

TOWNSHIP OF LOPATCONG
REORGANIZATION AND REGULAR MEETING
7:00 pm
January 3, 2018

The Reorganization and Regular Meeting of the Lopatcong Township Council was called to order by Clerk Dilts. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Mayor Mengucci was sworn in for a three-year term by former Mayor and State Republican Chairman Douglas Steinhardt.

Motion to come out of Executive Session by Councilman Belcaro, seconded by Councilman Wright. All in favor.

Attorney Campbell noted that Council was in Executive Session for approximately 30 minutes and the topics of discussion were as listed on the agenda.

Mayor Mengucci 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.”

Konrad Mellert offered a prayer which was followed by the Oath of Allegiance.

Present – Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci. Also present were Attorney Campbell and Engineer Sterbenz.

Public Comments – Agenda items only - none

Reorganization:

Resolution No. 18-02 – Charge for Annual Meeting Calendar.

R 18-02

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY FIXING A REASONABLE SUM TO CHARGE FOR A LIST OF
SCHEDULED COUNCIL MEETINGS

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act, be mailed to them individually; and

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request.

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

1. Each person who requests that individual notice as required under the Act be mailed to him shall pay annually the Township of Lopatcong Twenty-five Dollars (\$25.00) to cover the cost thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding Resolution by the public body.
- 4.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Resolution No. 18-03 – Cash Management Plan.

R 18-03

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY ESTABLISHING A CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 as an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit establish a cash management plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey for the year 2018 the following shall serve as Cash Management Plan of the Township of Lopatcong.

The Chief Financial Officer is directed to use the Cash Management Plan as the guide in depositing and investing the Township of Lopatcong's funds.

The following FDIC and Government Unit Deposit Protection Act (GUDPS) approved banks are authorized depositories for deposit of funds.

Provident Bank and all other FDIC and GUDPA approved banks located in the State of New Jersey.

All warrants or checks for the disbursements of money shall be made by any two (2) of the following officials and facsimile signatures may be used:

James E. Mengucci, Mayor

Joseph Pryor, Council President

Margaret B. Dilts, Clerk/Administrator

Kimberley Browne, Chief Financial Officer

The Chief Financial Officer and the Clerk/Administrator are empowered to invest cash funds as bank balances will allow from time to time in order to realize revenue. The above stated officers are authorized to transfer funds for the purpose of paying bills, investing and payroll.

The following are authorized as suitable investments:

1. Interest bearing accounts in banks as authorized for deposit of local unit funds (GUDPA approved).
2. Certificates of deposit in GUDPA approved banking institutions.
3. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury, Notes and Bonds.
4. Government Money Market mutual funds that comply with N.J.S.A. 40A:5-1.5.1(e).

5. Any other obligations with maturities not exceeding 397 days as permitted by the State Division of Investments.
6. New Jersey Cash Management Fund.
7. Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15(e).

Each month the Chief Financial Officer shall prepare a report for the Clerk/Administrator that consists of the following:

1. A summary of all investments made or redeemed for the month.
2. A listing of any and all financial institutions holding local unit funds.
3. The class of type of securities purchased or funds deposited.
4. Income earned on deposits and investments.
5. A listing of accounts or deposits that do not earn interest.

This document shall constitute the Cash Management Policy of the Township of Lopatcong.

Any official involved with the selection of depositories or investments shall disclose any material business or personal relationship to the Local Finance Board.

Any official who, in the course of his or her duties, deposits or invest in accordance with this plan shall be relieved of any liability or loss.

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 3, 2018.

Margaret B. Dilts, CMC

Motion by Council President Pryor, seconded by Councilman Palitto. Roll call vote:
 AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
 NAYS: None

Resolution No. 18-08 – Authorize interest to be charged on Delinquent Taxes.

R 18-08

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, Governor Florio signed into law Assembly Bill No. 4425, Chapter 75 and Senate Bill No. 2579, Chapter 89 effective March 29, 1991 and April 4, 1991 respectively; and

WHEREAS, the Governing Body of the Municipality wishes to comply with this law; and

WHEREAS, N.J.S.A. 54:4-67 has been changed to define a tax delinquency as follows:

“Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years”; and

WHEREAS, the Governing Body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. The penalty as fixed shall not exceed 6% of the amount of the delinquency; and

WHEREAS, the Governing Body of the Municipality may charge by Resolution, the sum of eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in the excess of \$1, 500.00 on taxes and assessment after the date that same would become delinquent until the date of actual payment; and

WHEREAS, most of the taxpayers of said Township of Lopatcong have had to bear an additional burden because of the fact that some taxpayers invest their funds at higher rates of interest than the penalty heretofore provided for under such statute; and

WHEREAS, the Council of the Township of Lopatcong deems it equitable and just that every taxpayer shall bear an equal share of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren that a tax delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED that a penalty of 6% will be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year.

BE IT FURTHER RESOLVED that the rate of interest to be charged for the non-payment of taxes or assessments shall be eight percent (8%) per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 after the date that they would become delinquent.

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

BE IT FURTHER RESOLVED that after the sale of property for non-payment of taxes or assessments, the property shall be subject to redemption upon the payment of eighteen (18%) percent per annum interest over and above the amount of the taxes, assessments and other charges due the municipality.

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 3, 2018.

Margaret B. Dilts, CMC

Motion by Councilman Wright, seconded by Council President Pryor. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Resolution No. 18-09 – Authorize Tax Collector to process and cancel any Municipal Charged Refunds or Delinquencies for less than ten dollars.

R 18-09

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS AND

CANCEL ANY MUNICIPAL CHARGE REFUNDS OR DELINQUENCY OF LESS THAN
TEN (\$10.00) DOLLARS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have reviewed a request by the Tax Collector of the Township of Lopatcong to allow the Tax Collector to process and cancel any property tax usage charge refund or delinquency of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong hereby authorize the Tax Collector to process and cancel any municipal charge refund or delinquency of less than \$10.00.

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 3, 2018.

Margaret B. Dilts, CMC

Motion by Councilman Belcaro, seconded by Council President Pryor. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Resolution No. 18-26 – Appoint Council President.

R 18-26

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING JOSEPH PRYOR AS COUNCIL PRESIDENT

WHEREAS, Mayor and Council put forth nominations for Council President for the year 2018;
and

WHEREAS, Joseph Pryor was nominated for the appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby approve the appointment of as Council President for the year 2018.

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 3, 2018.

Margaret B. Dilts, CMC

Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Consent Agenda:

Motion by Council President Pryor, seconded by Councilman Palitto. All in favor.
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Resolution No. 18-01 – Annual Meeting Calendar.

R 18-01

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY IN REGARD TO EXECUTIVE SESSIONS AND REGULAR MEETINGS FOR THE YEAR 2018

WHEREAS, Section 113 of the Open Public Meetings Act, Chapter 231 P.L. 1975, requires that at least once a year, not later than January 10th, of such year, every public body shall post and mail to the newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

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

EXECUTIVE SESSIONS of the Council shall be held at the Municipal Building, 232 S. Third Street, Lopatcong Township, Phillipsburg, New Jersey 08865 at 7:00 PM prevailing time, and REGULAR MEETINGS will be held at the same location at 7:30 PM prevailing time, on the FIRST WEDNESDAY of each month for the year 2018.

If the FIRST WEDNESDAY of any month shall fall on a legal holiday, the meeting shall be held on the following day. The dates of such meetings are as follows:

EXECUTIVE SESSIONS AND REGULAR MEETINGS

January 4, 2018 - Reorganization Meeting	
February 7, 2018	August 1, 2018
March 7, 2018	September 5, 2018
April 3, 2018	October 3, 2018
May 2, 2018	November 7, 2018
June 6, 2018	December 5, 2018
July 5, 2018	December 27, 2018

Reorganization Meeting – January 2, 2019

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-04 – Designation of Official Newspapers.

R 18-04

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY, DESIGNATING NEWSPAPERS TO RECEIVE NOTICES OF MEETINGS

WHEREAS, Section 3 (d) of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that certain notices of meetings shall be submitted to two (2) newspapers, one of which shall be designated as the official newspaper of the Township of Lopatcong; and

WHEREAS, the second newspaper designated by this body must be one that has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meetings.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey.

1. The STAR GAZETTE, Hackettstown, NJ is hereby designated as the official newspaper of the Township to receive all notices of meetings as required under the Open Public Meetings Act.
2. The EXPRESS-TIMES has the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren, 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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-05 – Appointment of Township Attorney.

R 18-05

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING LAVERY, SELVAGGI, ABROMITIS AND COHEN AS TOWNSHIP ATTORNEYS

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

Lavery, Selvaggi, Abromitis and Cohen are hereby retained as Township Attorneys for the year 2018 at a retainer of \$2500.00.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq. and the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-06 – Reappointment of Village Medical Associates as Township Physicians.

R 18-06

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING PHYSICIANS FOR THE YEAR 2018

WHEREAS, the Mayor and Township Council of the Township of Lopatcong require that medical doctors be appointed for Township purposes; and

WHEREAS, these appointments are made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong that Village Medical Associates be appointed as physicians for the Township for the calendar year of 2018.

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 the Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-07 – Defense of Municipal Appeals.

R 18-07

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING LEGAL COUNSEL TO FILE AND PROSECUTE
ROLL-BACK TAX COMPLAINTS, COMPLAINTS TO CORRECT ERRORS IN
ASSESSMENTS AND COMPLAINTS FOR ADDED, OMITTED AND ADDED/OMITTED
ASSESSMENTS; DEFEND, SETTLE OR STIPULATE TO RESOLVE ALL 2017 LOCAL
PROPERTY TAX APPEALS

WHEREAS, the County Tax Board has issued a letter of request requiring a Resolution by the Mayor and Township Council of each municipality of the County of Warren by its County Tax Administrator, Melissa Pritchett; and

WHEREAS, the said County Tax Administrator requires that the Mayor and members of the Governing Body of each municipality in the County of Warren, in order to file municipal roll-back complaints, correct errors or file added, omitted and added/omitted complaints, adopt a Resolution allowing the Municipal Attorney or any member of his firm to file and prosecute said complaints.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of January 2018, by the Township Council of the Township of Lopatcong, in the County of Warren and State of New Jersey, that the Municipal Attorney for the Township, is hereby authorized to file, prosecute, defend, stipulate, modify, agree upon and otherwise perform the duties which are required of said Attorney, in the process of prosecution and/or filing of said roll-back tax complaints, complaints to correct errors in assessments for added assessments in 2017 and defending or settling all 2017/18 local property tax appeals and execute any and all stipulations relating to the same with the agreement of the Lopatcong Township Municipal Assessor.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to provide a true copy of this Resolution to the Warren County Board of Taxation, Warren County Court House, Belvidere, New Jersey 07823.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-10 – Adopt Robert’s Rules for fair and orderly meeting procedures.

R 18-10

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY ADOPTING ROBERT’S RULES OF ORDER AS A BASIC
GUIDE FOR FAIR AND ORDERLY PROCEDURE IN MEETINGS

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, that Robert’s Rules of Order Newly Revised 11th edition is hereby adopted as parliamentary authority for procedure in meetings.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-11 – Reappoint Chief of Police Jason Garcia as 911 Coordinator.

R 18-11

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING POLICE CHIEF JASON GARCIA AS 911
COORDINATOR

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey are required by the State to appoint a 911 Coordinator to assist the Warren County Department of Public Safety; and

WHEREAS, the Mayor and Council decided to appoint Police Chief Jason Garcia as the 911 Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey appoint Police Chief Jason Garcia as the 911 Coordinator for the Township of Lopatcong for the year 2018.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-12 – Reappoint Christopher Troxell as Municipal Prosecutor.

R 18-12

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING CHRISTOPHER TROXELL AS PROSECUTOR

WHEREAS, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Christopher Troxell be appointed Prosecutor for the Township of Lopatcong for the year 2018 at a salary appropriated within the Salary Ordinance.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-13 – Reappoint Scott Wilhelm as Municipal Public Defender.

R 18-13

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING SCOTT M. WILHELM MUNICIPAL PUBLIC DEFENDER

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey that Scott M. Wilhelm is appointed Municipal Public Defender for the year of 2018 at a salary of \$200.00 per case.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-14 – Reappoint Municipal Auditor.

R 18-14

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING NISIVOCIA, LLP AS TOWNSHIP AUDITOR
FOR THE YEAR 2018

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey, as follows:

WHEREAS, Nisivoccia, LLP are hereby appointed Township Auditor for the year 2018; and

WHEREAS, Nisivoccia, LLP has presented the Mayor and Council with a Professional Service Agreement outlining his services and fees; and

WHEREAS, this Resolution, of this action shall be printed once in the official newspaper of the Township of Lopatcong; and

WHEREAS, this Resolution and the Professional Service Agreement shall be on file and available for public inspection in the office of the Municipal Clerk.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-15 – Reappoint Beth Dilts Qualified Purchasing Agent.

R 18-15

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY INCREASING THE BID THRESHOLD AND APPOINTING A
QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3a AND N.J.S.A.C. 5:
34-5 ET. SEQ.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$40,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.C.5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Margaret B. Dilts possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A.C.5:34-5.; and

WHEREAS, Lopatcong Township desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Lopatcong Township, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$40,000; and

BE IT RESOLVED, that the governing body hereby appoints Margaret B. Dilts, as the Qualified Purchasing Agent to exercise the duties of a purchasing agent to N.J.S.A.40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit: and

BE IT RESOLVED, that in accordance with N.J.A.C.5-34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Margaret B. Dilts, QPA certification to the Director of the Division of Local Government Services.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey, do hereby certify the foregoing is a true and correct copy of a Resolution adopted by Council at a regular meeting of said governing body held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-16 – Reappoint Beth Dilts as a Public Agency Compliance Officer for 2018.

R 18-16

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY DESIGNATING MARGARET DILTS AS THE PUBLIC AGENCY COMPLIANCE OFFICER AS REQUIRED BY THE DEPARTMENT OF TREASURY, DIVISION OF CONTRACT COMPLIANCE & EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey shall appoint Margaret B. Dilts as Public Agency Compliance Officer as mandated by N.J.A.C. 17:27-3.2 by January 10th of each year; and

WHEREAS, Margaret B. Dilts, Clerk/Administrator shall have the authority to serve as the point of contact for all matters concerning implementation and administration of the statute and its regulations; and

WHEREAS, Ms. Dilts will also be responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service

providers which shall include but shall not be limited to goods and services vendors, professional service vendors and construction contractors.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey approve the appointment of Margaret B. Dilts as the P.A.C.O. for the Township for the year 2018.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-17 – Reappoint Lyn Gabos as Recycling Coordinator and authorize Tonnage Grant Application.

R 18-17

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF THE 2017 RECYCLING TONNAGE GRANT APPLICATION AND THE APPOINTMENT OF A RECYCLING COORDINATOR

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 198/c. 102, established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, certifiable records or materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycle and to indicate the assent of Lopatcong Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Governing Body of the Township of Lopatcong hereby endorses the submission of the 2017 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Lyn Gabos as Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated trust fund to be used solely for the purpose of recycling.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-18 – Appoint Jennifer Patricia Clean Communities Coordinator.

R 18-18

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING JENNIFER PATRICIA AS CLEAN
COMMUNITIES COORDINATOR

RESOLUTION APPOINTING A CLEAN COMMUNITIES COORDINATOR

WHEREAS, the TOWNSHIP OF LOPATCONG needs to appoint a Clean Communities Coordinator to represent the TOWNSHIP OF LOPATCONG.

BE IT RESOLVED that Jennifer Patricia is hereby appointed Clean Communities Coordinator effective January 3, 2018 and will receive a stipend of \$2,000 from the grant funds.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council appoint Jennifer Patricia as Clean Communities Coordinator as required by the State of New Jersey and will receive a stipend of \$2,000 each year from the grant funds to complete the necessary reports. at a regular meeting of the Township Committee of the Township of Franklin on Tuesday, December 11, 2012.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Council at the Reorganization Meeting held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-19 – Appointment of Computer Services.

R 18-19

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING NISIVOCIA CONSULTING, LLC TO PROVIDE
COMPUTER SERVICES FOR THE YEAR 2018

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

BE IT FURTHER RESOLVED that Nisivoccia Consulting, LLC is appointed to provide computer services to the Township as outlined in a Professional Service Contract.

This award is in accordance with N.J.S.A. 19:44A-20.5 et. Seq.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-20 – Appointment of Labor Attorney.

R 18-20

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING RICHARD WENNER OF LAVERY, SELVAGGI, ABROMOTIS AND COHEN AS LABOR COUNSEL

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

WHEREAS, Richard Wenner is appointed as Labor Counsel for the year 2018.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-20 – Appoint Lavery, Selvaggi, Abromotis and Cohen as Labor Attorney.

R 18-20

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING RICHARD WENNER OF LAVERY, SELVAGGI, ABROMOTIS AND COHEN AS LABOR COUNSEL

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

WHEREAS, Richard Wenner is appointed as Labor Counsel for the year 2018.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-21 – Appoint Engineer for three-year term.

R 18-21

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING TOWNSHIP ENGINEER FOR THREE YEAR
TERM

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey has determined that it is in the best interest of the Township to appoint Paul Sterbenz; and

WHEREAS, Paul Sterbenz is hereby retained as Township Engineer for a three-year term at a retainer of \$1,700.00 per month.

This award is in accordance with N.J.S.A. 19:44A-20.5 et seq.

This Resolution shall take effect immediately.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey 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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-22 – Reappoint Inglesino, Webster, Wyciskala & Taylor, LLC as Special Counsel.

R 18-22

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF
WARREN AND STATE OF NEW JERSEY, AUTHORIZING APPOINTMENT
OF SPECIAL LITIGATION COUNSEL INGLESINO, WEBSTER,
WYCISKALA & TAYLOR, LLC

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

WHEREAS, Inglesino, Webster, Wyciskala & Taylor, LLC as hereby appointed Special Counsel for the year 2018; and

WHEREAS, IWW&T has presented the Mayor and Council with a Professional Service Agreement outlining his services and fees; and

WHEREAS, this Resolution shall be printed once in the official newspaper of the Township of Lopatcong; and

WHEREAS, this Resolution and Professional Service Agreement shall be on file and available for public inspection in the office of the Municipal Clerk.

This Resolution shall take effect immediately.

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 the Council at a meeting held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-23 – Appoint Council Liaisons to the various Municipal Dept., Boards, Commissions and Committees.

R 18-23

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY BY THE GOVERNING BODY SETTING FORTH COUNCIL LIAISONS POSITIONS TO THE VARIOUS DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES

WHEREAS, the Council of the Township of Lopatcong, County of Warren and State of New Jersey pursuant to Ordinance No. 16-12 hereby sets forth the Council Liaison Positions for the year 2018.

James Mengucci

Administrative and Executive Personnel

Joe Pryor

Board of Education – Phillipsburg and Lopatcong
Environmental Commission

Lou Belcaro

Sewer Utility
Department of Public works
Buildings and Grounds

Bill Wright

Police Department
Rent Leveling Board
Shade Tree Commission
Recreation Committee

Jim Palitto

LAA
EDAC
Clean Communities/Recycling

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that the liaisons to the various departments, boards, commissions and committees are hereby set forth for the year 2018.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-24 – Reappoint Bond Counsel.

R 18-24

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY, AUTHORIZING APPOINTMENT OF GIBBONS, P.C. AS BOND
COUNSEL

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Gibbons, P.C. be appointed as Bond Counsel for the Township of Lopatcong for the year 2018.

This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contract Law, as provided in N.J.S.A. 40A:11-5.

This Resolution shall take effect immediately.

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 the Council at a meeting held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-25 – Governing Body appointments.

R 18-25

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING GOVERNING BODY APPOINTMENTS TO THE
EXPIRED AND VACATED TERMS ON PLANNING BOARD, ZONING BOARD OF
ADJUSTMENT AND RECREATION COMMITTEE

WHEREAS, the Mayor of the Township of Lopatcong, County of Warren and State of New Jersey nominates the following people to the expired and vacated terms on all Municipal Boards:

Zoning Board of Adjustment

Governing Body Appointments:

Richard Bittone – Expires 12/31/2021

Andrew Horun – Expires 12/31/2021

Gary Woolf – Alternate No. 1 Expires – 12/31/2019

Maureen McCabe – Alternate No. 2 Expires – 12/31/2019

Planning Board

Governing Body Appointment

Class III – Joseph Pryor – Expires 12/31/2018

Recreation Committee

Governing Body Appointment:

Robin Wodzisz – Expires 12/31/2020

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey all boards are approved.

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 3, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-27 – Appoint Fund Commissioner as required by municipal insurer and Beth Dilts as Alternate Fund Commissioner.

R 18-27

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY APPOINTING FUND COMMISSIONER FOR 2018

WHEREAS, the Township of Lopatcong (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (Hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the governing body of that James Palitto, is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that Margaret Dilts is hereby appointed as the alternate fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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 3, 2018.

Margaret B. Dilts, CMC

Risk Management Consultant Agreement – Approve Mayor Mengucci execute the Agreement for Budd Agency.

Mayor Mengucci’s Appointments -

MAYOR JIM MENGUCCI’S APPOINTMENTS

Planning Board Appointments

Appointed by the Mayor

Class I – James Mengucci – Expires 12/31/2020

Class II – Brian Weeks – Expires 12/31/2018

Class IV – Gary VanVliet – Expires 12/31/2021

Environmental Representative- Thomas Fischbach – Expires 12/31/2021

Alternate No. 1 – Tia Steinhardt – Expires 12/31/2019

Alternate No. 2 – Earl Clymer (unexpired Term of Tom Fischbach) – 12/31/2018

Environmental Commission Appointment

Appointment by the Mayor

Chairman of the Board – Matt Herzer – Expires 12/31/2020

Thomas Fischbach – Expires 12/31/2020

Yvonne Reitemeyer – Expires 12/31/2020

Rent Leveling Board Appointment

Appointment by the Mayor

Gale Hicks – Expires 12/31/2020

Finance Committee

Joseph Pryor

Jim Palitto

Resolution No. 18-35 – Reappoint Gary Woolf as Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator for three years.

R 18-35

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPOINTING GARY WOOLF AS EMERGENCY
MANAGEMENT COORDINATOR AND PAT RIVOLI AS DEPUTY MANAGEMENT
COORDINATOR FOR THE TOWNSHIP OF LOPATCONG

WHEREAS, the Governing Body of the Township of Lopatcong has decided to appoint Gary Woolf as Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for the Township of Lopatcong, County of Warren and State of New Jersey; and

WHEREAS, the Governing Body of the Township of Lopatcong has agreed to make the appointment of Gary Woolf as Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for a three-year term ending December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Lopatcong has appointed Gary Woolf as the Emergency Management Coordinator and Pat Rivoli as Deputy Emergency Management Coordinator and representatives to the Local Emergency Preparedness Committee for the Township of Lopatcong for a three- year term ending December 31, 2020.

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 Wednesday, January 3, 2018.

Margaret B. Dilts, RMC

Old Business:

Resolution No. 18-29 – Authorizing a transfer of Redevelopment Agreement from OPUS Investments to Bridge Acquisitions, LLC.

R 18-29

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN, STATE OF NEW JERSEY
AUTHORIZING THE TRANSFER OF THE
REDEVELOPMENT AGREEMENT WITH OPUS
INVESTMENTS LIMITED LIABILITY COMPANY THE
DESIGNATED REDEVELOPER OF THE PROPERTY
COMMONLY KNOWN AS BLOCK 101, LOTS 1 AND 1.01
ON THE TAX MAP OF THE TOWNSHIP.**

WHEREAS, acting in accordance with the *Local Redevelopment and Housing Law*, N.J.S.A. 40A:12A-1 *et seq.* (the “**LRHL**”), the Township of Lopatcong in the County of Warren, New Jersey (the “**Township**”) has designated an area within its borders, identified and designated the former Ingersoll Rand site, including those certain properties identified on the official tax map of the Township as Block 101, Lots 1 and 1.01 (collectively, the “**Redevelopment Area**”) as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Township adopted by ordinance a redevelopment plan superseding the provisions of the Township Zoning Ordinance for the Redevelopment Area, known as the Amended and Restated Redevelopment Plan Lots 1 and 1.01, Block 101 (as may be amended, the “**Redevelopment Plan**”); and

WHEREAS, in furtherance of the redevelopment of the Redevelopment Area and the Redevelopment Plan, and by Resolution, Opus Investments Limited Liability Company (“**Opus**”) was designated the exclusive redeveloper of the Redevelopment Area and the Township also authorized and entered into a redevelopment agreement with Opus dated December 15, 2015 (along with any subsequent amendments thereto, the “**Redevelopment Agreement**”) which Redevelopment Agreement specifies the rights and responsibilities of the Township and Opus with respect to certain aspects of the Project (as defined in the Redevelopment Agreement); and

WHEREAS, Opus and the Redeveloper desire and intends to transfer its rights, duties and obligations under the Redevelopment Agreement to Bridge Acquisition, LLC by its related entity I-78 Logistics Park Lopatcong Renewal Entity, LLC, a limited liability company of the State of New Jersey to be formed at or prior to closing which will be authorized to operate as an urban renewal entity (“**Bridge**”), and Bridge desires and intends to assume the same; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lopatcong, in the County of Warren, New Jersey as follows:

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. TRANSFER APPROVED

The Township hereby determines that Opus and Bridge have complied with the requirements for transfer set forth in the Redevelopment Agreement, that there have been no events of default or violations of the terms of the Redevelopment Agreement, and hereby consents to the transfer of Opus's interest in the Redevelopment Agreement with respect to the Project, and all rights, duties and obligations of Opus with respect to the Project thereunder, to Bridge. The Township hereby further agrees and acknowledges that upon execution of such transfer to Bridge, Opus shall be and is hereby released from all duties and obligations existing under the Redevelopment Agreement with respect to the Project.

III. MAYOR AUTHORIZED

The Mayor, in consultation with the Town attorney, professionals and consultants, is authorized to execute and deliver the Assignment and Assumption in a form substantially similar to the form attached hereto as **Exhibit A**, and, any documents or agreements necessary and/or reasonably required to effectuate the purpose and intent of this Resolution and the transfers authorized herein. The Mayor is further hereby authorized to take all steps necessary to negotiate and execute any additional documents or agreements, perform such other actions, and undertake all actions reasonably necessary to effectuate the purpose and intent of this Resolution and the transfers authorized herein.

IV. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

V. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Township.

VI. EFFECTIVE DATE

This Resolution shall take effect immediately.

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 the Council at a meeting held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Dulaine Contracting – Approve Final Payment to Dulaine Contracting, Inc., in the amount of \$74,901.88 for work completed on the Stonehenge Force Main Replacement Project.

New Business:

Resolution No. 18-30 – Authorize Application to the Local Finance Board.

R 18-30

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40a:2-51 ET SEQ.

WHEREAS, THE TOWNSHIP OF LOPATCONG, County of Warren, New Jersey (the "Township") desires to make application to the Local Finance Board for its approval of a proposed refunding bond ordinance authorizing the payment of amounts by the Township to the owners of various properties for taxes levied in the Township; now, therefore,

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LOPATCONG, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved and the Township's Bond Counsel and Auditor along with other representatives of the Township are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or in approvals as provided by the applicable New Jersey Statute.

Recorded Vote:

AYES: Councilman Belcaro, Councilman Palitto
Councilman Wright, Council President Pryor
Mayor Mengucci

NAYS:

ABSENT:

ABSTAIN:

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, January 3, 2018.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Council President Pryor, seconded by Councilman Wright.
Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Resolution No. 18-31 – Approve Temporary Municipal and Sewer Utility Budget.

R 18-31

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING TEMPORARY MUNICIPAL AND SEWER
UTILITY BUDGET FOR 2018

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 Municipal and Sewer Budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January 2018; and

WHEREAS, the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$6,957,500.38; and

WHEREAS, total temporary appropriations shall not exceed 26.25% the total of the appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2017 budget or in the sum of \$1,826,343.85 for the Current Fund and \$432,082.35 for the Sewer Operating Fund.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for the record:

Current Fund	\$1,808,998.00
Sewer Utility Operating Fund	403,068.00

As temporary appropriations for the year for the purpose identified by the title herein below listed and in the sum set aside such titles:

CURRENT FUND

GENERAL GOVERNMENT:

Acct. No.

Administrative and Executive:		
Other Expenses:		
10510120	Postage	\$3,000.00
10510220	Computer Services	\$5,000.00
10510320	Code Book Update	\$ 500.00
10510420	Misc. Other Expenses	\$1,000.00
Mayor and Council:		
10511010	Salaries and Wages	\$5,500.00
Municipal Administration:		
10512010	Salaries and Wages	\$60,000.00
10512020	Other Expenses	\$7,500.00
Financial Administration:		
10513010	Salaries and Wages	\$38,500.00
10513020	Other Expenses	\$ 6,500.00
10513521	Audit Services	
Revenue Administration (Tax Collection):		
10514510	Salaries & Wages	\$ 7,000.00
10514520	Other Expenses	\$ 2,500.00
Tax Assessment Administration:		
10515010	Salaries & Wages	\$10,500.00
10515320	Miscellaneous Other Expenses	\$ 500.00

	Legal Services and Costs:	
10515520	Other Expenses	\$50,000.00
	Engineering Services and Costs:	
10516520	Other Expenses	\$17,500.00
10521020	Liability Insurance	\$50,000.00
10521520	Workers' Compensation Insurance	\$30,000.00
10522020	Group Insurance for Employees	\$185,000.00
10522520	Unemployment Insurance	\$ 2,500.00
	<u>Municipal Land Use Law (NJSA 40:55D-1):</u>	
	Planning Board:	
10518010	Salaries & Wages	\$ 3,300.00
10518320	Miscellaneous Other Expenses	\$ 3,200.00
	Zoning Board of Adjustment:	
10518510	Salaries & Wages	\$ 1,700.00
10518520	Other Expenses	\$ 500.00
	Rent Board:	
10520110	Salaries & Wages	\$ 1,500.00
10520120	Other Expenses	\$ 2,205.00
	Environmental Commission	
10520220	Other Expenses	\$ 125.00
	Shade Tree Commission	
10520320	Other Expenses	\$ 625.00
	Garbage and Trash Removal	
105375095	Other Expenses	\$ 3,600.00
	<u>PUBLIC SAFETY:</u>	
	Fire:	
	Miscellaneous-Other Expenses	
10526420	Fire Company No. 1	\$ 8,200.00
	Police:	
10524010	Salaries & Wages	\$610,000.00
10524020	Other Expenses	\$ 30,000.00
	Emergency Management Services:	
10525210	Salaries & Wages	\$ 1,100.00
10525220	Other Expenses	\$ 100.00
	Prosecutor:	
10527510	Salaries & Wages	\$ 5,500.00
	First Aid Contribution:	
10526020	Other Expenses	\$ 3,940.00
	<u>STREETS AND ROADS</u>	
	Street and Road Repairs and Maintenance:	
10529010	Salaries & Wages	\$126,000.00
10529020	Other Expenses	\$ 50,000.00
10528500	Other Expenses-Salt and Grit	\$ 50,000.00
	Public Buildings and Grounds:	
10531010	Salaries & Wages	\$ 3,700.00
10531020	Other Expenses	\$ 15,000.00
	Municipal Court:	
10549010	Salaries & Wages	\$ 27,000.00
10549020	Other Expenses	\$ 2,800.00
	<u>HEALTH AND WELFARE:</u>	
	Animal Control Fund:	
10534010	Salaries & Wages	\$ 2,600.00
10534020	Other Expenses	\$ 100.00

RECREATION AND EDUCATION:

	Parks and Playgrounds:	
10537120	Other Expenses	\$ 20,000.00
	Pool	
10537410	Salaries & Wages	\$ 540.00
10537420	Other Expenses	\$ 35,000.00

UTILITIES:

10543020	Electricity	\$ 25,000.00
10544020	Telephone (Exclude Equip. Acq.)	\$ 15,000.00
10544020	Cable	\$ 800.00
10546620	Gas (Natural or Propane)	\$ 8,000.00
10544820	Hydrant Service	\$ 40,000.00
10544920	Water	\$ 2,000.00
10546020	Gasoline	\$ 20,000.00

UNIFORM CONSTRUCTION CODE:

	Building Sub-code Official	
10519610	Salaries & Wages	\$ 25,000.00
10519620	Other Expenses	\$ 2,500.00
	Fire Safety Inspector	
10519810	Salaries & Wages	\$ 7,200.00
10519820	Other Expenses	\$ 500.00
	Zoning Officer	
10520010	Salaries & Wages	\$ 2,500.00
10520020	Other Expenses	\$ 425.00

STATUTORY EXPENDITURES:

10547220	Contribution to Social Security System (OASDI)	\$ 75,000.00
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TOTAL OPERATIONS WITHIN "CAP" \$ 1,723,010.00

OPERATIONS EXCLUDED FROM "CAPS":

	Municipal Debt Service	
10693520	Interest on Bonds	\$ 85,988.00

TOTAL CURRENT FUND \$1,808,988.00

SEWER UTILITY OPERATING FUND

Salaries and Wages	\$26,200.00
Other Expenses	\$355,000.00
Contribution to Social Security System (OASI)	\$ 2,500.00
Principal Payment on USDA Loan	\$15,127.00
Interest on USDA Loan	\$ 4,241.00

TOTAL SEWER UTILITY OPERATING FUND \$403,068.00

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 correct copy of a Resolution adopted by Council at the Reorganization Meeting held on Wednesday, January 3, 2018.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilman Belcaro, seconded by Councilman Wright. Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Morris County Co-op – Approve membership to the co-op for annual fee in the amount of \$1,100.00. Motion to approve by Councilman Palitto, seconded by Councilman Belcaro. Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Resolution No. 18-32 – Authorize sale of Block 95, Lot 23.01 to Richard J. Wambold, Jr. for \$3,525.00.

Resolution 18-32

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 95, LOT 12.04

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13.2 requires that whenever a municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance, it shall accord the owner or owners of any contiguous to such real property the right of prior refusal to purchase such land; and

WHEREAS, the Township of Lopatcong is the owner of certain real property known as Block 95, Lot 12.04 on Strykers Road; and

WHEREAS, Block 95, Lot 12.04 is less than the minimum size required for development under the municipal zoning ordinance; and

WHEREAS, said property is not needed for public use, and the Township Committee has determined that it is in the best interest of the Township to sell the property; and

WHEREAS, the Township sent letters to the four adjacent property owners offering the property for sale; and

WHEREAS, Richard J. Wambold, Jr. was the only resident who submitted an offer to purchase the property for \$3,525; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lopatcong, County of Warren, State of New Jersey, that:

1. The property known as Block 95, Lot 12.04 was offered to all contiguous property owners as required by N.J.S.A. 40A:12-13.2.
2. The said property shall be sold pursuant to the bid on file with the Township Clerk's Office for \$3,525 to Richard J. Wambold, Jr. of 322 Aurora Street, Phillipsburg, New Jersey.
3. If any section or provision of this Resolution shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Resolution, except so far as the section of the provision so declared invalid shall be inseparable from the remainder or any portion thereof.

CERTIFICATION

I, Beth Dilts, Clerk of the Township of Lopatcong, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Township of Lopatcong Committee on January 3, 2018.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilman Belcaro, seconded by Council President Pryor.
Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Resolution No. 18-33 – Authorize hire of Todd Poole as Consultant for Redevelopment Agreement for Block 101, Lots 2 and 2.01.

R 18-33

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING HIRE OF TODD POOLE AS CONSULTANT

WITH REGARD TO THE REDEVELOPMENT AGREEMENT FOR THE PROPERTY KNOWN AS BLOCK 101, LOTS 2 AND 2.01

WHEREAS, the Township Council wishes to retain the services of a professional to consult for the Township related to the financial agreement, tax abatement, PILOT program request for the Redevelopment Area (Block 101, Lot 2.01).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Lopatcong, County of Warren and State of New Jersey authorize the hire of Todd Poole as Consultant to advise the Township regarding the Redevelopment Financial Agreement, request for tax abatement/PILOT for Block 101, Lots 2 and 2.01 at an Hourly Rate of \$190.00. All terms will be outlined in a Professional Service Agreement.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by persons qualified to practice recognized professions and it is not possible to obtain competitive bids.

This Resolution shall take effect immediately.

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 3, 2018.

Margaret B. Dilts, CMC

Motion to adopt this Resolution by Councilman Wright, seconded by Council President Pryor.

Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Executive Session Matter – Katrina Campbell asked Council for a motion to authorize the attorney to take the actions discussed in Executive Session. Motion by Councilman Belcaro, seconded by Council President Pryor. Roll call vote:

AYES: Councilman Palitto, Councilman Belcaro, Councilman Wright, Council President Pryor, Mayor Mengucci.

NAYS: None

Announcement – Special Meeting – January 17, 2018 at 7:00 pm.

Council Reports –

Councilman Palitto – Reported the Board of Education held their reorganization last evening. President of the Board is Bob McFarlane and Vice President is Stephen Ruaine. PTA is sponsoring math event on January 26 at the middle school at 6:00 pm for parents and kids to work on math problems together. EDAC is looking for members. Meeting with Pohatcong and Phillipsburg Council members – looking to support each other and perhaps go to the County and received support from them by establishing sub-committees.

Councilman Belcaro – No report.

Councilman Wright – Police Chief dropped off the monthly report and everyone has a copy. Commented he looks forward to working with Mayor Mengucci and thought a great time for us all.

Council President Pryor – Noted he too looks forward to working with Mayor Mengucci. No other report.

Engineer Sterbenz – No report.

Department Reports – Approve all department reports. Motion by Councilman Palitto, seconded by Councilman Belcaro. All in favor.

Audience Participation:

Ed Shuster – Congratulated him and said it was a pleasure to see everyone smiling, happy and acting cohesively. He thought working together would be good for all of us and the Township.

Douglas Steinhardt – On behalf of the State Republican party he said congratulations. He thought it nice to see honor and integrity return to the chair and was quite confident Mayor Mengucci would do a brilliant job leading Lopatcong into better times.

Lori Ciesla – 12 Meadowview Drive – Asked about the final LAA payment was approved. Congratulated Mayor Mengucci on becoming Mayor.

Raine Roncoroni – Congratulated the Mayor and looked forward to working collaboratively.

John Betz – Congratulated Jim on his mayorship. Asked about the Library situation with Phillipsburg stands.

Mayor Mengucci asked Ms. Potts, Ms. Anderson and Ms. Kennedy to stand up to thank them for their help during his campaign. He also thanked Frank Russo.

Councilman Belcaro – Noted he looked forward to working with the Mayor Mengucci and the rest of Council over the next year.

Brian Weeks – Spoke to Council about the water main break on Harwich Rd. The road is closed down. He noted that it was nice to deal with the Mayor in a fashion he could trust him, understand what was being talked about and felt things will continue to go smoothly.

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor

