

TOWNSHIP OF LOPATCONG
COUNCIL MEETING
6:30 pm

August 1, 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, Councilman Wright, Council President Pryor, and Mayor Mengucci. Also present was Attorney Campbell and Engineer Sterbenz.

Motion to come out of Executive Session by Councilman Belcaro, seconded by Councilman Palitto. All in favor. Attorney Campbell reported that Council was in Executive Session for approximately one hour and the topics of discussion were as listed on your agenda Nos. 1 through 7. Nos. 8 through 11 were not discussed and will be discussed in a second Executive Session following the regular meeting.

Public Comment:

John Betz – Asked for a short explanation on No. 4 when it came up and Ordinance No. 18-12.

Old Business:

Minutes – Approve Executive Sessions for June 6, 2018, Regular and Executive Session for July 5th and Special Meeting for July 12, 2018. Motion to approve by Councilman Belcaro, seconded by Councilman Palitto. Roll call vote:

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

NAYS: None

ABSTAIN: Councilman Wright – July 5, 2018

Ordinance No. 18-09 – Second reading and public hearing for various capital improvements in the amount of \$322,000.00. Motion to hold a public hearing by Council President Pryor, seconded by Councilman Belcaro. No comments were made from the public. CFO Browne explained the various proposed purchases. Motion to close the public hearing by Council President Pryor, seconded by Councilman Palitto. All in favor.

ORDINANCE NO. 18-09

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
TOTAL ALL PURPOSES	\$322,000	\$305,900	

(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

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 August 1, 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: 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

Motion to adopt this Ordinance 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

Municipal Building Phone System – Clerk Dilts explained the update to the quote for additional phones added, labor charges which brought the total to \$18,897.00 and there is a separate quote for the cleanup of the computer room which is \$962.00. The original quote was \$16,661.00. The savings will be anywhere from \$1300.00 to \$2000.00 on bills. Motion to approve 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

Peron/JSM Amended Agreement – Attorney Campbell noted that this is an amendment to the already approved agreement to address the phasing of the affordable housing units in the development. Motion by Council President Pryor, seconded by Councilman Wright. Roll call vote:

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

NAYS: None

New Business:

Ordinance No. 18-10 – First reading to amend Chapter 199 of the code entitled “Storm water Management”, Section 243-40 of Zoning and Land Use Ordinance entitled “Preliminary Data”, and Attachments 3 through 9 within Chapter 243 containing various submission Checklists to address new requirements of the Township’s Tier “A” Municipal Storm water General Permit and the requirements in the Township’s Highlands Petition.

Ordinance No. 18-10

**ORDINANCE TO AMEND CHAPTER 199 OF
THE CODE ENTITLED “STORMWATER MANAGEMENT”,
SECTION 243-40 OF THE ZONING AND LAND USE ORDINANCE ENTITLED
“PRELIMINARY DATA”, AND ATTACHMENTS 3 THROUGH 9 WITHIN
CHAPTER 243 OF THE CODE ENTITLED “ZONING AND LAND USE, WHICH
CONTAIN THE VARIOUS SUBMISSION CHECKLISTS TO ADDRESS NEW
REQUIREMENTS IN THE TOWNSHIP’S TIER ‘A’ MUNICIPAL STORMWATER**

**GENERAL PERMIT AND THE REQUIREMENTS IN THE TOWNSHIP'S
HIGHLANDS PETITION**

WHEREAS, the Township of Lopatcong has authorization to discharge storm water in accordance with a Tier 'A' Municipal Storm water Permit that was issued by the New Jersey Department of Environmental Protection ("NJDEP") on December 8, 2017; and

WHEREAS, the permit issued by the NJDEP on December 8, 2017 became effective on January 1, 2018; and

WHEREAS, the permit issued by the NJDEP on December 8, 2017 has a five (5) year term and shall expire on December 31, 2022; and

WHEREAS, the permit that became effective on January 1, 2018 replaced a permit that became effective on January 1, 2009; and

WHEREAS, the permit that became effective on January 1, 2018 contained several new requirements; and

WHEREAS, several of the new requirements require changes to the Code including the Land Development Ordinance to revise certain documents to be submitted either as part of a subdivision plan or site plan submission or in accordance with an approved or recorded maintenance plan;

WHEREAS, the submission requirements also must be updated to reflect the requirement for an applicant to submit either a consistency determination from the New Jersey Highlands Council or an application for a municipal Highlands Area Exemption as part of an application to either the Planning Board or Zoning Board of Adjustment.

