

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

7:00 pm

June 1, 2016

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.

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.”

Prayer followed by Oath of Allegiance

Present: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Pryor, Mayor McKay. Also present was CFO Saponaro, Attorney Campbell and Engineer Sterbenz.

Motion to go out of Executive Session by Councilwoman Schneider, seconded by Councilman Belcaro. All in favor.

Attorney Campbell stated Council was in Executive Session for 30 minutes. Topics of discussion were contractual.

R 16-75

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:

- Contract – Interlocal Agreement – Belvidere Road Intersection Roadway Project
- Contract – Rt. 57 Pump Station project – Dulaine Contract
- Contract – Phillipsburg High School policing and vehicles

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, June 1, 2016.

Margaret B. Dilts, CMC

Special Presentation: PTA Scholarships were awarded by PTA Scholarship Committee Chair Yvonne Reitemeyer and Superintendent Raine Roncoroni. Those Scholarships were awarded to Christopher Fiorenze, Jillian Montilla, Sydney Solimani and Taylor Swim.

Public Comment – Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor. No comments. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe to close. All in favor.

Old Business:

Minutes – Motion by Councilwoman McCabe, seconded by Councilman Belcaro to approve Executive Minutes of March 21 and Executive and Regular Session Minutes for May 4, 2016. Mayor McKay asked for a roll call but Councilwoman Schneider asked about questions and comments first.

Councilwoman Schneider - She went on to say that she doesn't approve the minutes for Executive and Regular Session; which she has explained her position in the past on many occasions but expressed she wanted to say it "one last time", that there is no process in her opinion on how the minutes are prepared. According to her she thought Robert's Rules was the procedure for preparation of the minutes and that is why she would not vote in favor of their approval.

Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Pryor, Mayor McKay

NAYS: Councilwoman Schneider

Resolution No. 16-76 – Memorialize permanent appointment of Jason Garcia as Chief of Police per notification of the Civil Service Commission.

R 16-76

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING APPOINTMENT OF JASON GARCIA AS CHIEF OF POLICE IN THE LOPATCONG TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby authorize the appointment of Jason Garcia as Chief of Police in the Police Department; and

WHEREAS, will be compensated under the terms of Chief Scott Marinelli's signed Contract through December 31st, 2016; 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 Jason Garcia is hereby appointed Chief of Police Officer in the Police 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, June 1, 2016.

Margaret B. Dilts, CMC

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

Resolution No. 16-77 – Memorialize permanent appointment of Scott Bisci as Lieutenant per notification of the Civil Service Commission

R 16 - 77

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING APPOINTMENT OF SCOTT BISCI AS LIEUTENANT IN THE POLICE DEPARTMENT PURSUANT TO CERTIFIED LIST FROM 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 Scott Bisci as Lieutenant in the Police Department pursuant to Certified List of Eligibles from the Civil Service Commission; and

WHEREAS, Scott Bisci will be paid a salary according to the Collective Bargaining Agreement; 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 Scott Bisci is hereby appointed Lieutenant in the Police Department pursuant to a Certified List of Eligibles from the Civil Service Commission 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, June 1, 2016.

Margaret B. Dilts, CMC

Motion by Councilwoman McCabe, seconded by Councilman Belcaro. All in favor.

Ordinance No. 2016-13 – Second reading and public hearing to Amend, Revise and Supplement Chapter 7 “Bills, Claims & Voucher Approval” to Revise the Procedure for Payment of Claims. Motion to hold a public hearing by Councilman Pryor, seconded by Councilwoman Schneider. No public comments. Motion to close public hearing by Councilwoman Schneider, seconded by Councilman Pryor. All in favor.

Ordinance No. 2016-13

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, June 1, 2016 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.

AN ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 52:14-15f

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

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

NAYS: None

Resolution No. 16-78 – Approve application for Safe Route to School to make Infrastructure Improvements that will improve the Walking and Biking Environment for Students.

R 16-78

AUTHORIZING THE TOWNSHIP OF LOPATCONG SAFE ROUTES TO SCHOOL PROJECT AND THE APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDING TO MAKE INFRASTRUCTURE IMPROVEMENTS THAT WILL IMPROVE THE WALKING AND BIKING ENVIRONMENT FOR STUDENTS

WHEREAS, the Township of Lopatcong is applying for funding to construct pedestrian safety improvements along the school routes for the Lopatcong Elementary School and Lopatcong Township Middle School within the Township of Lopatcong; and

WHEREAS, the Township of Lopatcong proposes to install sidewalk and other necessary pedestrian safety improvements along a portion of Stryker Road from Powder Horn Drive to the elementary school, along Upper Belvidere Road (CR 646) from Will dew Avenue to Red School Lane, and at the intersection of Upper Belvidere Road and Buckley Hill Road; and

WHEREAS, the grant application is identified as SRS-I-2016-Lopatcong Township-00066; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Township of Lopatcong with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lopatcong that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Certified as a true copy of the Resolution adopted by the Lopatcong Township Council at a duly convened meeting held on

On this 1st day of June, 2016

Municipal Clerk

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.

