor McKay.
NAYS: None

In light of the investigation, the reporting of the Clerk to the Council President. You will have six days when there will be no one, so Council President Ciesla made a motion to pass this to Maureen until a Council President is appointed at the next meeting so there is no gap, seconded by Councilwoman McCabe. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Council President Ciesla
NAYS: None
ABSTAIN: Councilwoman Schneider, Mayor McKay

Council President Ciesla thanked a lot of people in the room, a lot of people who supported her and those that didn't. She hoped one day, looking back, they would recognize she did do the job elected to do. She stated that it is actually a criminal offense to use your position on Council to injure people and hoped everyone would keep that in mind. She said, all in all, the experience has been wonderful. She thanked her son who was the most supportive of her as a Council person.

Councilwoman McCabe - The LAA is in the process of filing a 501C non-profit organization that will benefit the children; it will benefit the Township. It is all good and I'm going to work on this contract next year and get it signed and get them on their way. She said thank you to Lori Ciesla. She said this is the official, official last meeting and thanked her for all her work.

Councilman Belcaro – The gate at the 57 Pump Station will be fixed. He spoke to Dan Madden and explained why the gate had to be moved to the outside. There will be a cost involved. The installation was completed according to the contract. The cost will be deducted from the project monies.

Brian Weeks – Said there is a small hose hydrant down there that is not active and they cannot wash anything down. The water is not turned on. This is something that should be addressed. Thanked Lori also for doing an outstanding job.

Councilwoman Schneider – Leaves are done. The leaf pickup is completed for the year. The DPW is getting ready for snow; working on all the equipment. Brian and the DPW ordered two new mowers to replace the old ones.

Clerk Dilts – Said one was ordered for the pool also.

Councilwoman Schneider – Said good luck to Lori.

Council President Ciesla – Asked if there were any financial reports.

Councilwoman Schneider - Said she did not have them from Christine yet, but from what she is telling her, it looks like the budget with all the transfers, they have not gone over the budget. There is some unfortunate news regarding the sewer bill from Philipsburg it was astronomically high. Lou and the Mayor have reached out to the Phillipsburg to work it out.

Councilman Belcaro – Said one of the readings in the sewer was doubled so Dan Madden is confident that it is a meter problem. It just doesn't justify all of a sudden double in waste so there is going to be an investigation by Dan Madden and Chapman.

Brian Weeks – Greenwich is actually double also.

Mayor McKay – Unfortunately, our agreement with them requires that we pay whatever they bill us; work it out later. If not, we get an 18% surcharge but the Council has to decide now, I'm going to ask them to decide, whether or not we should make a partial payment which is in line with what the payment really should be if the flow meters were working properly and we would use historical data to get that number and that would keep us within our annual budget. I think it is a million dollar budget we have. We could do that but then we risk paying 18% if they try to come after us. So, it is that kind of a conundrum. They said there is a new mayor coming in there. I spoke to the CFO over there and he said, "Well you know, I got one mayor that might say okay to that but I don't know about the new one", and he goes, "I really would have to go to the mayor and he'd have to take it to council and you know, for him to have to prove that kind of transaction officially". So, if the Council here wants to take that approach, then we would pay them, say, \$250,000 instead the \$400,000 they billed us, roughly, which is in line with what the payments ordinarily are. There is only one meeting that seems out of sync and it is only since we put in the new pump station. It goes back to September and the number of gallons has doubled so, I mean you're talking from 6 million gallons to like 12/13 million gallons and it just doesn't make any sense. We didn't put anything new on line that would be increasing that kind of flow so I'm sure it will get worked out. I've talked to the sewer engineer and he's indicated that, "Yeah we know something's wrong there", and we put him in touch with Madden, our sewer guy, and they're talking I guess, so. When it gets to that kind of technicality, I'm not the one to talk about it but Mr. Pryor could probably talk to that, you know, so we're lucky to have him around. So, it's up to you Council folks what you want to do. You want to pay them the \$400,000 as they billed us or

Councilman Belcaro – I put a motion on the floor just to pay the normal billing and then we'll work out after the investigation is through. If it shows that we owe, then we'll pay the balance, but I doubt it.