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY THAT THE CODE OF THE TOWNSHIP IS AMENDED AS FOLLOWS:

Section One - Section 10B in Chapter 199 of the Code of the Township of Lopatcong entitled "Storm water Management" shall be amended to read as follows:

B. General maintenance.

(1) The design engineer shall prepare a maintenance plan for the storm water management measures incorporated into the design of a major development.

(2) Maintenance plans.

- a) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for

preventative and corrective maintenance (including replacement). Maintenance guidelines for storm water management measures are available in the New Jersey Storm water Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a storm water management facility to such person under an applicable ordinance or regulation.

b) Storm water facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris buildup and stagnant water. Maintenance responsibilities, inspection schedules and tasks will be clearly shown in the proposed plan. In no case shall water be allowed to remain in any facility long enough to trigger a mosquito breeding disease or cause any other type of health problem. The maintenance plan must include inspection routines to reduce the potential for extensive, difficult, and costly remedial or emergency maintenance efforts, including inspection checklists. Inspection checklists may address such items as:

- (1) Obstruction of inlet or outlet devices by trash and debris;
- (2) Evidence of erosion, sedimentation or instability;
- (3) Malfunctioning of valves, gates, locks, access hatches or equipment;
- (4) Deteriorated conduit outlet or seepage around outlet;
- (5) Cracks or other deterioration of inlets, outlets, pipes, and conduits;
- (6) Inadequate draining, clearing or clogging of control devices;
- (7) Trimming, cutting or mowing of vegetation as required;
- (8) Erosion and debris in emergency spillways and/or filter strips;
- (9) Deterioration of downstream channels/conduits;
- (10) Invasive or noxious weeds out of character with those specified;
- (11) Saturated conditions or standing water;
- (12) Animal burrowing; and
- (13) Vandalism or other non-specified occurrences.

(3) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.

(4) If the person responsible for maintenance identified under Subsection B2 above is not a public agency, the maintenance plan and any future revisions based on Subsection B7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

(5) Preventative and corrective maintenance shall be performed to maintain the function of the storm water management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

- (6) The person responsible for maintenance identified under Subsection B2 above shall maintain a detailed log of all preventative and corrective maintenance for the structural storm water management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
- (7) The person responsible for maintenance identified under Subsection B2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- (8) The person responsible for maintenance identified under Subsection B2 above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsection B6 and B7 above. Beginning on January 31, 2019, persons responsible for maintenance under Subsection B2 above shall make annual submissions to the municipality, by January 31st, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the calendar year that just ended for all structural storm water measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance related work orders.
- (9) The requirements of Subsection B3 and B4 do not apply to storm water management facilities that are dedicated to and accepted by the municipality or another governmental agency. Where the ordinance requires the facility to be dedicated to the municipality, certain aspects of the maintenance and repair plan may be deleted, but otherwise should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Guidelines for developing a maintenance and inspection program are provided in the New Jersey Storm water Best Management Practices Manual and the NJDEP Ocean County Demonstration Study, Storm water Management Facilities Maintenance Manual, dated June 1989, available from the NJDEP, Watershed Management Program.
- (10) In the event that the storm water management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or county may immediately proceed to do so and shall bill the cost thereof to the responsible person.

Section Two - Section 243-40 of the Code entitled "Preliminary Plat Details" shall be revised to add Subparagraph (e) to Section 240-40C(3) that shall read as follows:

- (e) Completed "Major Development Storm water Summary Form" that is contained within Attachment D in the Township's Tier 'A' Municipal Storm water General Permit for each storm water management basin that is proposed on the project.

Section Three - Attachments 3 through 9 in Chapter 243 entitled “Zoning and Land Use”, which contain checklists listing submission requirements for the various land use applications, shall be amended to include a checklist item indicating that the “Major Development Storm water Summary Sheet” referenced in Section Two of this Ordinance shall be submitted when a storm water management basin is proposed on a project.

Section Four - Attachments 3 through 9 in Chapter 243 entitled “Zoning and Land Use”, which contain checklists listing submission requirements for the various land use applications, shall be amended to include a checklist item that indicates that an applicant for development shall either submit a consistency determination from the New Jersey Highlands Council indicating that the application is consistent with the Highlands Regional Master Plan and the Township’s approved petition or an application for a Highlands Exemption under the Township’s Municipal Highlands Exemption Program.

Section Five: If any section, subdivision, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section Six: This ordinance shall take effect upon the publication of notice of final adoption as provided by law.

NOTICE

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Township Council of the Township of Lopatcong, New Jersey, held on August 1, 2018 and that at a regular meeting of the same to be held on September 5, 2018 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, at the hour of 7:00 p.m., the said Township Council will consider the final passage of said ordinance.

Margaret B. Dilts, CMC
Township Clerk

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

Ordinance No. 18-11 – First reading of Bond Ordinance in the amount of \$1.2 million for various roadway improvements.

ORDINANCE 18-11

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,200,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOPATCONG, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$969,000 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 12:

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 \$1,200,000. Such sum includes the sum of (a) \$180,000 from the New Jersey Department of Transportation and (b) \$51,000 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 13:

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 \$969,000 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 \$969,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 14:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for various road improvements, including but not limited to Baltimore Street, Greystone Avenue, Maple Street, Briar stone Avenue, South Fourth Street, South Fifth Street, Cromwell Street, Red School Lane (between Belvidere Road and Charles Road), Enmore Road and Oxford Road, including traffic stripping, curbing, milling and paving, and design and permitting for Belvidere Road and sidewalk, Stryker Road sidewalk and pedestrian safety project, and including all work and materials necessary therefor and incidental

thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.

(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 \$969,000.

(c) The estimated cost of the Improvement is \$1,200,000 which amount represents the initial appropriation made by the Township.

SECTION 15:

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 16:

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 17:

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 12.08 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 \$969,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$350,000 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 18:

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 19:

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 20:

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 \$969,000.

SECTION 21:

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 August 1, 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 3rd Street, in the Township of Lopatcong, on August 23, 2018 at 7:30 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 \$1,200,000 For Various Road Improvements In And By The Township Of Lopatcong, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$969,000 Bonds Or Notes Of The Township For Financing Part Of The Appropriation.

Purpose(s): For various road improvements, including but not limited to Baltimore Street, Greystone Avenue, Maple Street, Briarstone Avenue, South Fourth Street, South Fifth Street, Cromwell Street, Red School Lane (between Belvidere Road and Charles Road), Enmore Road and Oxford Road, including traffic stripping, curbing, milling and paving, and design and permitting for Belvidere Road and sidewalk, Stryker Road sidewalk and pedestrian safety project.

Appropriation: \$1,200,000

Bonds/Notes Authorized: \$969,000

Grants (if any) Appropriated: None

Section 20 Costs: \$350,000

Useful Life: 12.08 Years

M. Beth Dilts, Clerk

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

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

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

NAYS: None

Ordinance No. 18-12 – First reading to Approve Application for Long-Term Tax Exemption and Authorizing the Execution of a Financial Agreement for a Tax Exemption for an Urban Renewal Project for property known as Block 101, Lot 1 and 1.01.

Ord. No. 18-12

**ORDINANCE OF THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN, NEW JERSEY APPROVING AN
APPLICATION FOR A LONG TERM TAX EXEMPTION
AND AUTHORIZING THE EXECUTION OF A FINANCIAL
AGREEMENT FOR A TAX EXEMPTION FOR AN URBAN
RENEWAL PROJECT WITH RESPECT TO THE
PROPERTY COMMONLY KNOWN AS BLOCK 101, LOTS
1 AND 1.01 ON THE TAX MAP OF THE TOWNSHIP**

WHEREAS, the Township Council of the Township of Lopatcong, in the County of Warren, State of New Jersey (the “**Township**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Township identified and designated as the former Ingersoll Rand site, commonly known as Block 100, Lot 1 and Block 101, Lot 1 Qualifier 0050 as set forth on the tax map of the Township as an “area in need of redevelopment” (the “**Redevelopment Area**”), as described in

Exhibit A attached hereto, and adopted a redevelopment plan for the Redevelopment Area entitled the “Amended and Revised Lopatcong Redevelopment Plan”, as the same may be further amended and supplemented from time to time (the “**Redevelopment Plan**”); and

WHEREAS, the Township has determined to act as the “redevelopment entity” for the Redevelopment Area in accordance with the provisions of the Redevelopment Law which also authorizes the redevelopment entity to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an “area in need of redevelopment” pursuant to N.J.S.A. 40A: 12A-8; and

WHEREAS, in order to effectuate the public purposes set forth in the Redevelopment Plan and in order to set forth the terms and conditions under which the Township and the redeveloper shall carry out their respective obligations with respect to redevelopment of the Redevelopment Area, on December 15, 2015, the Township and Opus Investments Limited Liability Company (“Opus”) and its special purpose entity Lopatcong Commerce Park Urban Renewal Entity, LLC, executed a Redevelopment Agreement (the “**Redevelopment Agreement**”); and

WHEREAS, the Redevelopment Agreement provides for the acquisition of the Redevelopment Area by the Entity and the construction of approximately 1 million sq. ft. of warehouse and light industrial space and all on-site and off-site infrastructure required therefor (collectively, the “**Project**”); and

WHEREAS, the Township approved the sale and transfer of the Redevelopment agreement Project site from Opus to a I-78 Logistics Park Lopatcong Urban Renewal, LLC (the “Entity”), which is a wholly-owned special purpose entity created by Bridge Development Partners to own and develop the Project; and

WHEREAS, the Entity has closed on the purchase of the Project and executed an Assignment and Assumption Agreement whereby it has assumed all of the developer obligations set forth in the Redevelopment Agreement;

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., and the New Jersey Redevelopment Area Bond

Financing Law, N.J.S.A. 40A:12A-64 et seq., as amended and supplemented (the “**Bond Financing Law**”), the Township is authorized, in its sole discretion, to provide for and accept, in lieu of real property taxes, an annual service charge paid by the Entity (as defined herein) to the Township (the “**Annual Service Charge**”); and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Entity has submitted an application to the Township for the approval of the Project, an urban renewal project (the “**Exemption Application**”), in accordance with N.J.S.A. 40A:20-8, along with a proposed form of Financial Agreement (the “**Financial Agreement**”); and

WHEREAS, pursuant to and in accordance with the provisions of the Bond Financing Law, specifically N.J.S.A. 40A:12A-65 and 67(a), the Township may issue **non-recourse** redevelopment project bonds (the “**Bonds**”), or an entity acting on behalf of the Township, may issue such bonds in order to finance a portion of a redevelopment project, which Bonds may be secured by the Annual Service Charge; and

WHEREAS, in order to assist in financing a portion of the costs of the Project relating to public infrastructure improvements and certain other costs, the Township may issue, or reissue, **non-recourse** Bonds, and the Entity has requested such Bonds be issued an amount not to exceed Seven Hundred and Fifty Thousand dollars (\$750,000) in accordance with the terms and provisions of an indenture of trust and/or a general bond resolution (the “**Indenture**”) authorizing the issuance of such Bonds; and

WHEREAS, pursuant to the terms of the Financial Agreement and the Indenture and in accordance with the terms of the Bond Financing Law, specifically N.J.S.A. 40A:12A-67(a), a portion of the Annual Service Charge shall be pledged, on a first lien basis, to the payment of the principal or redemption premium of, and interest on, the Bonds.

WHEREAS, the Project shall conform to the Redevelopment Plan and will be in conformance with the master plan of the Township; and

WHEREAS, despite the Entity’s substantial investment of equity and borrowed funds, such amounts are insufficient to pay for all of the costs associated with the development and construction of the Project; and

WHEREAS, pursuant to *N.J.S.A. 40A:20-8*, the Mayor has reviewed the Exemption Application and the Mayor has submitted the Exemption Application and Financial Agreement to the Township Council with his recommendation for approval, subject to the condition that the Entity pay, in lieu of tax payments on the Project, an annual service charge, such that the combined tax payment on the land and the annual service charge paid by the Entity each year shall be no less than the amount of the total property taxes that the Township has received from the Redevelopment Area, prior to redevelopment; and