Margaret B. Dilts

ATTEST and AFFIX SEAL
(Clerk)

(Presiding Officer)

Motion to approve this Resolution by Councilwoman Schneider, seconded by Council President Pryor.

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

NAYS: None

Sewer Lateral Maintenance and Repair Policy – Council discussed with a motion to approve by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Resolution No. 16-79 – Approve employees who have requested exemption from Direct Deposit.

R 16-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING REQUESTS FOR EXEMPTIONS FROM THE
DIRECT DEPOSIT MANDATE PURSUANT TO N.J.S.A. 52:14-15f

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey adopted an Ordinance mandating Direct Deposit for all employees; and

WHEREAS, under N.J.S.A. 52:14-15f employees are permitted to request an exemption from the Direct Deposit mandate; and

WHEREAS, the following employees have made a request identified by their employee payroll number:

0517-00-0011-00-00020; 0517-00-0011-00-00012; 0517-00-0011-00-00036; 0517-00-0011-00-00013; 0517-00-0011-00-00014; 051700-0016-00-00034; 0517-00-0011-00-00017;0517-00-0011-00-00010

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council exempt employees from mandated Direct Deposit pursuant to their written request.

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 Meeting held on Wednesday, June 1, 2016.

Margaret B. Dilts, CMC

New Business:

Gramco Maintenance Contract – Approve maintenance contract for sound system equipment in the amount of \$1050.00. Motion by Councilwoman Schneider, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Resolution No. 16-80 – Authorize Tax Clearance Certificate No. 2015-012 and Premium in the amount of \$2,733.09.

R 16-80

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING REFUND OF REDEMPTION MONIES OF
OUTSIDE LIENHOLDER ON BLOCK 42, LOT 10

WHEREAS, at the Lopatcong Township Municipal Tax Sale held on September 23, 2015, a lien was sold on Block 42, Lot 10, also known as 625 Rugby Road for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2015-012 was sold to Stuart Lasher for a Premium of \$1,300; and

WHEREAS, Corelogic on behalf of their lender PHH Mortgage, lender for property owners has satisfied the redemption amount on Certificate No. 2015-012 in the amount of \$1,433.09.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of June 2016 that the Chief Financial Officer be authorized to issue a check in the amount of \$2,733.09 forth redemption of Tax Sale Certificate No. 2015-012 and Premium to:

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

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, June 1, 2016.

Margaret B. Dilts, CMC

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

Resolutions for tax exemptions have been removed from the agenda.

Phillipsburg High School Roadway Improvement Project – Approve partial payment in the amount of \$108,945.93. Motion by Councilman Pryor, seconded by Councilwoman Schneider. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Pryor, Mayor McKay.
NAYS: None

Resolution No. 16-81 – Award contract to Fred Devens Construction for new sewer line within the Potts property on North prospect Street in the amount of \$39,704.00.

R 16-81

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING AWARD OF CONTRACT TO FRED DEVENS CONSTRUCTION FOR THE NORTH PROSPECT SEWER REPLACEMENT IN THE AMOUNT OF \$39,704.00

WHEREAS, the Township of Lopatcong Engineer Paul Sterbenz received and reviewed a proposal to replace the sanitary sewer that has been scoured and exposed through the stream corridor; and

WHEREAS, the proposal was submitted by Fred Devens Construction, Ringwood, New Jersey; and

WHEREAS, the company has been found to be qualified and the proposal was found to be in compliance with the Local Public Contracts Law under the bid threshold; and

WHEREAS, the lump sum bid for the project is \$39,704.00.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, at its meeting on Wednesday, June 1, 2016, that a contract be awarded to Fred Devens Construction in the amount of \$39,704.00; and

BE IT FURTHER RESOLVED that Chief Financial Officer certify to availability of funds in the amount of \$39,704.00 for this project.

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, June 1, 2016.

Margaret B. Dilts, CMC

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

Resolution No. 16-82 – Authorize renewal of liquor licenses for the term July 1, 2016 through June 30, 2017.

