

TOWNSHIP OF LOPATCONG  
COUNCIL MEETING  
6:30 pm

July 5, 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.

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

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.”

Present: Councilman Belcaro, Councilman Palitto, Council President Pryor, and Mayor Mengucci. Also present was Attorney Wenner and Engineer Sterbenz.

**Public Comment** – No comment on Agenda items.

**Old Business:**

**Minutes** – Approve Regular for June 6, 2018. Clerk Dilts noted that she had made some additional corrections. Motion by Council President Pryor to approve the minutes with the changes, seconded by Councilman Palitto. Roll call vote:

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

**Executive Session** – Attorney Wenner reported Council was in session for approximately one hour during which time four matters relating to personnel, three with the Construction Department, one relating to the court bailiff position. Also discussed were contractual matters with PBA and Bridge Construction. Discussion took place regarding Phillipsburg Sewer Litigation, and Attorney/Client matters relating to Equal Pay Act as well as one other personnel matter relating to the pending litigation with the tax collector office.

**Resolution No. 18-146** – Remove Carlos Correa from position of Class IV member of the Lopatcong Township Planning Board. Council President Pryor read aloud the resolution and asked to post the Hearing Officer’s decision to the website.

**RESOLUTION 18-146  
RESOLUTION OF THE TOWNSHIP OF LOPATCONG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO REMOVE CARLOS CORREA FROM THE POSITION OF CLASS IV MEMBER OF  
THE LOPATCONG TOWNSHIP PLANNING BOARD.**

WHEREAS, Carlos Correa was appointed to the Lopatcong Township Planning Board on April 5, 2017 for a term expiring on December 31, 2018; and,

WHEREAS, on April 26, 2017, Mr. Correa violated the code of ethics for local government officers (N.J.S.A. 40A:9-22.5) by participating in an executive session in which he had a direct personal and financial conflict; and

WHEREAS, a violation of the code of ethics and is cause for removal from the Planning Board pursuant to Township Code §243-12(b) and N.J.S.A. 40:55D-23; and

WHEREAS, N.J.S.A. 40:55D-23 provides that the governing body may remove a Planning Board member for cause after a public hearing; and

WHEREAS, on January 17, 2018, the Township Council notified Mr. Correa that the governing body was seeking his removal from the Planning Board and provided the opportunity for a public hearing; and

WHEREAS, a public hearing was held on May 3, 2018 and June 7, 2018; and

WHEREAS, attorney John E. Lanza was hired by the municipality to act as the hearing officer; and

WHEREAS, Mr. Correa was represented by John McDonnell, Esq. and the Township by Lawrence P. Cohen, Esq.; and

WHEREAS, on June 29, 2018, the hearing officer issued written Findings of Fact, Conclusions of Law and Recommendation; and

WHEREAS, the hearing officer found Mr. Correa's testimony at the hearing to be evasive, self-serving and contradictory to the accounts of the other witnesses and the written record; and

WHEREAS, the hearing officer concluded that Mr. Correa is guilty of the charged misconduct; and

WHEREAS, the hearing officer recommended that the Township Council remove Mr. Correa from the Township Planning Board.

WHEREAS, the Township Council accepts the Findings of Facts, Conclusions of Law and Recommendations.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Lopatcong hereby removes Carlos Correa as a Class IV member of the Lopatcong Township Planning Board effective 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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

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

**Energy Aggregation** – Council discussed the matter at length with no action taken.

#### **New Business:**

**Resolution No. 18-156** – Accept Annual Audit for 2017 by signing Group Affidavit certifying review of, at a minimum, the Comments and Recommendations Sections.

R 18-156

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY CERTIFYING THE ANNUAL AUDIT FOR 2017

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of the certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, a failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27bB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Lopatcong, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of the Resolution and the required affidavit to said Board to show evidence of said compliance.

#### 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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

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

**Ordinance No. 18-09** – First reading of Bond Ordinance for Capital Improvements in the amount of \$322,000.00.

#### ORDINANCE 2018-09

**BOND ORDINANCE PROVIDING AN APPROPRIATION  
OF \$322,000 FOR VARIOUS CAPITAL IMPROVEMENTS  
IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE**

**COUNTY OF WARREN, NEW JERSEY AND  
AUTHORIZING THE ISSUANCE OF \$305,900 BONDS OR  
NOTES OF THE TOWNSHIP FOR FINANCING PART OF  
THE APPROPRIATION.**

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 improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Lopatcong, in the County of Warren, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$322,000, such sum includes \$16,100 as the down payment (the "Down Payment") required by 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"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

**SECTION 2:**

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$305,900 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$305,900 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

**SECTION 3:**

(a) The Improvements authorized and the purposes for which obligations are to be issued are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
Acquisition of new phone system, including all work and materials necessary therefor and incidental thereto.	\$10,000	9,500	5 Years
Acquisition of Inspector Vehicle.	30,000	28,500	5 Years
Acquisition of Department of Public Works vehicles, including street sweeper, 3-ton roller and pick-up truck.	240,000	228,000	5 Years
Acquisition of Fire Department equipment, including fire hose and turnout gear.	42,000	39,900	5 Years
<b>TOTAL ALL PURPOSES</b>	<b>\$322,000</b>	<b>\$305,900</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$305,900.

(c) The estimated cost of the Improvement is \$322,000 which amount represents the initial appropriation made by the Township.

#### SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (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 signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. 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 Township Council of the Township 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 capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

#### SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or

acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$305,900 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

#### SECTION 8:

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 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

#### SECTION 10:

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 Improvement 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 cost of the Improvement is \$305,900.

SECTION 11:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF LOPATCONG**

**WARREN COUNTY, NEW JERSEY**

**PUBLIC NOTICE**

**NOTICE OF PENDING BOND ORDINANCE**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Lopatcong, in the County of Warren, State of New Jersey, on July 5, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 232 South 3<sup>rd</sup> Street, in the Township of Lopatcong, on August 1, 2018 at 7:20 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$322,000 For Various Capital Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$305,900 Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Purpose(s): Acquisition of new phone system; Acquisition of Inspector Vehicle; Acquisition of Department of Public Works vehicles, including street sweeper, 3-ton roller and pick-up truck; and Acquisition of Fire Department equipment, including fire hose and turnout gear.

Appropriation: \$322,000

Bonds/Notes Authorized: \$305,900

Grants (if any) Appropriated: None

Section 20 Costs: \$30,000

Useful Life: 5 Years

M. Beth Dilts, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

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

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

NAYS: None

**Resolution No. 18-160A** – Authorizing Non-Fair and Open Contract for legal services to Nehmad, Perillo and Davis with regard to Lopatcong Township v. Rachellyn Mosher, OAL Docket No.: CLG-5660-2018N at a rate of \$225.00 per hour.

**R 18-160A**

**RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES TO NEHMAD, PERILLO & DAVIS**

**WHEREAS**, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize a Non-Fair and Open Contract for professional services to the



law firm of Nehmad, Perillo & Davis with offices at 4030 Ocean Heights Avenue, Egg Harbor Township, NJ 08234 pursuant to the provisions of N.J.S.A. 19:44A-20-4 or 20.5; and

**WHEREAS**, the attorneys of Nehmad, Perillo & Davis will serve as Special Counsel in connection with the matter of Lopatcong Township v. Rachellyn Mosher, OAL Docket No.: CLG 05660-2018 N. The terms of this agreement shall reflect an hourly billing rate of \$225.00 for services provided, and

**WHEREAS**, as per N.J.S.A. 40A:4-57 and N.J.A.C.: 34-5.1 the Chief Financial Officer does hereby certify funds are available and encumbered; and

**WHEREAS**, the anticipated term of this contract is one year and may be extended as approved by the Governing body; and

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Township of Lopatcong shall appoint the law firm of Nehmad, Perillo & Davis as Special Counsel to the Township of Lopatcong serve in connection with the matter of Lopatcong Township v. Rachellyn Mosher, OAL Docket No.: CLG 05660-2018 N at an hourly rate of \$225.

#### 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, July 5, 2018.

Margaret B. Dilts, CMC

Attorney Wenner reported there is currently litigation involving the Township against the tax collector and because there was a conflict asserted against them, a new conflict counsel is being recommended. Motion by Council President Pryor, seconded by Councilman Belcaro.

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

NAYS: None

**BKC Public Accountants** – Non-Fair and Open Contract for Forensic Accounting Services.

#### **R 18-160**

#### **RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR FORENSIC ACCOUNTING SERVICES TO BEDARD, KUROWICKI & CO**

**WHEREAS**, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey do hereby authorize a Non-Fair and Open Contract for professional services to the accounting firm of Bedard, Kurowicki & Co with offices at 114 Broad Street, Flemington, New Jersey 08822 pursuant to the provisions of N.J.S.A. 40A:11-5; and

**WHEREAS**, the accountants of Bedard, Kuowicki & Co. will serve as forensic accountants in connection with the matter of the investigation of the Tax Collector's Office. The terms of this agreement shall reflect an initial retainer of \$10,000 and an hourly billing rate of between \$95 and \$350 for services provided, and

**WHEREAS**, the Township has made a claim to its insurance company and will be seeking payment from the carrier for all amounts covered by its policy; and

**WHEREAS**, as per N.J.S.A. 40A:4-57 and N.J.A.C.: 34-5.1 the Chief Financial Officer does hereby certify funds are available and encumbered; and

**WHEREAS**, the anticipated term of this contract is one year and may be extended as approved by the Governing body; and

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Township of Lopatcong shall appoint the accounting firm of Bedard, Kurowicki & Co. as forensic accountants to the Township of Lopatcong serve in connection with the investigation of the Tax Collector's Office at an hourly rate of between \$95 to \$350, with an initial retainer of \$10,000 to be paid by the insurance company.

#### 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, July 5, 2018.

Margaret B. Dilts, CMC

Council President Pryor noted that a letter was addressed to the Township taxpayers informing them of what is going on and that the Township's insurance company has agreed to pay for forensic accountants. Motion by Council President Pryor to authorize the hire of BKC Accounting, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**TWA – Bridge Development LLC – I-78 Logistics Park.** Motion by Council President Pryor to approve the Treatment Works Application, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**Architects Golf Club –** Letter from Lawrence Turco regarding Block 95, Lots 12.05 and 29 requesting zone change.

#### **Consent Agenda:**

Clerk Dilts asked to add two resolutions to the Consent Agenda. Resolution 18-161 to correct tax account for Block 15, Lot 23 and Resolution 18-31 to amend to correct Lot to be 16 instead of 4.

R 18-161

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 15, LOT 23

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 15, Lot 23 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 on Block 15, Lot 23:

1/6/2017

\$1,066.74

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, July 5, 2018.

Margaret B. Dilts, CMC

Motion to adopt the Consent Agenda by Council President Pryor, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

**Resolution 18-131** – Amend Resolution 18-131 adopted on June 6, 2018 to correct the Lot to be 16. Clerk Dilts will note this on the Minutes of June 6, 2018 for future reference.

**LAA Football Program** – Approve donation of Family Pool Membership.

**Resolution No. 18-157** – Authorize closing of the Community Hope Bank Account No. 2022.

R 18-157

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING CLOSING OF THE COMMUNITY HOPE BANK ACCOUNT NO. 2022

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

WHEREAS, said balance in Community of Hope Bank Account be transferred to the COAH Trust Fund Bank Account.

NOW, THEREFORE, BE IT RESOLVED by the Lopatcong Township Council of Lopatcong Township (not less than two thirds of all members thereof affirmatively concurring) that the Community of Hope Bank Account in hereby cancelled.

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-147** – Authorize correction to sewer account on Block 90, Lot 14, 1Q2017.

R 18-147

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

WHEREAS, the Township of Lopatcong has been provided with a receipt for a payment to the sewer account for Block 90, 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 to apply the following payments to the sewer account for Block 90, Lot 14:

1Q2017	\$91.10
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BE IT FURTHER RESOLVED the name on the account should be corrected from "Roberts, Peter" to "Peterson, Robert"; and

BE IT FURTHER RESOLVED that 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 Thursday, July 5, 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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-148** – Authorize correction to sewer account on Block 85, Lot 2.05.

R 18-148

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 85, LOT 2.05

WHEREAS, the Township of Lopatcong has been notified by the owner of Block 85, Lot 2.05 that the name of the tax and sewer account for this property are different and both are incorrect; and

WHEREAS, the Township wishes to correct the name and address on the tax and sewer account.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lopatcong hereby authorizes the Township Tax Office to correct the name and address of the owner of Block 85, Lot 2.05 in the tax and sewer account to the following:

Community Visiting Nurse Association  
110 West End Avenue  
Somerville, NJ 08876

#### 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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-149** – Authorize correction to tax account on Block 15, Lot 22.

R 18-149

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 15, LOT 22

WHEREAS, the Township of Lopatcong has been provided with a receipt of a tax payment for Block 15, Lot 22 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 15, Lot 22:

1/6/2017

\$986.71

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-150** – Authorize correction to tax account on Block 47, Lot 8.

R 18-150

RESOLUTION OF TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 47, LOT 8

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 47, Lot 8 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 47, Lot 8:

1/29/2016

\$1,393.82

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-151** – Authorize correction to tax account on Block 49, Lot 3.

R 18-151

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 49, LOT 3

WHEREAS, the Township of Lopatcong has been provided with a receipt of a tax payment for Block 49, 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 49, Lot 3:

1/6/2014

\$1,171.77

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-152** – Authorize correction to tax account on Block 53, Lot 1.

R 18-152

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 53, LOT 1

WHEREAS, the Township of Lopatcong has been provided with a receipt of a tax payment for Block 53, Lot 1 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 53, Lot 1:

1/10/2017

\$986.40

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-153** – Authorize correction to tax account on Block 80, Lot 5.

R18-153

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 80, LOT 5

WHEREAS, the Township of Lopatcong has been provided with receipts for tax payments for Block 80, Lot 5 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 80, Lot 5:

8/1/2016	\$1,365.78
11/1/2016	\$1,446.62
2/1/2017	\$1,353.57
4/11/2017	\$905.38

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-154** – Authorize correction to tax account on Block 129, Lot 13.

R 18-154

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 129, LOT 13

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 129, Lot 13 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 129, Lot 13:

1/29/2016

\$2,122.59

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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-155** – Authorize correction to tax account on Block 2, Lot 44.03.

R 18-155

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE TAX ACCOUNT FOR BLOCK 2, LOT 44.03

WHEREAS, the Township of Lopatcong has been provided with a receipt for a tax payment for Block 2, Lot 44.03 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 2, Lot 44.03:

1/10/2016

\$4,030.42

BE IT FURTHER RESOLVED that the Lopatcong Township Tax Office shall cancel any and all interest 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 Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-158** – Authorize cancellation to cancel municipal finance balances.

R 18-158



RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CANCEL MUNICIPAL FINANCE BALANCES

WHEREAS, there appears on the records of the Municipal Finance Office old outstanding checks; and

WHEREAS, the following outstanding checks have been investigated and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the following outstanding checks be and hereby cancelled

TRUST ACCOUNT CHECK NO.	AMOUNT
2112	\$25.00
2162	\$25.00
2170	\$25.00
2195	\$10.00
2258	\$528.00
5130	\$30.00

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 true and correct copy of a Resolution adopted by Council at a meeting held on Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Resolution No. 18-159** – Authorize cancellation to cancel municipal finance balances.

R 18-159

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND  
STATE OF NEW JERSEY TO CANCEL MUNICIPAL FINANCE BALANCES

WHEREAS, there appears on the records of the Municipal Finance Office old outstanding checks; and

WHEREAS, the following outstanding checks have been investigated and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that the following outstanding checks be and hereby cancelled

PAYROLL ACCOUNT CHECK NO.	AMOUNT
611246	\$481.14
611247	\$26.58
611306	\$106.31
611860	\$294.37
611910	\$104.28
611916	\$29.76
611924	\$73.27

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 true and correct copy of a Resolution adopted by Council at a meeting held on Thursday, July 5, 2018.

Margaret B. Dilts, CMC

**Announcement** – Special meeting has been scheduled for July 12<sup>th</sup> at 7:00 pm to discuss the I-78 Logistics Park.

**Appointments:**

**Resolution No. 18-162** - Temporary 6 month appointment within the Construction Office for Building Subcode Inspector for 4-6 hours per week at \$30.00 per hour.

R 18-162

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING A SIX MONTH TEMPORARY APPOINTMENT IN THE CONSTRUCTION OFFICE FOR BUILDING SUBCODE INSPECTOR FOR 4-6 HOURS PER WEEK AT \$30.00 PER HOUR

WHEREAS, Mayor and Council authorize a temporary appointment within the Construction Department for a period of six months; and

WHEREAS, this appointment would be for a Building Subcode Official; and

WHEREAS, this scheduled would be four to six hours per week at a rate of \$30.00 per hour.

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 authorize and approve this temporary appointment for six months at four to six hours per week at a rate of \$30.00 per hour.

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 true and correct copy of a Resolution adopted by Council at a meeting held on Thursday, July 5, 2018.

Margaret B. Dilts, CMC

Motion by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

**Resolution No. 18-163** – Temporary appointment to authorize an Electrical, Plumbing and subcode officials to fill in for an employee out sick or on vacation.

R 18-163

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING A TEMPORARY APPOINTMENT IN THE CONSTRUCTION OFFICE FOR BUILDING SUBCODE OFFICIAL, ELECTRICAL SUBCODE OFFICIAL AND PLUMBING SUBCODE OFFICIAL TO CARRY OUT INSPECTIONS DURING A PERIOD OF VACATION OR ILLNESS

WHEREAS, Mayor and Council authorize a temporary appointment by the Construction Official for a Building Subcode Official, Electrical Subcode Official and a Plumbing Subcode Official when an inspector is out of the office due to vacation or illness; and

WHEREAS, this appointment would be on a temporary basis; and

WHEREAS, the rate of pay would be \$30.00 per hour.

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 authorize the Construction Official to provide outside inspectors when an official is out of the office due to vacation or illness.

#### 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 true and correct copy of a Resolution adopted by Council at a meeting held on Thursday, July 5, 2018.

Margaret B. Dilts, CMC

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

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

NAYS: None

**Resolution No. 18-164** – Fire Prevention to hire an additional person for 5 hours per week at \$30.00. This would be a permanent part-time employee.

R 18-164

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE HIRE OF A PART-TIME EMPLOYEE IN THE FIRE PREVENTION BUREAU

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey authorize the hire of a permanent part-time employee in the Fire Prevention Bureau; and

WHEREAS, this part-time employee would work five hours per week at a rate of \$30.00 per hour.

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 authorize the Fire Prevention Bureau to hire a permanent part-time employee for five hours per week at a rate of \$30.00 per hour.

#### 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 true and correct copy of a Resolution adopted by Council at a meeting held on Thursday, July 5, 2018.

Margaret B. Dilts, CMC

Motion by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

Court Bailiff - Court Sessions will be moving to evenings; 2 sessions per month. Our current Bailiff will work the first session of the month but is unavailable on the second session. There is a need to hire a person to fill this position. Council President Pryor explained the changes in the court noting that the court would be part-time going forward. The court would hold sessions twice a month in the evening rather than every week during the day. Motion by Councilman Belcaro, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

### **Council Reports:**

Councilman Palitto – EDAC has been meeting with the Lopatcong Emergency Squad to hold a town wide garage sale to benefit the squad and fire departments. This would be held on September 15<sup>th</sup>.

Councilman Belcaro – No report.

Council President Pryor – Noted that Community Day is August 25<sup>th</sup>. Miss New Jersey will be making an appearance and are planning other things for this day.

Mayor Mengucci – Reported he met with Engineer Sterbenz and Councilman Belcaro regarding roads; Enmore, Oxford and other roads in Morris Park. There was also discussion about paving a third of Red School Lane. Also he discussed the letter he put out regarding the Tax Department so the residents would have an update on this situation. He noted that the insurance company will cover much of the costs.

Engineer Sterbenz – Reported that he updated the budget to handle the costs associated with the upcoming road program. The ordinance will be introduced August 1<sup>st</sup>. He will make application to the DOT for a large portion of Red School Lane. Surveying work is completed on Baltimore Street so they will begin the design work. This road is covered by a grant.

**Department Reports** – Motion to approve by Council President Pryor, seconded by Councilman Palitto. All in favor.

**Payment of Bills** - Motion by Council President Pryor to approve bills but noted his abstention from any bills submitted by JMT, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

### **Audience Participation:**

John Betz – Asked about the high density housing request for Architects.

Ernie Gallant – Thanked the Mayor for his letter. Asked about the delinquent accounts and how the process works for notification to them.

Brian Weeks – Report on storm basins. Provided Council an update on the new truck. Provided comments regarding the discussion held on earlier on energy aggregation that he was not in favor.

Chief of Police Garcia – Commented to Council on the bridge repair at Rt. 57 and 22 a nice improvement.

Resident – Questioned the Council the problems in the Tax Department. Also, comments were made on the energy aggregation.

Lori Ciesla – Updated Council on Music in the Park and the Movies at the Pool. She also relayed that the intersection of Powderhorn and Strykers has a site distance problem due to overgrown weeds, etc.

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

Respectfully submitted,

Margaret B. Dilts, CMC  
Clerk/Administrator

James E. Mengucci  
Mayor