WHEREAS, upon review of the proposed Project, the Exemption Application and the Mayor's recommendation, the Township has made the following findings with respect to the Project pursuant to *N.J.S.A. 40A:20-11*:

1. The Redevelopment Area is not currently developed to its maximum potential. The Redevelopment Area is sparsely developed and underutilized and generates minimal taxes for the Township. Despite the development potential in the Redevelopment Area, a history of failed development attempts has artificially raised the cost of land acquisition and construction making development in the Redevelopment Area financial infeasible without financial assistance. Upon expiration of the exemption, the Project shall be fully assessed and conventionally taxed;

2. Given the costs as well as the uncertainty and instability of current economic and market conditions as well as aggressive competition within the region, the investment risk makes the financing of the Project infeasible in the absence of a tax exemption provided by the Township;

3. The construction of the Project will result in the remediation of the Redevelopment Area, substantial improvements to the infrastructure on the site as well as community benefits in the form of increased jobs, ratables and recreational space;

4. The Project is consistent with the Redevelopment Plan, will further its objectives and will contribute to the economic growth of the Township;

5. The Financial Agreement was an inducement to the Entity to undertake the Project in the Township and facilitate the redevelopment of the Redevelopment Area;

6. That the assistance provided by this Financial Agreement is a significant and critical inducement to the Entity to proceed with the Project, but for without which the Entity maintains that the Project cannot be built; and

7. That issuance of the non-recourse Bonds shall in no way adversely impact the financial stability of the Town; and,

WHEREAS, in accordance with the provisions of the LTTE Law, the Township desires to approve the Project and authorize the execution of the Financial Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF LOPATCONG, NEW JERSEY AS FOLLOWS:

Section 1. The forgoing recitals are incorporated herein as if set forth in full.

Section 2. The Entity hereby is approved as the Redeveloper defined under the Redevelopment Agreement to implement the Project and the terms of the Redevelopment Agreement.

Section 3. An exemption from taxation as set forth in the Exemption Application is hereby approved and granted to the Entity, with respect to the Project in the Redevelopment Area in accordance with the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by the LTTE Law, thirty (30) years from the Entity's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as the Entity remains subject to and in compliance with the Financial Agreement and the LTTE Law.

Section 4. The form of Financial Agreement submitted by the Entity, attached hereto as **Exhibit A** and made a part hereof, is hereby approved in accordance with Section 8 of the LTTE Law.

Section 5. The Mayor, in consultation with counsel to the Township, is hereby authorized to execute the Financial Agreement and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate. The Mayor, in consultation with counsel, is specifically authorized to revise, if necessary, the amount of the Pledged Annual Service Charge appearing on Schedule 1 of the Financial Agreement to reflect the amount of the final RAB Bond Debt Service.

Section 6. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 7. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Township Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 8. The Project shall conform with all federal, state and Township laws, ordinances and regulations relating to its construction and use.

Section 9. The Entity shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color, national origin or ancestry will be subject to discrimination.

Section 10. In order to assist in financing a portion of the costs of the Project relating to public infrastructure improvements and certain other costs and in accordance with the provisions of the Bond Financing Law, specifically N.J.S.A. 40A:12A-65 and 67(a), the Township will issue the **non-recourse** Bonds in an amount not to exceed Seven Hundred and Fifty Thousand dollars (\$750,000), which Bonds shall be authorized by a later duly-enacted indenture of trust and/or a general bond resolution (the "Indenture") authorizing the issuance of such Bonds. Pursuant to the terms of the Financial Agreement, a portion of the Annual Service Charge shall be pledged, on a first lien basis, to the payment of the principal or redemption premium of, and interest on, the Bonds.

Section 11. This ordinance shall take effect in accordance with all applicable laws.

NOTICE

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Township Council of the Township of Lopatcong, New Jersey, held on August 1, 2018 and that at a special meeting of the same to be held on August 23, 2018 at the Municipal Building, 232 South Third Street, Phillipsburg, New Jersey, at the hour of 7:00 p.m., the said Township Council will consider the final passage of said ordinance.

Margaret B. Dilts, CMC

Township Clerk/Administrator

Motion to approve by Councilman Wright, seconded by Councilman Belcaro. Roll call vote:

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

NAYS: None

Resolutions No. 18-166 - O & M Solutions – Award Contract for the Operation and Maintenance of the Wastewater Collection System to O & M Solutions, LLC in the amount of \$133,700.00.

R 18-166

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY CONTRACT WITH O & M SOLUTIONS, LLC., FOR THE OPERATION AND MAINTENANCE OF LOPATCONG'S WASTEWATER COLLECTION SYSTEM

WHEREAS, the Township of Lopatcong, County of Warren and State of New Jersey received bids for the operation and maintenance of the wastewater collection system on Wednesday, July 25, 2018; and

WHEREAS, two (2) bids were received; one (1) from Chapman, Inc., and one (1) from O & M Solutions, LLC; and

WHEREAS, the bids were reviewed by the Township Sewer Engineer Dan Madden and Township Attorney Katrina Campbell; and

WHEREAS, a recommendation is to award the contract to O & M Solutions, LLC in the amount of \$137,700.00, the low bidder for a two year period.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey authorizes the contract to O & M Solutions, LLC as recommended by

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, August 1, 2018.

Margaret B. Dilts, CMC

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

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

NAYS: None

Consent Agenda:

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

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

NAYS: None

Resolution No. 18-167 – Corrective Action Plan for Audit.

R 18-167

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY AUTHORIZING CORRECTIVE ACTION PLAN FOR 2017
AUDIT REPORT

WHEREAS, Local Finance Notice #92-15 issued July 8, 1992, requires that all municipalities prepare and submit a Corrective Action Plan as part of their annual audit process and in accordance with OMB circulars and #92-15; and

WHEREAS, the resolution is submitted to the Division of Local Government Services, Department of Community Affairs and placed on file with the clerk sixty (60) days from the date of audit is received by the Governing Body; and

WHEREAS, the audit report was received June 18, 2018; and

WHEREAS, this corrective action plan resolution has been prepared by the Chief Financial Officer and approved by the governing body of the municipality; and

WHEREAS, Kimberly Browne, the Chief Financial Officer, has approved a corrective action plan for findings in the 2017 Audit Report of the Township of Lopatcong, Warren County, New Jersey; and

WHEREAS, the Chief Financial Officer has provided the Mayor and Council of the Township of Lopatcong, County of Warren, New Jersey with a copy of this corrective action plan; and

WHEREAS, the Mayor and Council of the Township of Lopatcong, Warren County, New Jersey have reviewed the findings and the corrective actions of this plan.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, Warren County, New Jersey approve the corrective action plan and that the Chief Financial Officer of the Township of Lopatcong, Warren County, New Jersey is hereby directed to carry out the corrective action plan for the 2017 Audit Report and the Municipal Clerk will forward a copy of this resolution to the Department of Community Affairs.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-168 – Cancel municipal finance balance in the amount of \$1,118.63.

R 18-168

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

SEWER OPERATING ACCOUNT CHECK NO.	AMOUNT
2691	\$1,118.63

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-169 – Authorizing Chapter 159 to insert \$3095.92 in the budget from NJ Recycling Tonnage Grant 2017.

R 18-169

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018

\$3095.92 NJ ENVIRONMENTAL PROTECTION

BE IT FURTHER RESOLVED that the like sum of \$3095.92 is hereby appropriated to Recycling Tonnage Grant – 2017.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-170 – Authorizing Chapter 159 to insert \$3,000.00 in the budget from Green Communities Grant – 2017.

R 18-170

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.

In the sum of \$3000.00 which is available from Warren County.

BE IT FURTHER RESOLVED that the like sum of \$3,000.00 is hereby appropriated under the caption Green Communities – 2017.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-171 – Authorizing Chapter 159 to insert \$19,719.65 in the budget for Clean Communities Grant 2017.

R 18-171

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made availability by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.

In the sum of \$19,719.65 which is available from NJ Environmental Protection Agency

BE IT FURTHER RESOLVED that the like sum of \$19,719.65 is hereby appropriated under the caption of Clean Communities 2017.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-172 – Authorizing Chapter 159 to insert \$18,874.12 in the budget for Clean Communities 2018.

R 18-172

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, county of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.

In the sum of \$18,874.12 – NJ Environmental Protection Agency.

BE IT FURTHER RESOLVED that the like sum of \$18,874.12 – Clean Communities 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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-173 – Authorizing Chapter 159 to insert \$8,046.33 in the budget for Drunk Driving Enforcement 2017.

R 18-173

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2018.

In the sum of \$8046.33 which is available from the Division of Highway Traffic Safety Assoc.

BE IT FURTHER RESOLVED, that the sum of \$8046.33 is hereby appropriated under the caption of Drunk Driving Enforcement – 2017.

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 on Wednesday, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-174 – Authorizing Chapter 159 to insert \$1,785.52 in the budget for Body Armor Fund 2017.

R 18-174

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.

In the sum of \$1,785.52 is available from NJ Division of Criminal Justice.

BE IT FURTHER RESOLVED that the like sum of \$1,752.52 is hereby appropriated under the caption of Body Armor Fund – 2017.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-175 – Authorizing Chapter 159 to insert \$5,500.00 in the budget for Click it or Ticket 2018.

R 18-175

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018.

In the sum of \$5500.00 which is available National Highway Traffic Safety Association.

BE IT FURTHER RESOLVED that the like sum of \$5500.00 is hereby appropriated under the caption of Click it or Ticket – 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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-176 – Authorize increase in salary to the Technical Assistant to the Construction Official a Keyboarding Clerk 3.

R 18-176

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING INCREASE IN SALARY TO EILEEN APPLE TECHNICAL ASSISTANT TO THE CONSTRUCTION OF OFFICIAL UNDER THE EQUAL PAY ACT LAW

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey desire to adjust the salary of Eileen Apple, Keyboarding Clerk 3, in order to comply with recently enacted legislation regarding equal pay; and

WHEREAS, after a review of comparable salaries as compared to positions, job duties and experience held by similarly situated employees with the Township it has been determined that Ms. Apple's salary should be adjusted to \$22.89 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 increase in salary for employee Eileen Apple Keyboarding Clerk 3 to the amount of \$22.89 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 a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-179 - Memorialize the hire of Christine Matthews.

R 18-179

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY MEMORIALIZING HIRE OF CHRISTINE MATTHEWS AS
VIOLATIONS CLERK IN THE COURT PROVISIONALLY PENDING CIVIL SERVICE
CERTIFICATION OF ELIGIBLES

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey authorize the provisional hire of Christine Matthews as Violations Clerk in the Court pending Civil Service review; and

WHEREAS, Christine Matthews is scheduled for night court on the first and third Tuesday of the month from 6:00 to end of court; and

WHEREAS, the Violation Clerk will be paid at a rate of \$20.00 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 authorize the hire of Christine Matthews pending the Civil Service Certification process for the scheduled hours and rate of pay.

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 scheduled on Wednesday, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-180 – Memorialize hire of Don Obley as Court Security Officer.

R 18-180

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND
STATE OF NEW JERSEY APPROVING HIRE OF DONALD OBLEY AS MUNICIPAL
COURT ATTENDANT

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey hereby approve the appointment of Donald Obley as Municipal Court Attendant;
and

WHEREAS, Donald Obley shall be paid at a salary established in the Township Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey that Donald Obley is hereby appointed as Municipal Court Attendant by Civil Service for the court session held on the third Tuesday of each and every month at a rate established in the Township Ordinance.

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, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-177 – Memorialize hire of John Fritts as a temporary, part-time Building Subcode Official for 4 to 6 hours per week.

R 18-177

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING HIRE JOHN FRITTS AS OF TEMPORARY SIX MONTH PART-TIME BUILDING SUBCODE OFFICIAL

WHEREAS, the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey authorize the Construction Official to hire a temporary six month, part-time Building SubCode Official; and

WHEREAS, the Construction Official does hereby ask to appoint John Fritts to this position; and

WHEREAS, John Fritts is a qualified, licensed official in the State of New Jersey; and

WHEREAS, John Fritts will work 4 to 6 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 hire of John Fritts as a temporary six month, part-time Building Subcode Official to assist the Construction Official up to six hours per week at a rate of \$30.00 an 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 a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, August 1, 2018.