R 16-82

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF CERTAIN LIQUOR LICENSES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have received the following applications for liquor license renewal:

Santram Liquors, Inc., License No. 2115-44-001-003

Strykers Golf, LLC., License No. 2115-33-003-007

Brass Rail, Inc., License No. 2115-33-004-005

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the applications for renewal of the above named liquor license holders be approved pursuant to N.J.S.A. 33: 1-12-26 from July 1, 2016 to June 30, 2017.

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, June 1, 2016.

Margaret B. Dilts, CMC

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

DPW Employees – Advertise two full-time employees to work in the DPW in the League of Municipalities, the website and Lehighvalleylive on the internet only. Motion to approve the advertising by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:
AYES: Councilman Belcaro, Councilwoman McCabe, Councilwoman Schneider, Council President Pryor, Mayor McKay.
NAYS: None

Resolution No. 16-83 – Approve Estimated Tax Bills for Third Quarter billing.

R16-83

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP TAX COLLECTOR TO
ISSUE ESTIMATED TAX BILLS**

WHEREAS, the Township of Lopatcong’s 2016 Municipal Budget has not yet been adopted and the County is unable to certify the Township’s 2016 tax rate; and

WHEREAS, the Tax Collector will be unable to mail the Township’s 2016 tax bills on a timely basis; and

WHEREAS, the Lopatcong Tax Collector in consultation with the Lopatcong Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they will both signed a certification summarizing the tax levies for the previous year, the tax rates and the estimated tax levies for the 2016 calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong on this 1st day of June 2016 as follows:

1. The Township of Lopatcong Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2016 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c. 72 (N.J.S.A. 54:4-66.2 and N.J.S.A. 54:4-66.3).
2. The estimated calendar year tax levy for 2016 is hereby calculated at \$24,650,000. The maximum amount that the Township will utilize in the preparation of the 2016 estimated tax bills is less than 105% of the 2015 calendar year tax levy is hereby notifying the State of New Jersey of the attached certified rate.
3. In accordance with New Jersey Statues, the third installment of 2016 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

CERTIFICATION

I, Margaret B. 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 their June 1, 2016 meeting.

Margaret B. Dilts
Municipal Clerk

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

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

NAYS: None

Mayor's Wellness Committee – Mayor McKay asked to add this item to the agenda to appoint Sierra Water and Lillian Daniel to the committee. Motion by Councilwoman Schneider, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

Council Reports:

Video Position: 37:54

Councilwoman McCabe – Meeting with EDAC last month and will start up Shop Lopatcong Card again. Getting a lot of the same vendors and maybe more this time around. LAA is finalizing their 501C3 and their contract is expected to also be completed. Information and links adding additional information for the Senior Citizens will be put on the website. Under Buildings and Grounds there was a new air conditioner installed in the court room. The pool is open for business although there is a leak that will have to be addressed. The Veterans had a successful event on Sunday. A beautiful day that represented all that Lopatcong is about; people helping people a true community effort. It was lovely to see and all done by volunteers. Campaign season again and let's remember that residents have the right to the use and enjoyment of their property without being harassed regarding political signs on their lawn. There is no need to be harassed because the sign on their lawn is not their choosing.

Council President Pryor – Noted a discount program for the disabled and seniors was enacted. An application form was put together setting forth the criteria. Documentation has to be provided. Katrina did review and approve it; it matches the ordinance. May 12th there was a meeting with the Warren County Development Committee. The county has obtained a \$50,000 grant to hire a consultant to work with the communities in the county and enhance their economic development programs. Freeholder Sarnoski is spearheading the whole thing.

Councilman Belcaro – Reported the final closure on the contract with Dulaine will have to be adjusted because there are a few issues with the final numbers.

Councilwoman Schneider – Another DPW employee has taken another job in another town. She complained about the raises in the new budget and noted it was not acceptable to her. She was disturbed about not being involved and wanted folks to know.

Council President Pryor – Responded to Councilwoman Schneider that he would disclose the emails between them both. She was not forbidden from coming in; he noted he came and went and even sat with the Mayor also. She was free to sit with Janice as much as she wanted. He did not know what she was referring to as to the Clerk title in the sewer budget but positions were not created, however, there was an allocation, percentage of salaries for positions working for the sewer utility charged to that budget. He said there is a number of reasons you do this and it is a fair allocation. Secondly, the budget has to be CAP compliant and sometimes constraints imposed by the caps force you to do things to get a sufficient budget to pay your bills. The tax rate, what people don't understand, Council really doesn't control the tax rate but controls the budget and it's a little over 3%. Your tax rate depends on a number of things including the rateables. There are a lot of moving parts to the budget. The point of last night was to hold an open budget hearing. She chose not to participate. She chose not to come around and sit near Janice. If you want to see what she is alleging he said he would have his emails available at the Clerk's Office for anyone to look at them. You can make your own judgment he said. He felt she chose to disappear and was making excuses.

