

TOWNSHIP OF LOPATCONG
SPECIAL EXECUTIVE AND REGULAR
COUNCIL MEETING
6:00 pm

November 21, 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, Council President Pryor, Mayor McKay. Also present was Attorney Campbell and Planner Ritter and Planning Board Chairman Gary VanVliet. Councilmen elect William Wright and James Palitto.

Motion to adopt Resolution No. 16-147 to hold an Executive Session by Councilman Belcaro, seconded by Council President Pryor. All in favor.

R 16-147

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:

Personnel – Degan v. Township of Lopatcong
Litigation – Attorney/Client Privilege – Affordable Housing Matter

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, November 21, 2016.

Margaret B. Dilts, CMC

Council resumed Regular Session. Motion by Council President Pryor, seconded by Councilwoman McCabe. All in favor.

Attorney Campbell reported that Council was in Executive Session for approximately one hour. Topics of discussion were personnel – Degan v. Township of Lopatcong, Litigation Attorney/Client Privilege – Affordable Housing matter.

Attorney Campbell asked for a motion to approve the settlement as proposed in Executive Session by the attorney for the insurance carrier. Motion by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Belcaro, Councilwoman McCabe, Council President Pryor

NAYS: Mayor McKay

Presentation – Larken Associates

Attorney Campbell stated this was addressed in Executive Session; the housing litigation. The proposal made by Larken regarding the re-zoning of the Piazza tract. Larken's Attorney Shimanowitz noted they attended the mediation sessions with the court master. Word came down informally to them that perhaps some age restricted housing might be considered favorably by Council. Larken came up with a concept plan showing a total of 199 units split between age restricted and non-age restricted both having affordable housing components. There would be an overall 20% set aside. Proposed are 54 Garage Apartments and 92 Garden Apartments and 53 Age Restricted Apartments.

Motion by Council President Pryor to invite William Wright and James Palitto into the Executive Session, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Motion to go back into Executive Session by Councilman Belcaro, seconded by Councilwoman McCabe to discuss Affordable Housing Litigation. All in favor.

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Litigation – Attorney/Client Privilege – Affordable Housing Matter

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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, November 21, 2016.

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Motion to resume Regular Session by Councilman Belcaro, seconded by Council President Pryor. All in favor.

Motion to authorize Attorney Campbell to continue to negotiate on behalf of the Township towards a settlement. Motion by Councilman Belcaro, seconded by Councilwoman McCabe. Roll call vote:

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

NAYS: None

Audience Participation:

Olschewski – Stated the advertisement was for emergent matters - not specific to litigation regarding Affordable Housing – is Larken considered emergent matters?

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

Thomas M. McKay
Mayor