Margaret B. Dilts, CMC

Resolution No. 18-178 – Authorize correction to sewer account on Block 46, Lot 1.

R 18-178

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY TO CORRECT THE SEWER ACCOUNT FOR BLOCK 46, LOT 1

WHEREAS, the Township of Lopatcong has been provided with a receipt for a payment to the sewer account for Block 46, 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, upon the filing of an affidavit from the taxpayer, the Township Tax Office to apply the following payments to the sewer account for Block 46, Lot 1:

4/25/2016	\$117.28
-----------	----------

BE IT FURTHER RESOLVED, that the Township Council of the Township of Lopatcong hereby authorizes, upon filing of an affidavit from the taxpayer, the Township Tax Office to apply the following payments to the sewer account for Block 46, Lot 1:

1 st Quarter	\$113.79
-------------------------	----------

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, August 1, 2018.

Margaret B. Dilts, CMC

Delaware Park Chemical Engine Co., No. 1 – Approve membership for Michael Tampier.

LMR Disposal – Award quote for Fall Cleanup to LMR Disposal.

Maser Consulting – Approve Design Plans and Bid Documents in the amount of \$52,500 in conjunction with the Transportation Alternatives Program Project.

Maser Consulting – Approve Design Plans and Bid Documents in the amount of \$65,500 in conjunction with the Safe Routes to School Program Project.

Phillipsburg High School – Request use of pool parking lot for two cross country events on October 11 and October 18, 2018 from 9:30 am to 2:00 pm.

Fox Brothers Alarm Services, Inc. – Approve purchase of security cameras in the amount of \$4135.00.

Council Reports:

Councilman Palitto – EDAC is working with the Emergency Squad on a townwide Garage Sale to take place September 15th. Tables will be at the Emergency Squad for rental so people who live in the apartments and condos can participate. Further information will be posted on the Township website and Facebook page as soon as possible.

Councilman Belcaro – The new street sweeper has been out around town cleaning up roads. The new dump truck arrived. The USDA loan finally closed out. The projects have been completed and all goals met. The Township received all the funds allocated to the project which included \$850,000.00 in grant money.

Councilman Wright – Working with the Chief of Police on a few projects to be announced in the near future.

Council President Pryor – Announced Community Day would be held on Saturday, August 25th. Miss New Jersey will be at the park from 1:30 to 4:30 pm.

Mayor Mengucci – Informed the public that the tax bills will be mailed soon and he noted the tax rate overall is down from last year. Thanked the CFO for her due diligence. He also noted that he mailed out a letter to all the taxpayers explaining what he could regarding the tax collector's office situation and that the taxpayers accounts are being addressed. A forensic auditor will be forthcoming to figure out what exactly what was going on in that office. He thanked the employees for their work in the tax office.

Engineer Wisniewski – No report.

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

Payment of Bills – Motion by Council President Pryor abstaining from JMT Bills, seconded by Councilman Wright. Roll call vote:

Roll call vote:

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

NAYS: None

Audience Participation:

Brian Weeks – Confirmed the roads are going to be paved by the gas company once work is completed in Morris Park.

Motion to go into Executive Session. Motion by Councilman Belcaro, seconded by Council President Pryor. All in favor.

Motion to resume regular session by Council President Pryor, seconded by Councilman Palitto. All in favor.

R 18-181

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND THE STATE OF NEW JERSEY AUTHORIZING AN EXECUTIVE SESSION

WHEREAS, there are presently pending matters to be considered in Executive Session concerning possible matters listed:

Personnel

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, August 1, 2018.

Margaret B. Dilts, CMC

Clerk Dilts spoke about No. 5 under personnel. We have an employee Jennifer Patricia hired as a keyboarding clerk and her actual title through Civil Service should be Senior Payroll Clerk and that will be an in-house promotion and her wages will increase by \$8,000.00 as recommended by Jersey Professional Management in their Study completed 2018. Motion to approve this by Mayor Mengucci, seconded by Council President Pryor. Roll call vote:

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

NAYS: None

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

Respectfully submitted,

Margaret B. Dilts, CMC
Clerk/Administrator

James E. Mengucci
Mayor