Joe Pryor- Donna Schneider Emails (Excepting two dealing with personnel)

From	Sent	To	Cc:	Subject
1 Joe Pryor	Thursday	January 28, 2016 McKay McCabe Schneider Belcaro	Dilts	Mayor's Wellness Campaign
2 Donna Schneider	Friday	January 29, 2016 Pryor	McKay	Mayor's Wellness Campaign
3 Joe Pryor	Friday	January 29, 2016 Schneider		Mayor's Wellness Campaign
4 Tom McKay	Sunday	January 31, 2016 Schneider Pryor		Progress toward Preparation of 2016 Budget
5 Donna Schneider	Monday	February 1, 2016 McKay Pryor		Progress toward Preparation of 2016 Budget
6 Joe Pryor	Monday	February 1, 2016 Schneider		Progress toward Preparation of 2016 Budget
7 Donna Schneider	Monday	February 1, 2016 Pryor	McKay	Progress toward Preparation of 2016 Budget
8 Joe Pryor	Tuesday	February 2, 2016 Schneider		Progress toward Preparation of 2016 Budget

9	Joe Pryor	Sunday	February 28, 2016	Schneider	Shared Court with Pohatcong
10	Donna Schneider	Sunday	February 28, 2016	Pryor	Shared Court with Pohatcong
11	Joe Pryor	Sunday	February 28, 2016	Pryor	Shared Court with Pohatcong
12	Donna Schneider	Wednesday	March 2, 2016	Pryor	Shared Court with Pohatcong
13	Joe Pryor	Wednesday	March 2, 2016	Pryor	Shared Court with Pohatcong
14	Donna Schneider	Wednesday	March 2, 2016	Pryor	Shared Court with Pohatcong
15	Joe Pryor	Wednesday	March 2, 2016	Schneider	Shared Court with Pohatcong
16	Donna Schneider	Wednesday	March 2, 2016	Schneider	Shared Court with Pohatcong

Councilwoman Schneider – Refuted Council President Pryor saying someone was to call her about budget meetings going on. She said she got an email saying the budget process changed without any regard to the finance committee at all.

Council President Pryor – The Finance Committee is defined by ordinance and it says it vets the mayor’s budget before it goes to Council. He said she had that opportunity, even the ordinance that the mayor submitted that was a variance, read the same way so it defines what the Finance Committee does.

Councilwoman Schneider – Said she sent an email asking for the budget and she was told no.

CFO Saponaro – Said that is not true and Councilwoman Schneider has been misquoting her. That is the fourth time she told Councilwoman Schneider she missed quoted her this evening. She told her with the one ordinance and she said she has emails herself and would make those available with Joe’s. Not only did she not say no to the budget information but said it was not completed and once it was completed all the Council would receive a copy.

Attorney Campbell- Addressed Councilwoman Schneider that she started talking about CFO's performance.

CFO Saponaro – Said Councilwoman Schneider directly did.

Councilwoman Schneider - No I did not talk about your performance.

CFO Saponaro – You missed quoted me four times and you are speaking about my job.

Councilwoman McCabe – If you had issues you should have stayed last night to answer and ask those questions but you chose to walk out and now we are hearing excuses and wasting everyone's time.

Councilwoman Schneider – That's right. I did not get to talk to any budget owners.

Attorney Campbell – If you are going to say anything negative about any employees or anything about any employee's performance she suggested she send a Rice Notice.

Councilwoman Schneider – I will just read the email.

Attorney Campbell- If you are reading anything that is implying their performance that is just as much as if you came right out and said something. You can ask to issue a Rice Notice and talk about it next time.

Councilwoman Schneider – Said to Attorney Campbell that she was not stopping her when she was talking.

Attorney Campbell – Said she does not know what Councilwoman Schneider would be saying until she said it. At this point, she suggested to Councilwoman Schneider that anything you are about to read that in anyway implies anything regarding employees performance she said she should ask the Council for a Rice Notice for next Council meeting.

Councilwoman Schneider – Made a general statement that she wasn't asked to be part of anything and did not get a chance to talk to budget owners and doesn't know what happened. She did not agree with any raises in the budget; the auditors also took part in creating the budget and they are going to audit the numbers that they created.

CFO Saponaro – Said the auditors did not create the budget and you are speaking about him as well.

Council President Pryor – Said all he would say is if Councilwoman Schneider stayed last night much of this would have been answered. He said if you read the charter it is the mayor's responsibility to prepare the budget, so if there is a problem here he said.

Councilwoman Schneider – Said he didn't get to create the budget.