Mayor McKay – Okay, but remember I'm going tell you the offside of doing that, the bad side of doing that might be that they hit us with a fine which is in their Interlocal Agreement that they could do that. We are required by the Interlocal Agreement to pay this bill.

Councilman Belcaro - No, and I understand that and I think that the Phillipsburg Mayor and Council has common sense to see the, you know, to double something that is out of line. I think they would understand that.

Council discussed paying partial. Mayor McKay read what was said in the Interlocal Agreement. There is a 30 day period to pay.

Joe Pryor – Said he was familiar with the bill and said most of it is estimated and it is out of whack. His suggestion from the peanut gallery would be to pay them the normal amount plus there is a \$35,000 Pilot payment due the first quarter. Whatever your normal fee is, add 35 to that. The other will be worked out. I think there is actually a mistake on the bill and they have some missing data which we have. It will be worked out. I wouldn't pay that outrageous amount. I would give them a normal payment and the Pilot. There is also provisions in the contract with how you deal with missing data and so on, so it is not just the 18%. In the past, it was worked out with Harry. That would be my suggestion.

Council President Ciesla – Do we know when the bill was actually due? The 28th.

Attorney Campbell – I haven't reviewed the whole agreement, but I think we would know if it said if we didn't, they'd shut off the sewer. The language in here and I'm only reading the piece you highlighted and just handed to me, it says, we'll be charge an interest rate of 18% with the

height amount permitted by law on the portion of the bill which shall not be in dispute. So, if it's in dispute then, maybe they can, but they can't charge us 18%. I'm sure there's somewhere else in here that says they can, but as long as, you know, the worst thing, you know, that could spray the way we originally thought is that they could charge you 18% on this as long as, you know, that's the risk you are taking.

Mayor McKay – Their CFO reminded me of that when I spoke to him.

Attorney Campbell – In a way he reads the agreement and the way a judge will read the agreement are (people talking over each other). Her recommendation was to reach out to the new mayor to explain what you did, why you did it and you did it in good faith.

Council President Ciesla – Asked to send a letter with the payment.

Mayor McKay – We'll have to get Christine to come back in and cut us a new check so we'll get the check and we'll bring it over to them.

Clerk Dilts – Hold on a minute. We need a motion to make the minimum payment plus you want to add the Pilot in lieu of taxes.

Councilman Belcaro – Please.

Council President Ciesla – seconded that.

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

NAYS: None

Mayor McKay – Update on the high school. Because of the wonderful weather, the construction is ahead of schedule. The issue of the intersection is still ongoing. There is a meeting on the 7th with all parties involved and will know more then.

Engineer Sterbenz – Reported that the ordinance to implement a multi-way stop at the intersection of Baltimore and North First Street was approved by the State DOT.

Roadway improvement plans for the new high school are complete. Loose ends to be cleared up over the next few weeks having to do with permitting and approvals for the most part. Need the County to approve the plans and a Freeholder resolution. The date for placing bid notice in the newspaper shall be January 20th, opening bids on February 11th. The traffic light signal will have to be modified due to the squad and hospital being in close proximity.

Department Reports – Motion to approve Department Reports by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Payment of Bills: Mayor McKay had several bill lists. Bills list that aggregates \$264,688.97 without payment to Phillipsburg. 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

Audience Participations: Motion to open the floor by Councilwoman, seconded by Council President Ciesla. All in favor.

Olschewski – Highlands Way – Congratulate for the leanest budget in many, many years thanks to you. Fire truck \$3500 I think that is worth more in scrap metal. Do we need two fire departments?

Councilman Belcaro – Township is seven square miles. In the past, there was discussion to have one department centrally located now you are talking about putting another building up.

Olschewski – There should be data, I just don't know. There should be data supporting how many times the department has been out and if there are overlaps. Maintaining two, now I know fire engine costs \$500,000, I didn't know before and maintaining all this equipment and does our town really do need two fire departments? You are the expert.

Councilman Belcaro – I believe so.

Mayor McKay – Two fire departments or two Fire Companies?

Councilman Belcaro – We have Company No. 1 at Delaware Park and Station Two on Strykers Road. Again, the Township is seven square miles. This comes with a cost.

Mr. Steinhardt – Two questions; the comments directed to Council President Ciesla looks like I was not able to make your regular December meeting but as a resident I wanted to thank her for her service to our community. I think during her time here, she has done so honorably and with integrity. I had the privilege of serving with her for my last two and her first two years and during that time I can say, unequivocally, that she made me a better mayor and a better man and I know that when she leaves, in 24 hours, I hope she will do so proudly, confident that her community is a better place for her services. Thank you.

My two questions for your mayor is Item 11, I was hoping you could elaborate on the \$218,000, what is that being used for and lastly, whether you can confirm whether or not the Township overpaid the school district by some \$300,000 and if we did, what steps are being taken or how we are going to recoup that money?

Mayor McKay - \$218,000 is a schedule.

Clerk Dilts – You have a resolution in your packet to transfer from items (inaudible people talking over each other).

Mayor McKay – 20 accounts that things are coming out of and 20 accounts coming into. Do you want a picture of it?

Council President Ciesla – So, we are doing transfers this year as we always did.

Mayor McKay- Yeah, we did transfers, there was some big ones; legal budget was way out of whack, but you know

Council President Ciesla – Just like always we had to do transfers.

(People talking over each other)

Council President Ciesla – It was a typo we believe. \$67,000 a month from the start of the new budget. There was- it was supposed to be \$1,118,537.00 and change and instead what was inputted was \$1,185, 537.00. Temporary CFO caught it.

Mayor McKay – They caught it and we just shorted the last payment.

Councilwoman Schneider – We didn't have that information.

Council President Ciesla – We found it thanks to the temporary CFO and we were just about to issue the payment, so we were able to short the other payment and the school on their end had the corrected number in their general ledger. They just had to balance it to their account. They would have found it if we didn't, but the money would have been out the door.

Rob Larsen – 26 Browning Court – First and foremost I wanted to thank you for your time served. Councilwoman Ciesla it has been a pleasure to have you up there. As a friend and resident, you will be missed. Secondly, I wanted to congratulate you Mr. Mayor for your infinite wisdom in appointing Mr. Will Mennen for that position. He is a very knowledgeable individual. He did a fantastic job for Intercounty Paving and I really think he is going to serve the community well. Thank you sir. Happy New Year to all.

Carlos Correa – 82 Puddingstone Way – I would like to mention that there is a double standard here. In the past when somebody came here to make public comments, we ask a question, that question was never answered by the Council. No questions were able to be answered. Double standard here. Council President Ciesla said she answers. Councilwoman McCabe said there is no double standard here. We have answered several questions throughout our meetings. So, you are incorrect. Council President Ciesla said some of the questions posed to us are not questions. In her three years here, she said she has always answered questions. Councilman Belcaro said as a matter of fact, your questions are being answered right now.

Yvonne Reitemeyer – 27 Browning Court – Been a while since there was talk about the fire truck. What was the original offer? Council President Ciesla said \$1,000 for the bread truck and \$5,000 for the fire truck and that was over a year ago. Now, it is \$3500 for just the fire truck. Yvonne thanked Lori for her service.

Brian Weeks – 208 South Seventh Street – Said he tries to show respect to all Council and will show respect to Lori and said thank you very much for all her help and calls during and after storms, for all the time she put in and thanked her for doing her best. Estimates \$8,000 to get rid of the leaves this year. They are going with River's Edge. Left sitting will bring a fine.

Clerk Dilts- Thanked Lori for her service, enjoyed speaking to her daily and solving the problems of the town, employees will miss you also she told her.

Councilman Belcaro said Happy New Year to everybody!

Motion to close public comment by Councilwoman McCabe. All in favor.

Councilwoman Schneider – Now that public comment is closed I would like to make one more comment. Mr. Larsen with your Intercounty Paving comment and the snickers and chuckles I saw in the back of the room about it, you think it is funny, it just goes to show you and to show everyone here the interconnectedness of Intercounty Paving has within this town, within this county and the one reason why I don't want them here and neither does most of the community so, thank you.

Resident Mr. Larsen tried to speak but told public comment was closed.

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

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor