

TOWNSHIP OF LOPATCONG
SPECIAL COUNCIL MEETING

January 18, 2017

The 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 Street, Phillipsburg, NJ. Motion by Council

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 was followed by the Oath of Allegiance.

Present: Councilman Palitto, Councilman Wright, Council President Pryor, Mayor, McKay. Also present was Attorney Campbell and Engineer Sterbenz. Councilman Belcaro arrived at 7:02 pm.

Business:

Payment of Bills - \$183,590.88 excluding payment to the Lopatcong Board of Education in the amount of \$1,073,437.92. Also scattered in the total are some other miscellaneous bills as well.

Council President Pryor – I would like to mention two things. 1. Beth I will be recusing myself on the Johnson, Mirmiran, Thompson bill which goes back to December. Recently had a loose relationship with them and that is terminated going forward. I won't have to recuse myself anymore going forward. 2. I just want to verify that there are no bills from Mr. Caldwell on here. I'd like to have that verification every bill list going forward. I didn't see any.

Clerk Dilts – Okay.

Councilman Belcaro – You said you didn't see any Joe?

Council President Pryor – No I didn't. It is my intention in accordance with the past actions by Council that those bills not make it to the bill list.

Mayor McKay – Any other statements, observations on the bills list?

Councilman Belcaro – Are we going through it right now?

Mayor McKay – I just got it too, a little bit ago.

Motion by Council President Pryor to pay the bills, seconded by Councilman Belcaro. Roll call vote: AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor (yes with recusal on the JMT bill), Mayor McKay.

Audience Participation – Motion by Councilman Belcaro, seconded by Councilman Palitto. All in favor. No questions from the audience. Motion to close by Council President Pryor, seconded by Councilman Wright. All in favor.

Engineer Sterbenz – I'm here primarily to talk about contractual issues pertaining to the work done by the contractor we selected to remediate the sink hole on Wordsworth Lane last week of December. I believe that is something we should talk about in Executive Session. There is also some other ancillary issues that I think that relate that should also be in Executive Session, but before we do that, since I'm here already, just give you a few updates on engineering issues as permissible. Just to let you know the Baltimore Street grant application went into the DOT today. That is in so we are all done on that. I just want to let you know there is a pre-construction meeting for the second phase of the Coordinated Health Project on Red School Lane on February 3rd. I know there is a couple of odds and ends administratively that have to take place but we are going to have the pre-construction meeting and hopefully they address them and they can release that project into construction after that meeting. That is going to be a good project for the Township.

Mayor McKay – That's here right?

Engineer Sterbenz – That meeting will be here in the municipal building.

Mayor McKay – You have a time yet?

Engineer Sterbenz – 11:00. Just related to that, I did pass information onto Mr. Madden our Sewer Engineer and Dan and I unfortunately missed each other by phone today but he has the information to advise on the sewer allocation issue. Sycamore Landing that is a project going on for a long time, I just want to let you know that if you are not aware that is, that we are getting very close to issuing CO's. I know there is one administrative function that has to take place and Katrina and I hope to see that it takes place on February 1st. It has to do with a legal agreement having to do with low and moderate income housing on that site but assuming that takes place and they finish a few other things having to do with construction, I believe we are going to see some certificates of occupancy issued for that development after February of 2017.

Councilman Belcaro – Paul, when is that project expected to be completed? Is it this year?

Engineer Sterbenz – I don't think it is going to be this year. I think it is more likely the end of 2018. They have not pulled all the building permits that they can on that particular project. I think they pulled building permits for four buildings which relate to 90 units; there is 247 units in the development. The buildings in there that are occupyable for residents, there is also a community building, a club house building and that's where the pool is going to be located which is also close to completion at this point. I think at least 2018 and this project is going to be market driven, you know, if people aren't knocking down the doors to rent in this particular community, then it may go on longer.

Councilman Belcaro – So right now, we are almost half way done with the project.

Engineer Sterbenz – From a site improvement prospective, I would say we are more than 50% there. We could even be up to 70% because they have for the most part, the roads system in place, all the drainage in place, all the sanitary sewer, the pumping station is going to be tested and put into operation next week. They finally got the force main done on Lock Street which was something that took a long, long time to address. So I would say probably 70% on the site work but from a building perspective you are 90 divided by 247, so and again, I think it is going to be somewhat market driven here.

Attorney Campbell – I had a conference call with the attorney and project manager yesterday regarding affordable housing which is going to be the next building built. It is one of the two affordable housing buildings. They had some questions about who was our contact at HMFA which is who administers and advertises and pulls the list so when you need to rent affordable housing they have a list of who is next in line so they are getting ready to start to do all that stuff.

Engineer Sterbenz – 50 of the 247 units are low and moderate income units.

Councilman Belcaro – I go by Captive Plastics there and it looks like they are starting to wind down.

Engineer Sterbenz – They are getting close.

Councilman Belcaro – Getting close so

Engineer Sterbenz – One interesting thing on that project, shifting gears, is we had given them approval to connect into the sewer and they did obtain DOT and DEP approvals to build a pump station and run a force main northward all the way to the Baltimore Street/Strykers Road intersection but when they priced out that work, it is about \$500,000 to do the work so they were somewhat astonished by the price so they took a step back and are seeking approvals to build a septic system and are getting DEP approvals to do that right now. I don't think they've gotten there yet. So if they don't get the approvals, they can fall back and build the sewer as it has been contemplated and approved by the board.

Councilman Belcaro – Right so if they get approved for the septic it actually helps us.

Council President Pryor – I'm sorry Paul it's Captive Plastics?

Engineer Sterbenz – Yeah Berry Plastics. I didn't expect to see that after all the effort that was put in to get all these approvals but apparently the cost of the particular connection was prohibitive in their minds.

Council President Pryor – That area has traditionally perked reasonably well and the rail road and state

crossing everything I knew was going to be an expensive deal and I'm sure you did too.

Councilman Belcaro – And how many gallons was allocated?

Engineer Sterbenz – My recollection was it was on the order of 15,000 to 18,000 per day. So if they don't connect then that's there for someone else to utilize in the future. The TWA approvals are good for two years. The State allows them to be extended up to another three years. They would expire five years after the date of issuance by the State. Council President Pryor put out an email regarding the RCE Program. I'm in complete agreement with everything he said in that email to the Council and I do believe we should look to take advantage of that program at least with respect to the municipal properties. Having some rain gardens put on municipal properties and if the Fire Department is amenable, putting it on the fire department property.

Council President Pryor – My observation, there Paul, is they use most of their water washing down things and the cisterns by themselves aren't going to do that. So we either have to add something and I don't know if they would want to go through the maintenance and everything just to sprinkle some water on the ground.

Engineer Sterbenz – I think that certainly at the pool site, it is something that would enhance the esthetics at the pool site and obviously we've been trying to find ways to cut down the amount of water runoff leaving that site which eventually goes towards North Prospect Street; there is a lot of erosion issues in the stream corridor there. So I think that will help to cut down on some of the runoff for that site. One of the sites chosen was the municipal building and it would be positive here. This should be put on the February 1st agenda to talk about and maybe take action on it.

Mayor McKay – Is the Rutgers one that Juniper brought to our attention; Juniper Leifer.

Council President Pryor – She didn't really bring it forward. He did this. He was given charge to do this. He looked at five towns. He did a study on his own and he was going to bring those to Council shortly so.

Councilman Belcaro – I read the email and we had like 17 locations in Lopat?

Council President Pryor – 13.

Engineer Sterbenz – I guess some of them are private property and I agree with Council President Pryor that I don't think we should be involved with that entering an agreement to arrange for work on private property; I think it's just going to be a headache.

Councilman Belcaro – So we should stick with public property.

Engineer Sterbenz – At least the three; the pool, the municipal building and the fire houses.

Council President Pryor – It was rain gardens on Strykers. They were talking cisterns. They make good demonstration projects. I think, Paul, they would pick up the bulk of the cost. They'd be looking for a backhoe for probably a day at each site and they could provide all the labor, the materials and the expertise. There is really no downside in doing that.

Councilman Belcaro – When the cistern gets filled what happens to the overflow?

Council President Pryor – They have overflows and diverters. The idea is I think the one was a thousand gallons. So you got your rain water and instead of getting out of the hose, you could get up to a thousand gallons out of the cistern. The problem is it is only a few feet high; maybe you get 2 psi at the bottom. You can't do a lot but so if you want to hose down equipment, you need some sort of pumping or whatever so it has somewhat restricted benefit to the fire departments and then you have to winterize it. There is some maintenance, inspection, removal of sediment so they may or may not be interested in maintaining this.

Councilman Belcaro – I saw the same concept but not a cistern it's a holding tank on the side of a building.

Council President Pryor – Well this is what they call a cistern it is essentially the same thing. These things are above ground.

Councilman Belcaro – A thousand gallon tank. I don't know what the pressure is.

Council President Pryor – It's a tank and they come in different sizes. The pressure is, you know, they have an overflow so it's basically a (inaudible) tank. So every 2.31 feet it should psi. I don't know maybe it's 2, 2/12 psi and you're done.

Engineer Sterbenz – It is not much.

Council President Pryor – I have worked with these guys before. I collaborated on three projects before I retired. They were parks; two of them involved rain gardens and since that time, my former firms been working with them continuously. They've done about 30 projects together and I learned it's not just rain gardens; they run the whole gamut at impervious pavement, impervious sidewalks, cisterns, rain gardens, the whole gamut.

Councilman Belcaro – The cistern I was talking about

Council President Pryor – You're talking about the ones underground.

Councilman Belcaro – Under the ground yeah.

Council President Pryor – No these are pre-fabricated. I don't know if it's proper to do it tonight or you want to think about it till next month. He's talking, what I said in the memo, six to eight weeks he hoped to firm it up and select three projects from among the five towns. I think ours would be good because it's, the cost is low, it's visible, it's very implementable. I think we'd be in a good position.

Engineer Sterbenz – My recommendation is the three rain garden projects. First priority would be the pool cause we could really use, it would look good in the park setting. I think we could use something there to try and cut down on the runoff leaving that site. I think the second would be here. It is my opinion and the third would be the fire houses so.

Council President Pryor – My thought, Paul, was to group them all as one project; it becomes perhaps \$10,000 and I think that's very doable for them.

Engineer Sterbenz – Before we go to Executive Session I just wanted to advise the Council last year you had a Planning Board Meeting; I missed it, late February, I was on a ski trip and I actually have a ski trip planned where I was going to miss the March 1st Council meeting. It turned out a conflict developed for me for February 1st. I'm going to miss the next two regular meetings. I wanted to know do you want me to send a representative from my firm to be at those meetings. I could do that which I've done in the past.

Council felt a representative should be at the meeting; coordinate with Beth and send a representative.

Council President Pryor – Tonight I have one more. Did you hear anymore from the County on our speed zone?

Engineer Sterbenz – Nothing. I know they are working on it but I have not seen a plan roll out at this point so I've got to follow up with him. So that is what I have under my regular report. The rest will be in Executive Session.

Mayor McKay – Next item would be to go into Executive Session. Do I have a motion to go into Executive Session?

Motion by Councilman Belcaro, seconded by Council President Pryor. All in favor.

Attorney Campbell – No action is expected on this when we come out in approximately 10 minutes.

Resolution No. 17-33 – Executive Session.

R 17-33

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:

Contracts – Zuccarro, Inc.

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, January 18, 2017.

Margaret B. Dilts, CMC

Council returned to the Regular Session on motion by Council President Pryor, seconded by Councilman Palitto. All in favor.

Attorney Campbell – We were in Executive Session for approximately 30 minutes. Discussion regarding sink hole noting contractual obligations. Motion to authorize Attorney Campbell to write a letter on motion by Councilman Belcaro, seconded by Council President Pryor. All in favor.

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

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Thomas M. McKay
Mayor