Council President Pryor – Said sure he did. Mayor's job to create the budget.

CFO Saponaro – It is in the charter.

Mayor McKay – Read the section of the charter wherein it states who is responsible for the budget. He stated he asked for cooperation.

Council President Pryor – Asked the mayor what cooperation did you specifically ask for? The last meeting he had with the mayor he said he was done. Hands up. He said he gave every department head an order to get their budgets in within 15 days so either you didn't get them in, in which case you didn't follow up or you got them and did not know what to do with them. He told mayor it was his job it's June and here we are.

Paul Sterbenz – Reviewed the PHS Roadway Improvement Project and the need to increase the contract amount to \$757,312.29 to cover two items; deteriorated drainage structures and pipe and cover the electric service for the medical office building which JCP&L will not cover as part of the project. He will prepare Change Orders for these items for the June 15th meeting.

Met with Brian Weeks regarding traffic ordinances dealing with S. Sixth Street specifically fencing and a hedge as well. Authorizing Katrina to address a letter to homeowner about the improvement in the right-of-way that is preventing the stop sign from being installed. The 4-way stop at the intersection of Baltimore St. and S. First Street was marked out for stop bars which should be pushed back so in the future a crosswalk can be installed.

Overlook Road Report – Engineer Sterbenz took a look at the costs associated with installing an access road for the Overlook community. Three different scenarios were presented to the mayor with three different cost estimates. The cheapest was \$75,000 and the most expensive was \$160,000.

Mayor McKay said this was promised by Councilwoman McCabe about 3 years ago.

Councilwoman McCabe said there was not promise of this.

Mayor McKay – Said he misused the word promise.

Councilwoman McCabe – Asked if the money was available for this road?

Mayor McKay – Said if we promised something like that it should be done. There was an easement established.

Councilman Belcaro – Did not recall any promises but there is a list prioritizing roads.

Councilwoman Schneider – Said that's not what we are talking about, mayor isn't looking to spend the money but

Mayor McKay – It can be done, hate the thought but can borrow money to do it.

Councilman Belcaro – It is not a need.

Councilwoman Schneider – Neither are raises. A raise is not a need either.

Councilwoman McCabe – And if you attended the meeting last night Donna you would have known why those salaries were higher.

Councilwoman Schneider – You know I already told everybody I wasn't at the meeting Maureen; they all know it.

Mayor McKay – I want some resolution on this road. Made the motion to approve the \$75,000 road and we take the money.

Councilwoman McCabe – Mr. Mayor you live in that development don't you? Wouldn't that be a conflict?

Mayor McKay – No. Not at all. There is 385 units up there.

Councilwoman McCabe – And you are one of them, aren't you Mr. Mayor?

Mayor McKay – This is not a luxury item. This is an emergency way to get in and out of the development.

Councilwoman Schneider – I'd love to second it but on that budget, I don't even know what is what.

Mayor McKay – I'll withdrawal the motion because it is not going to get passed.

Chief Garcia – Gave his report on the statistics for May in the Police Department.

Engineer Sterbenz – Asked the mayor to go back into his items for action.

Mayor McKay – Made a motion to approve Paul's action items.

Attorney Campbell – You should separate PHS contractual matter from the letter required for Dana Road for the stop sign.

Mayor McKay – Change Order prepared for the June 15th meeting to increase the contract for the Change Orders. Motion to allow Paul to move ahead with that. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Authorization for Paul and/or the Township attorney to call the homeowner concerning the signage issue. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

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

Payment of Bills –

Councilwoman Schneider – The first item on the agenda was pending something.

Attorney Campbell – It was completed a month ago.

Councilwoman Schneider – She did not get it or had no knowledge.

Attorney Campbell – She obtained the release and the Clerk has it on file.

Councilwoman Schneider – Wanted to see a copy of it. She would like to table until she sees the release.

Mayor McKay – Said he was going to end up doing this again but he was not supposed to but our ordinance requires that this be done by the Clerk.

Clerk Dilts – Doesn't anymore. You just approved second reading tonight to change it.

Mayor McKay – That's right.

Attorney Campbell – Doesn't even require the grand total.

Mayor McKay – I will because it is my practice. The total of the bills is \$1,339,643.06.
Motion to pay bills.

Councilwoman Schneider – I would like to table the first item.

Attorney Campbell – I would recommend you make the motion with the one item removed.

Councilwoman Schneider – Yeah, it's been a long time for the request so before we make the payment I would actually like to see the documentation; so she wanted everyone's patience and table this till next meeting. Approve the bills with just that one tabled.

Councilwoman McCabe – Motion to pay the bills

Councilwoman Schneider – You want to second my motion Tom?

Mayor McKay – Second the motion.

Councilwoman Schneider – I know I want to pay the bills too. I just don't want to pay the first one yet until I can see the documentation because there's been a lot of controversy over that one and I'd like to see the documentation to make sure what went out is what we requested and what came back is what we requested and I think that is a fair thing to do.

Mayor McKay – Okay.

Council President Pryor – Can I ask where is that? Why didn't that happen?

Councilwoman Schneider – Because it somehow got lost in the shuffle. When I asked again

Council President Pryor - What's lost in the shuffle?

Councilwoman Schneider - for it

Attorney Campbell - I think it was going to be in your meeting packet last month and it was going to be on the bills list last month but Beth wasn't here last month and I think it didn't get in your packets.

Councilwoman Schneider – Well actually when I asked you that, you said oh yeah I forgot about that. I know I forgot to do it. So but then you said because

Attorney Campbell – I never said that.

Councilwoman Schneider – that person

Council President Pryor - Can I ask that? Where is that, why didn't that happen.

Councilwoman Schneider - But then you said that person came up and asked you why they didn't get it yet. Where I don't know why they would have even known that because that was Executive Session material um, so um,

Attorney Campbell - Sent a letter to the person explaining so of course she knew.

Councilwoman Schneider - No because the letter didn't go out yet cause she said wasn't I supposed

Clerk Dilts - The letter went out;

Councilwoman Schneider - no not when I asked Katrina

Clerk Dilts - The letter went out

Councilwoman Schneider -Excuse me, you know I'm talking about something, you weren't part of the conversation. When I asked her the letter had not gone out yet and she said yeah cause the person reminded me. Wasn't I supposed to get something and you said yes. You are

Attorney Campbell - I think the person said I made a request for payment

Councilwoman Schneider - That's not what you said to me, but anyway um, I asked for the letter to go out. It was several months that it never went out. I asked again, it finally, I guess it did go out. I did not know it went out. I didn't get to see what it said and I didn't get to see it when it came back. So I think because I was the one that requested that, that it would be nice to see it before we approve the bill and it's been since last year. I think one more meeting can do it.

Councilwoman McCabe – Whatever it is, should be redacted for any privacy issues.

Councilwoman Schneider – No there's not

Attorney Campbell – The document itself is not necessarily subject to OPRA.

Councilwoman Schneider – That's right

Councilwoman McCabe – It's not

Attorney Campbell – Not subject to Open Meeting you know it's not obtainable.

Councilwoman Schneider – It should be because we have a copy of it.

Councilwoman McCabe – But you said you don't have a copy of it.

Attorney Campbell – You have copies of settlements and things of lawsuits and that doesn't mean they're necessarily subject to OPRA.

Councilwoman Schneider – We have medical bills.

Attorney Campbell – That's definitely not subject to OPRA.

Councilwoman Schneider – Well we shouldn't have a copy?

Attorney Campbell – Personnel records that have people's medical records are not OPRAable.

Councilwoman Schneider – Mmmhmm of course. In any case, the letter that went out is definitely something I should see because it was something requested by me. So if I requested it, I should be able to see it.

Council President Pryor – I got to ask the CFO if this got on our bill list. I mean was everything in order? I don't really care who saw the letter. The letter went out. Is the bill in order or not?

CFO Saponaro – Yes, it is in order according to what can possibly be divulged and I've had this in other towns as well and it's the same type of thing and it is perfectly fine.

Councilwoman Schneider – Sure it is but I asked for it to go out and I don't, every time I ask for something to go, many times I don't get to see it. I don't even get to see complaints that come in

to the building. Other people have gotten emails about um, I don't get the emails. I don't get anything in my box. Everything I ask for has never been given to me. So I'm asking for one thing. I asked for the letter to go out. I did not see the letter. Apparently it came back without my knowledge either. It would be nice to have some updates on things that you ask for.

Attorney Campbell – And I said, I asked Beth to put it in your packet last time but in between me asking and it happening, she had an emergency.

Councilwoman Schneider – But it's not in this month's packet.

Attorney Campbell – I know, I think that was a mistake.

Councilwoman Schneider – Right so then we should table that because we should have a copy.

Attorney Campbell – I'm not saying that you can't table it or shouldn't, I'm just trying to explain that you made it sound like I didn't give it to you and I don't want you to see it. I gave it to Beth and I asked her

Councilwoman Schneider - I didn't mean you in particular but at this point I didn't get to see it.

Attorney Campbell - Cause I expected it on the bill last month and Beth had an emergency and I think that's what the disconnect was. I'm not sure cause I just sent it and asked to be put in the packet.

CFO Saponaro – May I make note of something. I don't get a lot of things that I have to pay for as well as up to minute to be paid and that's I think just a disconnect around here period. It's not anybody's, it's not anyone it's just a disconnect that we could all fix and move forward.

Councilwoman Schneider – Sure but that's why I would like this tabled until maybe we can fix something but I'm only asking for it till next meeting till I can see it or you can go get the document now and give me five minutes to look at it.

Councilwoman McCabe – But the word from the CFO that the numbers were in order.

Councilwoman Schneider – That has nothing to do with the fact that I asked for the letter to go out. I want to see what's in it and I want to see what came back.

Councilwoman McCabe – The amount

Council President Pryor - Letter went out from the town correct? So what, what – council talking over each other.

Councilwoman Schneider – I want to make sure what we asked for was what was in it. I don't, the letter; I just want to see what went out was exactly what we asked for.

Councilwoman McCabe - That's irrelevant to the amount that we need to approve right now

Councilwoman Schneider – Of course it's not relevant.

Councilwoman McCabe – Why are you wasting our time?

Councilwoman Schneider – I'm being sarcastic Maureen. Of course it's not relevant to you.

Council President Pryor – I didn't see this letter. Can you tell what this letter has to do with processing a bill?

Councilwoman Schneider – I can't because it's Executive Session material so that's why it is being so vague.

Council President Pryor - Is it germane to processing of the bill?

CFO Saponaro – The bill, the information that I had was sufficient enough to process the bill and

I know nothing about this situation but I know it is enough. It was decided by the legal team and that's what I need to know to do my job under the licensing of the State of New Jersey.

Attorney Campbell – The letter said enclosed please find a release. If you sign it, Council will pay the bill.

Council President Pryor – And we got a release?

Councilwoman Schneider – Hey look, you know, I don't get copies of Rice Notice's. I don't get copies of employee complaints. I don't get copies of what I should be getting copies of.

Council President Pryor - That doesn't have anything to do with this.

Councilwoman Schneider – It does because I asked for it.

Council President Pryor – Did we get the release Katrina?

Attorney Campbell – Yes.

Councilwoman Schneider – So if you asked for something to go out you don't want to see what went out to make sure that it was accurate?

Councilwoman McCabe – We just go the authorization from our CFO.

Councilwoman Schneider – It doesn't matter what the authorization (inaudible).

Councilwoman McCabe – I'm not sure what else you need Donna.

CFO Saponaro – That's what my license is.

Councilwoman Schneider – I know that. I'm not talking about your license or questioning you; Janice please

CFO Saponaro – (Inaudible) this is waste of time.

Councilwoman Schneider - It's not a waste of time, this is my time; it is not a waste of time.

CFO Saponaro - And this is my time as well.

Councilwoman Schneider – Right, so why is it that I can't get a copy of what I want?

Councilwoman McCabe - Would you please (inaudible) down there.

Mayor McKay - I made a motion, I seconded the motion.

Council President Pryor - All right (inaudible) for a vote

Councilwoman Schneider - People are unbelievable. You really are unbelievable.

Mayor McKay There is a motion to approve the bill list and hold that one item until Donna gets to see the paper that's she's asked for and it's been seconded so we'll do a vote.

AYES: Councilwoman Schneider, Mayor McKay

NAYS: Councilman Belcaro, Councilwoman McCabe, Council President Pryor

Council President Pryor – I'm making a motion to pay the entire bill list.

Councilwoman Schneider – Of course you are.

Councilwoman McCabe – Second.

Councilwoman Schneider – Of course you are.

Council President Pryor – Listen, we're doing this properly, the CFO says everything is in order.

Councilwoman Schneider - Nobody was questioning what's in order.

Council President Pryor - The attorney said everything was in order.

Councilwoman McCabe - I seconded the motion on the floor please. We need a vote

Mayor McKay - Call the roll call

Councilwoman Schneider - No, questions and comments first.

Mayor McKay – Right.

Councilwoman McCabe – I think we've heard enough.

Councilwoman Schneider – No we haven't. Yeah, whatever you say, that's not public comment right now. So anyway, yeah. I'm not questioning the CFO's abilities nor am I questioning anyone else's abilities. It's something I'd like to see and common courtesy would have been appreciated, but go ahead.

Councilwoman McCabe – We need a vote.

Mayor McKay – Roll call.

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Pryor

NAYS: Councilwoman Schneider, Mayor McKay

Clerk Dilts - Motion carried to pay the bills.

Audience Participation:

Video Position: 1:26:31

Mayor McKay – Audience Participation – I'll take a motion to open audience participation. Motion by Councilwoman Schneider, seconded by Councilwoman McCabe. All in favor.

Juniper Leifer – Commented on the air conditioner in the court room. Commented on the budget process. Noted she was there to lecture again but criticized Councilwoman McCabe, Council President Pryor about working with colleagues. Mayor McKay informed Ms. Leifer that the Environmental Commission budget was removed and she asked for reconsideration for the residents who are benefiting from the programs the commission holds. She noted that if anyone read through her report about the programs the commission ran and plans for next year – so thought there was high hopes.

Councilman Belcaro – Noted she is over her five minutes. She started out complaining about the budget. And criticized Joe for not involving her – that is not part of your commission report – so your five minutes is up.

Mayor McKay – She can have two more minutes.

Juniper Leifer – Speaking about reasonable things. - very familiar about the contributions the commission can make – through her work.

Council President Pryor – If you read the Charter, you read the ordinance of the Environmental Commission it says nothing about raising trout for school children and so on. I know you have all these great goals but that is not what the ordinance says. Your Charter is to advise the Planning Board on Open Space issues. I'm not going to put that amount of resources there.

Mayor McKay – It depends on your priorities. He would like to ask in the future when we do Departmental Reports we can do Departmental/Commission you know all those things and let anyone, any commission and give a few minutes. This was their way to participate in

community and we hear what they're doing and that is good. Like the EDAC could do that.

Councilwoman Schneider – There's not liaison to the group so when EDAC has something Maureen talks about it, when any other commission that we have a liaison; Recreation, LAA they all have liaisons, this one doesn't so she

Mayor McKay – I'm the liaison.

Councilwoman McCabe – The liaison should be giving the report.

Mayor McKay – The next meeting I will. There was a very successful rain barrel thing they did; 25 rain barrels were produced and people using them at their houses to catch the rain water and to water their gardens and that's a good thing.

Margaret Taylor – 1016 Deerhaven Terrace - I live in Overlook. You're talking about someday maybe an emergency road. My question is where is it going to come in to Overlook?

Engineer Sterbenz – There is a court and not a named court on the maps. There is a dumpster at the very end of the court it backs up against the solar panel farm property and that's where the emergency access road would connect to the road system. The dumpster would have to be relocated as part of that work effort. Do you know the court I'm talking about?

Olschewski - Highlands Way – He wasn't aware that EDAC was stopped- he thought nothing done. Asked about receiving the preliminary budget to see. Commented on the emergency road to Overlook.

Resident – Talked about her older parents that have no credit card – suggestions about the budget.

Council President Pryor – Maybe I can make a suggestion – the whole meeting last night is on tape. Watch it; you can shape your own judgments, all right? There is a lot of misinformation floating around.

Eric Johnson – 361 Stonehenge Drive – Addressed traffic issues on Stonehenge Drive back to 2013, traffic counts completed in 2014, 2015 study done and engineer completed report which indicated traffic counts were not high enough to place a sign; lost track of the matter but still concerned. He had no update on the park being used as a path to the new high school.

James Mengucci – 801 Belvidere Road – Addressed the Overlook situation and all the roads in bad condition throughout the town.

Brian Weeks – Talked about the pool leak and did not have an answer for it yet but would keep all of Council informed.

Mayor McKay – Asked for motion to close public comment.

Councilwoman Schneider made a motion, seconded by Councilman Belcaro. All in favor.

Councilwoman Schneider asked the mayor to give her a couple of minutes after public comment closed. She had a statement to read. She talked about why she ran for Council, she talked about who in her opinion blocked her way and created a smoke screen to fix serious issues. Another smoke screen she said when a complaint recanted and majority pursued it when she believed there wasn't one. Her words “hanging their hats on man-hater taken out of context”. Mayor McKay being punished by being censured but Councilman Belcaro not when he used a term “get his rocks off” which Councilwoman Schneider defined in her terms as disgusting and vial. She talked about Mayor McKay's unfounded conspiracy theories – she thought the town should hire new professionals to put the rest of his theories to bed. Her opinion, again, she stated this would allow his theories to be validated. She thought this would not happen and these secrets would continue to be buried. The machine is still running and for other reasons, as well, she resigned her position, sadly, effective immediately. She thanked those who supported her as she put her life on hold.

Mayor McKay – Thanked her for her speech and said he would miss her. He made a statement also -thought a disgrace how this good intentioned woman was treated. She asked nothing for her services; took nothing for her services and could not be compromised. He said she acted with class at all times. He went over her three years of service pointing out what she had done for the Township.

Motion to adjourn the meeting by Councilman McCabe, seconded by Council President Pryor.
All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor