

TOWNSHIP OF LOPATCONG
COUNCIL MEETING
6:30 pm

May 2, 2018

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

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.”

A moment of silence was offered followed by the Oath of Allegiance.

Motion to come out of Executive Session by Councilman Belcaro seconded by Council President Pryor. All in favor.

Attorney Campbell reported that an Executive Session was held for approximately one hour and the topics of conversation were Nos. 1 litigation, No. 2 personnel and No. 4 Phillipsburg Mall. A second Executive Session will take place at the end of the meeting. There is one matter that came out of Executive Session if Council would like to take care of it now. It is resolution authorizing and directing the Planning Board of the Township of Lopatcong to undertake a Preliminary Investigation to determine whether a certain area within the Township is a Redevelopment Area; this is the Phillipsburg Mall.

R 18-71A

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO
UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A
CERTAIN AREA WITHIN THE TOWNSHIP IS A REDEVELOPMENT AREA

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 the governing body of the Township of Lopatcong (“Township”) is authorized to direct the Planning Board of the Township of Lopatcong (“Planning Board”) to undertake a preliminary investigation in order to determine whether a certain area within the Township would qualify as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A05; and

WHEREAS, the Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

WHEREAS, as a provision of the amendment to N.J.S.A. 40A:12-6, the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the powers of eminent domain (“Condensation Redevelopment Area”); and

WHEREAS, the Township of Lopatcong does not intend to use all the powers provided by the Legislature for use in a redevelopment area, and specifically, the Township of Lopatcong will not use eminent domain; and

WHEREAS, the Mayor and Council desire the Planning Board to conduct such a preliminary investigation relative to certain properties located within the Township, more specifically identified as Block 102, Lots 9.01, 9.02, 9.03, and 9.04 as shown on the Official Tax Map of the Township of Lopatcong (“the Property”); and

WHEREAS, the Mayor and Council of the Township of Pohatcong Township also endeavor to conduct preliminary investigation of properties within Pohatcong Township which together with the properties identified above constitute a tract of land known as the “Phillipsburg Mall”, more specifically identified as Block 1, Lots 1.01 and 1.02, as shown on the Official Tax Map of the Township of Pohatcong (“the Property”); and

WHEREAS, the two Townships that share the tract known as the Phillipsburg Mall have agreed to work cooperatively on studying redevelopment possibilities, with the Township of Pohatcong’s professional team taking the lead on investigation and planning, working in concert with Lopatcong’s professional team.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Lopatcong, they being the governing body thereof.

1. The Township of Lopatcong agrees to work cooperatively with the Township of Pohatcong on studying redevelopment possibilities for the Phillipsburg Mall, including preparation of a Preliminary Investigation and ultimately a Redevelopment Plan, should the area investigated be found to qualify as an area in need of redevelopment. It is further agreed that Pohatcong Township’s Planner will lead the planning effort, working in concert with the Lopatcong Township Planner.
2. The Planning Board of the Township of Lopatcong is hereby directed to conduct a preliminary investigation to determine whether the aforementioned property, or any portions thereof, constitute an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A05;
3. The Planning Board of the Township of Lopatcong is hereby directed to conduct a preliminary investigation of the aforementioned property, in accordance with the requirements set forth in N.J.S.A. 40A:12A-6 more specifically to prepare a map showing the boundaries of the potential area in need of redevelopment and locations of the various parcels of property included therein, with a statement setting forth the basis for the investigation appended to the map; to specify a date for a public hearing determination that the delineated area is an area in need of redevelopment; to give notice of said hearing pursuant to the hearing notice requirements set forth in N.J.S.A. 40A:12A-6(b)(3); to hear and receive into the record any objections to such a determination that the proposed property be designated an area in need of redevelopment; and
4. After completing its hearing on the matter, the Planning Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the Municipal Governing Body to be an area in need of redevelopment.

BE IT FURTHER RESOLVED, that 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 a meeting held on Wednesday, May 2, 2018.

Margaret B. Dilts, CMC

Council President Pryor made the motion to authorize this study which the cost shall not exceed \$2,000, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

Council President Pryor – asked to make a motion to add additional fees of \$5,000 for the Expert who is handling the Litigation with Phillipsburg on sewer, a seconded by made by Councilman Wright. Roll call vote:

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

NAYS: None

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

Public Comment:

John Betz – Brakeley Garden Apt. – Spoke about 18-05 on Affordable Housing with regard to third and fourth round obligations. He asked who the Municipal Housing Liaison was. Attorney Campbell told him it was Clerk Dilts.

Old Business:

Minutes – Approve Executive and Regular Minutes for April 4 and Budget Meeting Minutes for April 5, 2018. Council President Pryor noted he had a correction on the Regular Session Minutes – I worked with Cole Baldino should be changed to I worked with Trout Unlimited. Clerk Dilts made some Executive Session Minute changes and put them in the packet for review. Motion to approve as amended 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. 18-71 – Authorize appointment of Tyler Plesnarski as Police Officer pursuant to Civil Service Certified List of Eligibles.

R 18-71

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING APPOINTMENT OF TYLER PLESNARSKI AS POLICE OFFICER 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 Tyler Plesnarski as Police Officer in the Police Department pursuant to Certified List of Eligibles No. OL180121 from the Civil Service Commission; and

WHEREAS, Tyler Plesnarski will be paid a salary of \$53,195.29 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 Tyler Plesnarski is hereby appointed Police Officer in the Police Department pursuant to a Certified List of Eligibles No. OL180121 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, May 2, 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

Ordinance No. 18-03 – Second reading and public hearing on Bond Ordinance appropriating \$740,000 to finance tax appeal refunds.

ORDINANCE NO. 18-03

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$740,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$740,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Lopatcong, New Jersey (the "Township") is hereby authorized to pay an aggregate amount not exceeding \$725,004.18 for amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth in a schedule on file with the Tax Collector (the "Schedule"), pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law").

Section 2. An aggregate amount not exceeding \$14,995.82 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$740,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Township as defined in the Local

Bond Law is increased by the authorization of the debt provided in this bond ordinance by \$740,000. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the tax amounts owing as set forth on the Schedule prior to the date that Township incurs debt obligations under this bond ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of tax amounts owing as set forth on the Schedule is \$740,000.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

**TOWNSHIP OF LOPATCONG
WARREN COUNTY, NEW JERSEY**

PUBLIC NOTICE

BOND ORDINANCE STATEMENTS AND SUMMARIES

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Lopatcong, in the County of Warren, State of New Jersey on May 2nd, 2018 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Refunding Bond Ordinance Providing For Payment Of Amounts Owed To Others For Taxes Levied In And By The Township Of Lopatcong, In The County Of Warren, New Jersey, Appropriating \$740,000 Therefor And Authorizing The Issuance Of \$740,000 Bonds Or Notes Of The Township For Financing The Cost Thereof.

Purpose(s): Payment of amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth on the Schedule on file with the Tax Collector.

Appropriation: \$740,000

Bonds/Notes Authorized: \$740,000

Grants (if any) Appropriated: None

Section 20 Costs: \$14,995.82

Useful Life: N/A

M. Beth Dilts, Clerk

Motion to hold a public hearing by Council President Pryor, seconded by Councilman Belcaro. No comments or questions from public. Motion to close public hearing by Councilman Wright, seconded by Council President Pryor. Motion to adopt 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

Ordinance No. 18-04 – Second reading and public hearing to establish CAP Bank. Motion to hold a public hearing by Council President Pryor, seconded by Councilman Palitto. All in favor. No comments or questions from the public. Motion to close public hearing by Councilman Wright, seconded by Council President Pryor. All in favor.

Ordinance No. 2018-04

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, May 4, 2018 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.

CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

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

Margaret B. Dilts, CMC

Motion to adopt by Council President Pryor, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Ordinance No. 18-05 – Second reading and public hearing on Township’s Affordable Housing prior Round and Third Round Obligations. Motion to hold a public hearing by Councilman Wright, seconded by Council President Pryor. All in favor. This the overarching Ordinance that covers all of your changes that were made as a result of the settlement for your affordable housing for the Third Round. This is good until 2025 and credit also going forward. Motion to close hearing by Councilman Palitto, seconded by Councilman Wright.

Ordinance No. 2018-05

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, May 2, 2018 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 AND STATE OF NEW JERSEY TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY’S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

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

Margaret B. Dilts, CMC

Motion to adopt this Ordinance by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Ordinance No. 18-06 – Second reading and public hearing authorizing Sale of Real Property known as Block 2, Lot 44.03. Motion to hold a public hearing by Councilman Wright, seconded by Council President Pryor. No comments from the public. Motion to close the hearing by Council President Pryor, seconded by Councilman Wright. All in favor.

Ordinance No. 2018-06

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, May 2, 2018 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, the following Ordinance was presented and passed on the final reading. The Ordinance was then ordered to be published according to law by title only.

**ORDINANCE OF THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING THE SALE OF REAL PROPERTY BY THE
TOWNSHIP OF LOPATCONG TO THE COUNTY OF
WARREN PURSUANT TO N.J.S.A. 40A:12-13.4**

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

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

NAYS: None

189 Strykers Road Amended Developer's Agreement – Because of a law that changed regarding Performance Guarantee's and what can be required this agreement was required to be amended.

New Business:

2018 Budget Introduction - CFO Browne stated the budget is \$8,190,796.34 which is an increase of \$124,000.00 over last year's 2017 Budget. The pension was part of the increase that the State mandates. Amount to be raised by taxation is \$4,958,842.00. Auditor John Mooney said the budget is complaint with the both the expenditure cap and the tax levy cap. The average local taxpayer assessed at approximately \$231,000.00 will see an increase of \$46.00 for the year on a two cent increase. The hearing and adoption will take place on June 6, 2018 and public comment will be welcome. The budget will be available through the Clerk's Office for inspection. Motion by Council President Pryor to introduce the budget, seconded by Councilman Wright. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Pool Programs – Lifeguards Certification and Swim Lesson Program – Council President Pryor made a motion to approve these programs, seconded by Councilman Palitto. Clerk Dilts explained that the Township has always had an abundance of guards but experienced a problem last year. The Swim Team Coach Dennis Drake became certified to train and certify new lifeguards and recertify existing lifeguards. This year we will be formalizing the Swim Lesson Program as well. Each program will bring in revenue for the pool operation. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Lifeguard Agreement – Execute Agreement with Red Cross for the new Pool Programs. Motion by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Ordinance No. 18-07 – First reading to establish a title of Supervising Lifeguard and rate of \$15.00 per hour for Lifeguard Training and Swim Lesson Program.

ORDINANCE 18-07

AN ORDINANCE FIXING THE SALARIES, RETAINERS AND WAGE RATES OF CERTAIN EMPLOYEES IN THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY

BE IT ORDAINED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that the salary established for the Supervising Lifeguard is as follows:

Supervising Lifeguard - \$15.00/Hr.

NOTICE

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law. (N.J.S.A. 40:69A-181(b)).

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on May 2, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on June 6, 2018 at 7 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal

Building, 232 S. Third Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC
Township Clerk

Motion to adopt this Ordinance on first reading 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. 18-72 - Charge Fee of \$275.00 per participant in the Certified Lifeguarding Program.

R 18-72

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY CHARGING A FEE OF \$275.00 PER PARTICIPANT FOR
CERTIFIED LIFEGUARDING PROGRAM

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey will provide a program for certifying lifeguards; and

WHEREAS, the Swim Team Coach Dennis Drake has taken the necessary instructional courses through the Red Cross to become certified to provide instruction; and

WHEREAS, the fee to be charge to each individual to cover costs is \$275.00.

NOW, THEREFORE, BE IT RESOLVED that the Township of Lopatcong, County of Warren and State of New Jersey authorizes the Lifeguarding Program and fee to be charged at \$275.00 per participant.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey shall certify the foregoing is a true and correct copy of a resolution that was adopted at a Council Meeting held on Wednesday, May 2, 2018.

Margaret B. Dilts, CMC

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

Resolution No. 18-72A- Authorize increase in pay rate from \$7.25 to \$7.50 per hour for camp counselors working in the Recreation Commission Counselors and employees working in the Pool Snack Bar.

R 18-72

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING INCREASE IN PAY RATE TO MUNICIPAL
SNACK BAR EMPLOYEES AND RECREATION COMMISSION COUNSELORS

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey does hereby authorize an increase in pay rate for Municipal Pool Employees working in the Snack Bar and Recreation Commission Counselors; and

WHEREAS, the pay rate will increase from \$7.25 per hour to \$7.50 per hour.

NOW, THEREFORE, BE IT RESOLVED that the Township of Lopatcong, County of Warren and State of New Jersey authorizes an increase in pay rate for snack bar employees and camp counselors from \$7.25 to \$7.50 per hour.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey shall certify the foregoing is a true and correct copy of a resolution that was adopted at a Council Meeting held on Wednesday, May 2, 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

LAA Bylaws - Addendum No. 1 –Attorney Campbell thought this should be Addendum No. 2. There is a contract with the LAA and in it every year they offer will offer to do certain things for the Township in which the Township would pay them a certain amount. Council President Pryor asked if this is the services under the addendum were talking about. This matter is tabled until the Council gets a better explanation and understanding of this addendum. Attorney Campbell suggested a list of what they accomplished last year and what they will do this year.

Sinkhole Remediation – Phillipsburg High School Roadway Improvement Project. Engineer Sterbenz said that over the last few weeks a significant sink hole developed adjacent to one of the traffic signal poles that was installed for that particular project. The sink hole based on ground penetrating radar that was done extends around and beneath the signal pole at this point. Engineer Sterbenz felt this was not a project for the DPW and suggested to hire the contracts hired to work on the project; Zucarro. They would excavate around the pole, expose the throat and then remediate the sink hole and restore the area. Motion by Councilman Belcaro, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

ABSTAIN: Mayor Mengucci

Flying Locksmiths – Approve quote to change keys in the amount of \$2,883.25. Brian Weeks of the DPW explained the history as to why these locks need to be changed. Motion to approve by Councilman Wright, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

TWA Autumn Ridge Development – On recommendation of Sewer Engineer Dan Madden, approve TWA for Autumn Ridge Development. Council President Pryor recused himself as he has been employed by JMT for a number of years. Motion by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Mayor Mengucci

NAYS: None

ABSTAIN: Council President Pryor

Animal Control Vehicle – Shared Services Agreement – This matter has been tabled. Council President Pryor noted the way it was written was not clear.

Ordinance No. 18-08 – First reading to Revise, Amend and Supplement Chapter 227 entitled “Vehicles and Traffic” specifically 33(b) to Revise Language in Zone 2 and 3 on Strykers Road.

ORDINANCE NO. 18 -08

ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF
NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 227 "VEHICLES
AND TRAFFIC", INCLUDING SECTION 33 "SPEED LIMITS" RELATIVE TO STRYKERS
ROAD

WHEREAS, Chapter 227 "Vehicles and Traffic" of the Code of the Township of Lopatcong contains various parking and traffic regulations; and

WHEREAS, there is a need to amend provisions in Section 33 relative to speed limits on Strykers Road to reflect a school zone that is in compliance with the Manual of Uniform Traffic Control Devices ("MUTCD"); and

NOW THEREFORE, BE IT ORDAINED by the Council of the Township of Lopatcong, County of Warren and State of New Jersey that Chapter 227, Section 33, "Speed Limits", be amended, revised and supplemented as follows:

SECTION 1

The portion of 227-33 relative to the speed limits on Strykers Road shall be amended as follows:

<u>Name of Street</u>	<u>Speed Limit (mph)</u>	<u>Limits</u>	<u>Approval Date</u>
Strykers Road Zone 1	40	From the Greenwich Township/Lopatcong Township municipal boundary to NJ Route 57; thence	
Strykers Road Zone 2	35	From NJ Route 57 to a point 700 feet north of the intersection of Strykers Road and Powderhorn Drive, except that the speed limit shall be 25 mph within the Lopatcong School Zone, which is located between a point 950 feet south and a point 500 feet north of the intersection of Strykers Road and Powderhorn Drive, when flashing signs are in operation during opening and closing hours when children are present and are travelling to and from school; thence	
Strykers Road Zone 3	40	From a point 700 feet north of the intersection of Strykers Road and Powderhorn Drive and the Lopatcong Township/Harmony Township municipal boundary.	

SECTION 2

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION 4

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on May 2, 2018 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on June 6, 2018 at 7:30 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, NJ at which time all persons interested may appear for or against the passage of said Ordinance.

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

Lighthouse Communications – Quote to replace phone system in the municipal building in the amount of \$16,661.00. The current system is obsolete; can't get parts for it any longer. Three vendors were contacted with one vendor replying. Councilman Wright made a motion to authorize the expenditure, seconded by Councilman Belcaro.

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Consent Agenda:

Motion to approve Consent Agenda by Councilman Palitto, seconded by Councilman Wright.

Roll call vote:

AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Lopatcong Township Fire co., No. 2 – Approve membership application for Justin Prontnicki as submitted by Chief Stires.

Resolution No. 18-74 – Approve Temporary Municipal and Sewer Utility Current Fund \$1,202,134.00 and Sewer Operating \$346,000.00.

R 18-74

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN
AND
STATE OF NEW JERSEY AUTHORIZING EMERGENCY TEMPORARY
APPROPRIATIONS
OF 2017 OPERATING BUDGET FOR THE TOWNSHIP OF LOPATCONG

WHEREAS, an emergent condition has arisen with the respect to the timely adoption of the 2018 Municipal

Budget and certain contracts, commitments or payments are to be made prior to the final adoption of the 2018 Municipal Budget and no adequate provision has been made in the 2018

temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose to add to the temporary budget, and

WHEREAS, the total emergency temporary appropriation resolutions (not including temporary debt appropriations) adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951

(N.J.S.A. 40A:4-20) including this resolution total:

Current Fund \$1,202,134.00
Sewer Operating \$346,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, in the County of Warren, State of New Jersey, with not less than two-thirds of all the members thereof affirmatively concurring, that in accordance with the provisions of N.J.S.A 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the titles of the appropriations in the amounts indicated below.
2. That said emergency temporary appropriations will be provided for in the 2018 Municipal Budget under the titles indicated.

<u>CURRENT FUND:</u>					
10510420	Misc. Other Expenses	1,000.00	10525211	Emergency Mgt. S&W	500.00
10510120	Postage	2,000.00	10526060	First-Aid Organ. OE	2,000.00
10510220	Computer Services	5,000.00	10526449	Fire Co.-No. 1 & 2	8,200.00
10511010	Mayor & Council S&W	2,500.00	10527511	Prosecutor's Office S&W	2,000.00
10512010	Administration S&W	30,000.00	10529066	Roads S&W	50,000.00
10512020	Administration OE	3,000.00	10531070	Roads OE	50,000.00
10513010	Finance S&W	20,000.00	105375099	Blding & Grounds S&W	3,700.00
10513020	Finance OE	6,500.00	10543036	Blding & Grounds OE	17,500.00
10513521	Audit Services	10,000.00	10534011	Animal Control S&W	2,000.00
10514510	Revenue Adm S&W	7,000.00	10537126	Parks & Playgrounds OE	10,000.00
10514528	Revenue Adm OE	2,000.00	10537412	Pool S&W	7,500.00
10515010	Assessment S&W	10,500.00	10537436	Pool OE	5,000.00
10515331	Assessment OE	1,000.00	10544022	Garbage & Trash OE	2,000.00
			10544622	Electricity OE	10,000.00
10516521B	Engineering OE	10,000.00	10544821	Telephone OE	10,000.00
10518010	Planning Board S&W	3,000.00			
10518327	Planning Board OE	1,000.00	10544999	Gas-Propane/Natural	5,000.00
10518511	Zoning Bd Of Adjust S&W	500.00	10546021	Fire Hydrant Service	20,000.00
10518525	Zoning Bd Of Adjust OE	1,000.00	10547120	Water	2,000.00
10519610	Blding Sub-Code S&W	10,000.00	10547520	Gasoline	20,000.00
10519692	Blding Sub-Code OE	1,500.00	10547120	PERS	145,871.00
10520011	Zoning Officer S&W	2,500.00	10547520	PFRS	362,863.00
10521021	Liability Insurance	18,000.00	10549011	Court S&W	10,000.00
10521520	Workers Compensation	18,000.00	10549023	Court OE	1,000.00
10519819	Fire Safety S&W	7,000.00	10547220		
10520111	Rent Board S&W	500.00	10680121		
10520124	Rent Board OE	4,000.00	10693620		
10522021	Grp Insurance OE	50,000.00	10693720		
10524010	Police S&W	200,000.00			

10524020	Police OE	30,000.00			
----------	-----------	-----------	--	--	--

SEWER UTILITY OPERATING FUND:

7650110	Salaries and Wages	20,00.00			
7650136	Other Expenses	300,000.00			
7654021	Interest USDA Loan	26,000.00			

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, May
2, 2018.

Margaret B. Dilts, CMC

Recreation Program – Approve no increase in the fees charged for program participants in the Recreation Program.

Eurofins 2018 Pool Water Sampling Contract – Authorize for the 2018 season.

Resolution No. 18-75 – Authorize refund sewer overpayment on Block 105, Lot 33 in the amount of \$492.34.

R 18-75

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND SEWER OVERPAYMENT MADE
BY MORTGAGE COMPANY

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the Title Company Old Republic Title listed below in the designed amounts representing tax payments duplicated by the title company and mortgagee.

<u>Block & Lot</u>	<u>Name of Payee/Mortgage</u>	<u>Amount</u>
93/15.13 19 Scotts Mtn. Rd.	Old Republic Title 530 S. Main St., Ste. 1031 Akron, OH 44311	\$3977.82

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 certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 2, 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 a meeting held on Wednesday, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-76 – Authorize refund sewer overpayment on Block 141, Lot 2 in the amount of \$2018.10.

R 18-76

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND OVERPAYMENT MADE BY
MORTGAGE COMPANY

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the mortgage company Corelogic listed below in the designated amounts representing tax payments duplicated by the title company and the mortgagee.

<u>Block & Lot</u>	<u>Name of Payee/Mortgage</u>	<u>Amount</u>
141/2	Corelogic 3001 Hackberry Rd. Irving, TX 75063	\$2018.10

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds rather than applying these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-77 – Authorize refund sewer overpayment on Block 93, Lot 15.13.

R 18-77

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING TO REFUND SEWER OVERPAYMENT MADE
BY MORTGAGE COMPANY

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that warrants be drawn to the mortgage company Wells Fargo Tax Collection Services listed below in the designated amounts representing sewer payments duplicated by the owner and the mortgagee.

<u>Block & Lot</u>	<u>Name of Payee/Mortgage</u>	<u>Amount</u>
105/33	Wells Fargo Bank NA P.O. Box 10335 Des Moines, IA 50306-0335	\$492.34

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey have approved the refunds made rather than applying these payments and causing a shortage in the homeowner's escrow.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-94 – Authorize closing of South Warren Regional Bank Account.

R 18-94

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE CLOSING OF THE SOUTH WARREN REGIONAL BANK ACCOUNT (#8249).

WHEREAS, it is the desire of the Township Council of Lopatcong Township, Warren County, New Jersey that the South Warren Regional Bank Account be closed; and

WHEREAS, said balance in South Warren Regional Bank Account be transferred to the Current Fund Bank Account;

NOW THEREFORE, BE IT RESOLVED by the Lopatcong Council of Lopatcong Township (not less than two thirds of all members thereof affirmatively concurring) that the South Warren Regional Bank Account are hereby cancelled:

CERTIFICATION

I, Margaret B. Dilts, Municipal Township Clerk of Lopatcong Township, in the County of Warren, State of New Jersey, do hereby certify that the foregoing is true and correct copy of a Resolution adopted by the Lopatcong Council of Lopatcong Township, County of Warren, State of New Jersey at the Council meeting held on Wednesday, May 2, 2018.

Margaret B. Dilts, CMC

St. Luke’s Auction Tricky Tray – Authorize donation of Family Pool Pass for this fundraising event.

Resolution No. 18-73 – Authorize the correction of credits incorrectly applied/omitted to sewer accounts for second deduct water meters.

R 18-73

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO AUTHORIZE THE CORRECTION OF CREDITS INCORRECTLY APPLIED/OMITTED TO SEWER ACCOUNTS FOR SECOND (DEDUCT) WATER METERS

WHEREAS, the Township’s sewer billing is based upon the reported water usage from a private water company and it is presumed that a property’s water consumption is the same as the water that the property places into the sewer system; and

WHEREAS, the Township Code, Section 183-10.1 allows a taxpayer to install a deduct meter to capture the amount of water used outside the home which doesn’t enter the sewer system and obtain a credit for that water usage; and

WHEREAS, the water reading for the deduct meter is read annually and reported to the Tax Collector and is credited at a rate of \$12.25 per 1,000 gallons; and

WHEREAS, and the Township recently conducted an audit of the credits issued to the owners of deduct meters over the last three years (2015-2017); and

WHEREAS, several accounts were given incorrect credit or were not given the credits they were entitled.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Collector’s Office to make the following corrections to the below referenced sewer accounts:

Block/Lot	Year	Credit Applied	Actual Credit	Adjustment to Sewer Bill
-----------	------	----------------	---------------	--------------------------

32/4	2017	\$1,001.81	\$450.56	-551.25
56/5	2016	\$132.06	\$-	-132.06
74/9	2017	\$1,504.07	\$605.52	-934.55
80/5	2017	\$31.85	\$22.42	-9.43
82/12	2017	\$-	\$20.80	20.80
86.02/1	2017	\$172.24	\$51.07	-121.17
86/63	2017	\$189.88	\$39.20	-150.68
110/19	2017	\$663.58	\$307.97	-355.61
113/4	2017	\$1079.96	\$714.79	-365.17
123/5	2017	\$558.48	\$173.22	-385.26
124/12	2015	\$237.53	\$-	-237.53
124/12	2016	\$230.67	\$606.62	375.95
124/12	2017	\$-	\$325.01	325.01
133/9	2017	\$-	\$53.04	53.04
139/27	2017	\$1,196.75	\$365.91	-830.84
141/20	2017	\$548.80	\$219.52	-329.28

BE IT FURTHER RESOLVED, that the properties listed above shall be provided a copy of this Resolution.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-78 – Authorize correction to tax account for Block 15, Lot 4.

R 18-78

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 15, LOT 4

WHEREAS, the Township of Lopatcong has been provided the receipts for tax payments for Block 15, Lot 4 which were not applied to the taxpayer’s account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong, hereby authorizes the Township Tax Office to apply the following payments to Block 15, Lot 4:

8/31/2016	\$400.00
10/30/2017	\$1,000.00

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-79 – Authorize correction to tax account for Block 24, Lot 3

R 18-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 24, LOT 3

WHEREAS, the Township of Lopatcong, has been provided with a receipt for a tax payment for Block 24, Lot 3 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorized the Township Tax Office to apply the following payments to Block 24, Lot 3:

1/11/2017	\$1,147.44
-----------	------------

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-80 – Authorize correction to tax account for Block 32, Lot 18.

R 18-80

RESOLUTION OF THE TOWNSHIP OF LOPATCONG COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 32, LOT 18

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 32, Lot 18 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 32, Lt 18.

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-81 – Authorize correction to tax account for Block 46, Lot 14.

R 18-81

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 46, LOT 14

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 46, Lot 14 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office applies the following payments to Block 46, Lot 14:

1/3/2018 \$2,621.42

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-82 – Authorize correction to tax account for Block 65, Lot 5.

R 18-82

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 65, LOT 5

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 65, Lot 5 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 65, Lot 5:

8/8/2017 \$1,097.38

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-83 – Authorize correction to tax account for Block 85, Lot 12.

R 18-83

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 85, LOT 12

WHEREAS, the Township of Lopatcong has been provided with receipts for tax payments for Block 85, Lot 12 which were not applied to the taxpayer’s account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 85, Lot 12:

10/31/2016	\$988.23
1/30/2017	\$924.73
5/2/2017	\$673.37
10/31/2017	\$968.98

BE IT FURETHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-84 – Authorize correction to tax account for Block 90, Lot 11.

R 18-84

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 90, LOT 11

WHEREAS, the Township of Lopatcong has been provided with receipt for tax payments for Block 90, Lot 11 which were not applied to the taxpayer’s account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 90, Lot 11:

10/12/2017	\$1,450.00
10/19/2017	\$247.20

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-85 – Authorize correction to tax account for Block 99, Lot 302 C0115.

R 18-85

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 99, LOT 302. C0115

WHEREAS, the Township of Lopatcong has been provided with receipts for tax payments for Block 99, Lot 302, C0115 which were not applied to the taxpayer’s account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 99, Lot 302, and C0115:

11/10/2016	\$1,477.33
2/10/2017	\$1,382.40
5/4/2017	\$901.31
8/1/2017	\$1,448.57

BE IT FURETHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-86 – Authorize correction to tax account for Block 107, Lot 9.

R 18-86

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 107, LOT 9

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 107, Lot 9 which was not applied to the taxpayer’s account; and

WHEREAS, the Ton whip wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 107, Lot 9:

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-87 – Authorize correction to tax account for Block 134, Lot 3.

R 18-87

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 134, LOT 3

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 134, Lot 3 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 134, Lot 3:

1/10/2015	\$2,089.32
-----------	------------

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-88 – Authorize correction to tax account for Block 139, Lot 24.

R 18-88

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 139, LOT 24

WHEREAS, the Township of Lopatcong has been provided with receipts for tax payments for Block 139, Lot 24 which were not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 139, Lot 24:

2/10/2017	\$2,549.30
10/20/2017	\$2,671.31

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-89 – Authorize correction to tax account for Block 139, Lot 74.

R 18-89

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 139, LOT 74

WHEREAS, the Township has been provided proof that the owner of Block 139, Lot 74 timely made his tax payment for the 3rd quarter of 2016; however, the payment was posted late which resulted in interest on the account in the amount of \$51.74; and

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment in January 2017 for Block 139, Lot 74 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply these payments to the account and cancel any interest associated with the failure to timely post these payments.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to cancel interest in the amount of \$51.74 for the 3rd quarter of 2016 payment of taxes for Block 139, Lot 74.

BE IT FURTHER RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 139, Lot 74:

1/5/2017	\$2,421.00
----------	------------

BE IT FURTHER RESOLVED, that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post these payments.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-90 – Authorize correction to tax account for Block 99, Lot 265 C1228.

R 18-90

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 99, LOT 265 C1228

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 99, Lot 265 C1228 which was not applied to the taxpayer's account; and

WHEREAS, the Township wishes to apply this payment to the account and cancel any interest associated with the failure to timely post this payment.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to apply the following payments to Block 99, Lot 265, C1228:

1/21/2015

\$1,353.78

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest resulting from the failure to timely post this payment.

Attest:

Approved:

Margaret B. Dilts, Clerk

James E. Mengucci, Mayor

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-91 – Authorize correction to tax account for Block 34, Lot 4.

R 18-91

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CANCEL INTEREST ON TAX ACCOUNT FOR BLOCK 34, LOT 4

WHEREAS, the owner of Block 34, Lot 4 has provided the Township with proof that she made a payment of \$1,343.37 by check to the Township on May 11, 2015 that was not processed by the Township; and

WHEREAS, the Township has confirmed that the payment was not processed by the Township; and

WHEREAS, the owner still owes the Township \$1,343.37 because the payment was never processed; however, the owner should not be responsible for interest associated with the delinquency because she was not responsible for the payment not being processed; and

WHEREAS, the Township wishes to waive the interest associated with that payment provided that she makes the delinquent payment of \$1,343.37 no later than August 1, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong as follows:

Provided that the owner of Block 34, Lot 4 makes a payment to the Township in the amount of \$1,343.37 no later than August 1, 2018, in addition paying all taxes that become due and owing during that period, the Township Tax Collector shall be authorized to cancel any interest that accrued as a result of the owner's May 11, 2015 payment not being processed.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-92 – Authorize correction to overpayment on sewer on Block 125, Lot 4.

R 18-92

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF MUNICIPAL LIEN
ON BLOCK 125, LOT 11**

WHEREAS, the Township has determined that a municipal lien placed on Block 125, Lot 11 on December 5, 2017 was done so in error and must be cancelled; and

WHEREAS, Block 125, Lot 11 was not listed on the Tax Sale notice advertised on December 1, 2017; and

WHEREAS, the Township was not permitted to include this property on its December 6, 2017 Tax Sale because it was not advertised in accordance with State statute; and

WHEREAS, the Township is currently working with the taxpayer to confirm that any delinquencies are listed correctly on his account.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of May 2018, that the Tax Collector's Office staff is hereby authorized to cancel this Municipal Lien (UTL) on Block 125, Lot 11 in the amount of \$285.95.

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, May 2, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-93 – Authorize refund of overpayment for sewer on Block 133, Lot 45.

Resolution 18-93

**RESOLUTION OF TOWNSHIP OF LOPATCONG, COUNTY OF WARREN,
STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OVERPAYMENT
FOR SEWER ON BLOCK 133, LOT 45**

WHEREAS, the Township has determined that the deduct (second water) meter credit in the amount of \$1,013.93 was not applied to Block 133, Lot 45 for 2016 and 2017; and,

WHEREAS, as of April 27, 2018, the sewer account for Block 133, Lot 45 had a credit of \$176.82; and

WHEREAS, the sewer bill due for Block 133, Lot 45 for the second quarter of 2018 is \$91.55; and

WHEREAS, the owner of Block 133, Lot 45 contacted the Township and advised that she was selling her property and needed to settle her account for closing; and

WHEREAS, the Township Auditor reviewed this account and concluded that the net result of the two credits and one debit resulted in a credit to the property owner of \$1,099.20.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of May 2018 that a refund shall be issued as follows:

<u>Block & Lot</u>	<u>Name of Payee</u>	<u>Amount</u>
Block 133, Lot 45	Tamara L. Ancell-Winterfeld 350 Stonehenge Drive Phillipsburg, NJ 08865	\$1,099.20

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, May 2, 2018.

Margaret B. Dilts, CMC

Council Reports:

Councilman Palitto – LAA questioned the responsibilities for the maintenance of fields off season; particularly, the lower baseball fields. A pitching mound will remain there all year long. Council President Pryor would like further discussion on this. Also Councilman Palitto noted a membership application was received by Maria Clifford for EDAC. He asked for her to be appointed to the Board. He made the motion to appoint, seconded by Councilman Wright. All in favor.

Councilman Belcaro – Spoke to Brian Weeks regarding the new sweeper which will arrive the middle of the month. A new dump truck has been approved for purchase also. The Force Main Replacement has been completed. All the grant money has been spent at a total of \$850,000. On Rt. 22 there was a sewer overflow a few months ago. This situation must be monitored and serviced on a regular basis. A solution is being worked on for the meter replacement at Roseberry Street.

Councilman Wright – Asked the Chief about the missing people and whether a monitor would be necessary. Chief Garcia did note that most of the cases don't warrant the monitor.

Council President Pryor – No report.

Mayor Mengucci – No report.

Engineer Sterbenz – On the Phillipsburg High School Roadway Improvement Project Engineer Sterbenz is working on County acceptance after the traffic signal work is completed. The sinkhole is being fixed. Cable work has been addressed by the utility companies. The only thing outstanding is some legal work to get the project closed out. A portion of Brakeley Park where Harwich and Wordsworth Lane; regarding Harwich Road the utilities are on site and those issues are fixed. Aqua was requested to come in and fix the rest of the road; they have responded that they will begin on Friday. Monday they will finish the pavement work. Wordsworth Lane has another sink hole that has opened up. The DPW addressed the situation and fixed this.

Engineer Sterbenz also mentioned that we have to grants to build sidewalks and other improvements on Belvidere Road and Strykers Road. We have \$702,000 total. The surveying work has been started. He will create a budget for the design work on these two projects. There is a grant from the State for Baltimore Street and he will also prepare the budget for that work. Regarding the budget, he will provide numbers for S. 4th and S. 5th Streets as well as a portion of Cromwell. He is also looking at Greystone, Briarstone and Maple adjacent to the Brass Rail.

Elizabethtown Gas will install gas lines and have agreed to mill, curb to curb and resurface those roadways; specifically, Guy Road, Brakeley Avenue, Edward Street, South First, Second and Third Streets; anything done in those streets that creates disturbance they will have to mill and resurface curb to curb. Fourth and Fifth are affected but a standard trench will be done but those roadways will be done later in the year.

Department Reports – Motion by Councilman Wright, seconded by Council President Pryor. All in favor.

Payment of Bills – Motion to pay bills 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

Audience Participation:

Pam Thomas – 6 Wordsworth Lane – Thanked the Township and Brian for responding very quickly. She also thanked the Police Department who were there for several hours.

Eric Nagy – 212 Brakeley Avenue – Asked what was going to be done to correct the problems with the Tax Office. Communications on a timely manner is a recent problem which he has experienced. Also asked about Red School Lane and whether it was a two-lane road or four-lane road. It is a two-lane road.

As to the Tax Collector, Attorney Campbell said that the current tax collector has been suspended. It is a personnel matter and she asked Council not to discuss in great detail. Other than to say that as she is a tenured tax collector, the Township is required to go to the DCA in order to terminate her from that position. What you are experiencing is the in-between because the DCA has not told us yes you may terminate her or no you must keep her so the person who is covering is an interim person. The Township is trying not to expend too much money until we now where we have to go. We don't want to duplicate payments and things like that. So, she recommended that if you have a problem that you reach out to the Clerk's Office; Phyllis and Beth and leave a message and they'll make sure your issues get addressed and she would tell anyone who is concerned about their tax and sewer bill to make an appointment, come in and bring your receipts and cancelled checks and the matter will be addressed.

John Betz – Brakeley Gardens – Asked if the tax levy spoke about this evening include school and county taxes. Asked what TWA stood for under the matter of Autumn Ridge. Mr. Betz also addressed the problem of bed bugs at the apartment complex.

Brian Weeks – Asked about the gas pipes being run and if it would include Oxford and the surrounding homes. Engineer Sterbenz noted that an inquiry could be made.

Mayor Mengucci asked for a motion to go into Executive Session. Motion by Councilman Belcaro, seconded by Council President Pryor.

R 18-70A

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:

Contractual – Bridge Development
Contractual – PBA Contract

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, May 2, 2018.

Margaret B. Dilts, CMC

Motion to resume Regular Session by Councilman Wright, seconded by Councilman Belcaro.

Motion to authorize Clerk Dilts to hire part-time Keyboarding Clerk within the salary range for 8 hours per week by Councilman Palitto, seconded by Councilman Belcaro. Roll call vote:
AYES: Councilman Belcaro, Councilman Palitto, Councilman Wright, Council President Pryor, Mayor Mengucci.
NAYS: None

Motion to adjourn the meeting by Mayor Mengucci, seconded by Councilman Pryor. All in favor.

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor